

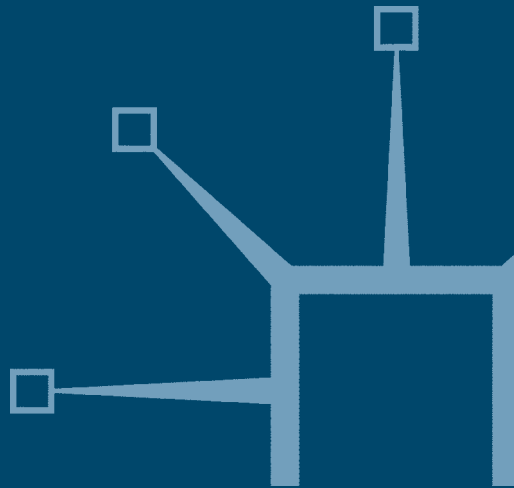
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# Security Intelligence Services in New Democracies

The Czech Republic, Slovakia and Romania

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Kieran Williams and Dennis Deletant



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# Security Intelligence Services in New Democracies

**The Czech Republic, Slovakia and Romania**

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and

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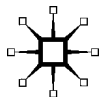
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# List of Abbreviations

## 1 Introduction

BfV	Federal Bureau for Protection of the Constitution (Germany)
BND	Federal Information Service (Germany)
BVD	National Security Service (Netherlands)
CESID	Supreme Centre for Defence Intelligence (Spain)
CSIS	Canadian Security Intelligence Service
GCHQ	Government Communications Headquarters (UK)
ISC	Intelligence and Security Committee (UK)
MIS	Security Service (UK)
PKK	Parliamentary Control Commission (Germany)
SIRC	Security Intelligence Review Committee (Canada)
SIS	Secret Intelligence Service (UK)

## 2 The StB in Czechoslovakia, 1945–89

BBV	Defence and Security Committee
DS	Democratic Party (Slovakia)
KGB	Committee of State Security (USSR)
KSČ	Communist Party of Czechoslovakia
SNB	National Security Corps
StB	State Security
VB	Public Security

## 3 Czechoslovakia, 1990–2

BBV	Defence and Security Committee
BND	Federal Information Service (Germany)
CIA	Central Intelligence Agency (USA)
FBIS	Federal Security Information Service
FIS	Federal Information Service
HZDS	Movement for a Democratic Slovakia
KGB	Committee of State Security (USSR)
KSČ	Communist Party of Czechoslovakia
MIS	Security Service (UK)
ODS	Civil Democratic Party
StB	State Security



ÚOÚD	Bureau for Protection of the Constitution and Democracy
ÚZSI	Bureau for Foreign Contacts and Information
ZKO	Special Oversight Organ

#### **4 The Czech Republic since 1993**

BBV	Defence and Security Committee
BIS	Security Information Service
FBIS	Federal Security Information Service
MI5	Security Service (UK)
ODA	Civil Democratic Alliance
ODS	Civil Democratic Party
SNS	Slovak National Party
StB	State Security
ÚDV	Bureau for Documentation and Investigation of the Crimes of Communism
ÚZSI	Bureau for Foreign Contacts and Information
VOZ	Military Defensive Intelligence
VZS	Military Intelligence Service
ZKO	Special Oversight Organ

#### **5 Slovakia since 1993**

BIS	Security Information Service (Czech Republic)
FBIS	Federal Security Information Service
FIS	Federal Information Service
HZDS	Movement for a Democratic Slovakia
KSĎ	Communist Party of Czechoslovakia
OKO	Special Oversight Organ
OKV	Special Oversight Committee
SDĽ	Party of the Democratic Left
SIS	Slovak Information Service
StB	State Security
ÚOÚD	Bureau for Protection of the Constitution and Democracy
ÚZSI	Bureau for Foreign Contacts and Information
VPN	Public Against Violence

#### **6 The *Securitate* Legacy in Romania**

CIE	Foreign Intelligence Service (1978–89)
DGIE	Foreign Intelligence Service (1963–72, March 1978 – October 1978)
DGSP	Security Service (1948–51)
DIE	Foreign Intelligence Service (1972 – March 1978)

DS	Security Service (1956–78)
DSS	Security Service (1978–89)
KGB	Committee of State Security (USSR, 1954–91)
MGB	Ministry of State Security (USSR, 1946–54)
NKGB	People’s Commissariat of State Security (USSR, 1943–6)
NKVD	People’s Commissariat of Internal Affairs (USSR, 1934–43)
USLA	Special Anti-Terrorist Unit

### **7 The Successors to the Securitate: Old Habits Die Hard**

PDSR	Romanian Party of Social Democracy
PNL	National Liberal Party
PRM	Greater Romania Party
PUNR	Party of National Unity of the Romanians
SIE	Foreign Information Service
SOI	Intelligence Service of the General Directorate of Prisons
SPP	Service of Protection and Guard
SRI	Romanian Information Service
UDMR	Union of Democratic Hungarians
UM 0215	Intelligence and Security Service of the Ministry of the Interior
USD	Social Democratic Union
USLA	Special Anti-Terrorist Unit

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# 1

## Introduction

*Kieran Williams*

Eastern Europe has completed a decade of revolutionary change. Political organization and social structure have been transformed, property control distanced from the state, and Marxism-Leninism replaced as the dominant ideology by liberalism and nationalism. In a revolutionary situation, the institutions of security intelligence play a far more exposed, ambiguous role than they do in consolidated democratic politics. Together with ethnic minorities, they are at the centre of post-communism's moral panics and conspiracy theories, yet at the same time they are expected to protect the people and enlighten policy-makers in a period of uncertainty and disquiet. Relating directly to new issues of executive capacity, legislative-executive relations, and democratic control, the behaviour of such institutions is a litmus test of both the functioning and accountability of the post-communist state.

### **What is security intelligence?**

In Peter Gill's broad definition, security intelligence is the 'state's gathering of information about and attempts to counter perceived threats to its security deriving from espionage, sabotage, foreign-influenced activities, political violence and subversion'.<sup>1</sup> Two brief comments on Gill's definition, as prompted by his own research, should be added. First, in countries such as Canada and Australia, where the term 'security intelligence' originally entered parlance, emphasis has fallen on the collection of information and its systematic refinement into a usable product (intelligence) while leaving direct action to peace officers outside the security intelligence community. Second, some

service mandates have omitted the concept of subversion, as experience has shown that it can be too easily stretched to justify the surveillance and suppression of peaceful, lawful advocacy.

Even in a narrow gloss stressing intelligence over intervention, the 'security' component requires elaboration, especially after the Cold War. Going beyond the more limited idea of defence, security (often dubbed national security) relates to all forms of threat to internal order, to the viability of the state, and to the quality or way of life of its inhabitants.<sup>2</sup> Although originating in the bipolar ideological confrontation of the 1950s, a holistic concept encompassing safety, well-being and lifestyle remains compelling at the century's uncertain end. It has accommodated the new prominence of international regimes and capital flows, industrial fears of organized crime and foreign-sponsored economic espionage, the reduced risk of a war of annihilation and the greater probability of localized disputes. Ultimately, however, it is perpetuated by the persistence, be it under-acknowledged, of the semi-sovereign state.

Post-communist countries are no exception. One analyst has noted that in Poland, the idea of security 'is increasingly linked with the state of the economy, ecological problems, the development of civil society, and parliamentary democracy'.<sup>3</sup> A Slovak jurist defined security in 1990 as 'the protection of constitutionalism, the established order, the new political and economic system, and especially ... the integrity of every ordinary honest citizen'.<sup>4</sup> As an observer of similar developments in South Africa has noted, 'National security is increasingly being defined as threats to the people rather than threats to the state.'<sup>5</sup>

The span of security is thus expanding, rather than contracting, after the Cold War, and in directions better addressed by the European Union's Justice and Home Affairs pillar than by NATO. There is then all the more reason to insist on an enhanced sensitivity to liberal democracy and constitutionalism as two of the values to be protected. It is in the nature of security intelligence that it must enjoy a certain discretion, in the form of state-licensed secrecy, to carry out its duties. A dilemma arises in that it is working by stealth for the preservation of an open society, one in which the liberal state sets standards of what is right but not of what is good, and must therefore permit public contestation of many essential issues and the related forms of competition that go to the heart of democracy.

A solution to this dilemma is to conceptualize national security as including, and not taking priority over, the defence of democracy and civil rights; to argue that only a state mindful of liberty deserves security; and to insist on a distinction between irksome but benign heterodoxy

and genuine threats to the country's liberal democratic identity.<sup>6</sup> Many of these desiderata can be encoded in the mandate bestowed on the security intelligence service by the legislature, in the hope that they will embed themselves in the service's corporate culture. In Eastern Europe, the re-engineering of service identity should be regarded as an integral part of the transition to democracy.<sup>7</sup>

This shift from authoritarianism to liberalism requires a quick mutation in the type of security intelligence organization that the state employs. Keller has set out three ideal types, determined by the service's autonomy from executive control and insularity from external observation (such as legislative oversight or investigative reporting), and depicted in Table 1.1.

Table 1.1 Ideal types of security intelligence agency

	High autonomy	Medium autonomy	Low autonomy
High insularity	1. Independent security state	2.	3.
Medium insularity	4.	5. Political police	6.
Low insularity	7.	8.	9. Domestic intelligence bureau

A *bureau of domestic intelligence*, the desired agency for a liberal democracy, channels its resources into the acquisition of information that could assist the exposure and prosecution of serious threats to the country's security; operates according to clear, strict guidelines; and refrains from direct coercion of fellow citizens. The service is kept in line by someone of cabinet rank and must also undergo external inspection.

A *political police*, which can exist in a decaying democracy or under authoritarianism, is simultaneously insulated from outside oversight but more likely to be drawn into the intrigues of power cliques in the government or a significant political party. Tasking from these sources rarely follows routine guidelines, and may compel the agency to gather information on, and then harass, citizens in opposing parties or groups who present no threat to the country's security.

Finally, an *independent security state* is beyond manipulation and pursues its own agenda of observation and intimidation. Its resources, operations and targets are concealed from even the most powerful

members of the political élite, who may find themselves under surveillance.<sup>8</sup> These three types are summarized in Table 1.2, which also factors in the mode of operations undertaken by these services.<sup>9</sup>

Table 1.2 Three models of service and operations

Type of internal security apparatus	Mode of intelligence operations	Autonomy of policy formulation	Insularity of programme implementation
Bureau of domestic intelligence	Passive: collects and analyses information	Low: subject to democratic policy process	Low (ministerial): responsive to legislature, courts, higher exec. authority
Political police	Aggressive: adds hostile intelligence to above	Moderate: Policies and goals in common with political elite	Moderate (mixed): penetrated by political elites and selected others with shared goals
Independent security state	Disruptive: operates covert and formal domestic counter-intelligence programmes	High: independent security policies may or may not coincide with goals of other state actors	High (discretionary): records, methods, and programmes known only to security personnel

As these are ideal types, Keller holds open the possibility that more ambiguous formations could occupy the vacant slots in Table 1.1. Of particular interest is cell 8 – a service that is misused by the government but also subject to prying media or members of the opposition. While Keller's terms (such as high, moderate and low autonomy or insularity) are not easy to operationalize, one of the tasks of this book is to determine whether East European security intelligence services have ceased to be the political police of late communism and are now bureaux of domestic intelligence, or whether they should be placed in less cogent categories with admixtures of autonomy and insularity.

### **Comparative framework for control and oversight**

The control of security intelligence in post-communism merits attention in part because, like minority rights or welfare reform, it is a problem for

which 'mature' democracies do not have a clear answer. Ever since James Bryce lamented the decline of the legislature with the rise of party politics in the early twentieth century, it has become commonplace to identify a parliament's general oversight role as its most meaningful remaining means of influence on a country's governance. This function alone, Lord Bryce himself admitted, demands that legislatures remain active and capable, since 'the people as a whole cannot attend to details, still less exercise over the executive the watchful supervision needed to ensure honest and efficient administration'.<sup>10</sup>

While the centrality of oversight has long been recognized, it has received scandalously little attention in legislative studies. The analysis of parliamentary committees in Europe has tended to focus on their limited impact on the content of laws rather than on their observation of executive conduct.<sup>11</sup> Relevant theorizing has been driven by rational-choice analysis of the US Congress, and thus by calculations of the preferences of a stylized median legislator. This formal modelling rests on an empirically untestable assumption that a politician's choices are motivated by the wish to get re-elected, and by explicit and implicit institutional assumptions, such as weak party discipline, separation of powers, broad judicial review and a single-member, plurality electoral system.

On this view, associated with the work of McCubbins and Schwartz, legislators choose between two forms of oversight: routine, systematic surveillance of an executive agency ('police patrols') or enquiry only after learning of misdeeds from the media, interest groups or individuals ('fire alarms'). The rational legislator, it is predicted, will opt for the latter. The fire-alarm system is held to be a more effective way of exposing an agency's failure in its duties or abuse of power, consumes less of the legislator's time and fewer resources, and is more likely to win a congressman electoral credit for any redress of executive wrongdoing. Such a system is made possible by the very statute through which legislators bring an agency into existence or revise its mandate, which specifies what it may, must and must not do.<sup>12</sup>

Leaving aside the fact that Congress blends rather than chooses neatly between *ex post* oversight and *ex ante* statutory constraints,<sup>13</sup> this model's institutional assumptions, and its complacency about civil society's ability to ascertain and report misdeeds, disqualify it from application to parliamentary democracies. If European legislatures do engage only in low-intensity, fire-alarm oversight, they do so for reasons other than those predicted by McCubbins and Schwartz. Instead, the less static work of Ogul and Rockman, while still geared toward Congress, can be more easily cannibalized for a European context.<sup>14</sup>



First, oversight in Europe is inhibited by the lack of staff that makes committees dependent on assistance from the cabinet office or executive departments. If committees had their own staffs, they would justify their further existence or expansion by 'birddogging' problems in executive behaviour. Parliaments' chronic self-denial of resources begs exploration, but could easily be attributed to a second critical factor, the dependence of a European government on the confidence of the legislature. It is as common in Europe for the executive and legislature to be in the same hands as it is uncommon in the United States. This practice, along with movable election dates, coalition formation and proportional representation, minimizes or eliminates the individual legislator's relationship with a particular constituency and replaces it with loyalty to a disciplined party and its general electorate. A disincentive thus arises for the governing party or coalition to subject itself to scrutiny by its own members.

Third, where there is real separation of powers, and especially when the legislature and executive are in the hands of different parties, bills are less likely to survive the many veto points. This environment of reduced law-making 'encourages review activities and competition between the legislature and the executive for control of the bureaucracy'.<sup>15</sup> In Europe, for the reasons mentioned above, divided government is far less common, and legislators are kept occupied with bills presented by the cabinet and, increasingly, required by the European Union's *acquis*.

These factors would lead us to expect generally weak forms of oversight in Europe and, by extension, the post-communist world. Oversight specifically of security intelligence is everywhere a relatively recent practice, prompted by growing awareness of, and unwillingness to tolerate, abuses of executive authority, along with a diminishing fear of a communist takeover. The different pace at which legislatures took it upon themselves to monitor their countries' agencies stems from the presence or absence of a tradition, within the confines of party politics, of the legislature feeling compelled to check the executive.<sup>16</sup> Oversight started in the Netherlands in 1952, in West Germany in 1978, in other West European states, Canada and Australia in the 1980s, and in the UK in 1994. In France, there is still no parliamentary supervision. Much of this introduction is, therefore, devoted to a summary of the arrangements extant in Western states (omitting the unusual USA), so that post-communist practices can be judged fairly and realistically.

The institutions involved can best be depicted in a modified version of Peter Gill's model, set out in Table 1.3.<sup>17</sup> The categories in the outermost columns require only a little elaboration here. First, 'control'

Table 1.3. Model of oversight and control

Location of control/oversight	Internal to the agency	Executive branch	Assembly	Civil society
Institutions of control	Director	Cabinet-ranking official	Legislature	Political parties, issue groups
Form of control	Guidelines	Ministerial directions	Statutory footing/mandate	Party & group policy statements
Institutions of oversight	Internal inspector, counsellor	Inspector reporting to cabinet	Parliamentary committee	Media

and 'oversight' are terms often used interchangeably, but the former refers to political direction by the executive branch, while the latter suggests that the agency is subject to a form of review by a body outside the executive.<sup>18</sup> Then, under 'internal to the agency', it is assumed that any modern security intelligence outfit will operate under a director and follow an internal set of rules, both of which are intended to prevent employees from misusing the information they acquire. The director himself may work under constraints such as fixed terms in office, as in Canada.<sup>19</sup> Many agencies also employ an in-house inspector to investigate alleged wrongdoings. Although these institutions will feature in our analysis of post-communist practice, they are regarded as very unreliable devices, susceptible to subversion by the agency's corporate culture.

The 'civil society' column refers to the means available to political parties and interest groups, especially civil liberties advocates, to expose security intelligence transgressions and to prevent their recurrence. The mass media are the primary, and a powerful, outlet at their disposal, while parties can try to translate their objections into legislation.

#### *Executive institutions of control*

It is in relations between the executive and the agency that the democratic dilemma of security intelligence becomes most acute. A very delicate balance has to be struck between executive direction of security intelligence, so that its operations conform to government policy needs, and executive restraint, so that agency directors and their subordinates are not enlisted in activities serving narrow party interests.

The most explicit form of executive control is to entrust a minister with responsibility for one or several services. Responsibility for the Canadian Security Intelligence Service (CSIS) was assigned to the Solicitor General, the minister for policing and prisons. Routine ministerial direction of the CSIS is handled by the Solicitor General's deputy, who is not a political appointee. In Australia the task fell to the Attorney General, in effect the minister for justice, law and law enforcement.

In Britain the lines of management have been obscured by the considerable, but largely uncodified role of the prime minister in defence and foreign affairs. On the one hand, legislation in 1989 and 1994 enshrined the convention of the 'authority' of the Home Secretary over the Security Service (MI5), and of the Foreign Secretary over the Secret Intelligence Service (SIS or MI6) and the Government Communications Headquarters (GCHQ). On the other hand, the heads of these services

enjoy right of direct approach to the prime minister, who 'is responsible for intelligence and security matters overall'.<sup>20</sup> He chairs the cabinet's policy committee on the intelligence services, while the various intelligence coordinators and assessors in the Cabinet Office are close at hand.

In continental Europe, while it is customary for security intelligence to fall at least nominally under the remit of the interior minister, real control may be exercised elsewhere. As pure examples, French counter-intelligence (DST), the Austrian State Police (STAPO) and Dutch National Security Service (BVD) answer to interior ministers, who appoint the service directors. The BVD chief and Dutch interior minister meet at least once a month.<sup>21</sup> Germany's counter-intelligence service, the Federal Bureau for Protection of the Constitution (BfV), formally answers to a state secretary in the interior ministry, but is coordinated with other agencies by the head of the federal government's Chancellery (*Chef des Bundeskanzleramtes*), who is directly responsible for the intelligence service (BND). The *Chef*, who has ministerial status, is assisted by the Chancellery's Department 6, in which more than twenty civil servants monitor the work of the BfV, BND and military counter-intelligence (MAD) and decide to whom in government to circulate information acquired by these services.<sup>22</sup> In Spain, the Supreme Centre for Defence Intelligence (CESID), which undertakes all forms of security intelligence, is under the administration of the defence ministry but ultimately takes its lead from the prime minister.<sup>23</sup>

It should be added that European executives often also house a security intelligence coordinator, a high-ranking bureaucrat whose primary task is to identify intelligence needs and to facilitate the operational efficiency of the various agencies via a regular interdepartmental council. While it is not this figure's primary concern to ensure that the services respect the rules of liberal democracy, he often expects to be informed in advance of any matters that may prove controversial.

### *Executive institutions of oversight*

Even if a single minister is entrusted with responsibility for security intelligence, he normally has so many other duties that effective control is possible only with the help of a specialized assistant. In 1986, Australia created the office of Inspector General of Security to help the government to ascertain that security intelligence operations comply with legality and propriety. The inspector, who is usually a former civil servant rather than a judge or lawyer, is authorized to review the actions of the entire security intelligence community, to view all documents, and to compel any officer to supply information. Although normally

prompted by complaints from citizens, his brief is to alert ministers to potential legal or ethical violations and, through the cabinet, to pressure service directors, rather than publicly to expose wrongdoing.

A similar Inspector General was established to assist the Canadian executive, in particular the Solicitor General, but with jurisdiction over only the CSIS. His work is structured by three- or five-year programmes focusing on select issues, and is thus less reactive than that of his Australian counterpart. Such inspectors, though rarely uncovering mischief, are believed by their very existence to encourage officers to internalize rules and norms and thereby foster self-restraint. They also prevent ministers from absolving themselves of responsibility by claiming ignorance of security intelligence services' activities.<sup>24</sup>

In Germany and the UK, the services' books are opened to inspection by authorized members of the state's accounting office. In Germany, only the department and section heads of the Federal Auditing Office are privy to the findings, which are reported to the finance minister and the federal legislature's oversight organs (described below).<sup>25</sup> Likewise, in the UK the services disclose spending details to the head of the National Audit Office, with a confidential briefing for the chairman of the House of Commons Public Accounts Committee.

### *Executive forms of control*

As a form of control, but also of mutual self-defence, ministers in Australia and Canada are authorized to task security intelligence directors but all instructions must be conveyed in writing and copies sent to watchdogs such as the Australian Inspector General or Canada's Security Intelligence Review Committee (about which more will be said below). Since 1984 the Canadian Solicitor General's office has issued more than fifty directives to CSIS regarding government priorities, operational techniques and management practices. Such practices deter political manipulation, while guarding directors and ministers alike against accusations of clandestine misconduct.<sup>26</sup>

In the Netherlands, 'political guidance' of the National Security Service is issued through a cabinet committee for the intelligence and security services that includes the prime minister and the ministers of the interior, foreign affairs, defence, justice, the economy and finance, and which is attended by service directors. In 1995, for example, this committee met twice and discussed 'major operational issues' as well as administrative matters.<sup>27</sup> As noted above, equivalent direction is exercised in Germany by ministers, the head of the Chancellery and Department 6.

In Britain, the Secret Intelligence Service is expected to gather information according to priorities approved by ministers. Until recently, the Security Service was 'self-tasking,' beyond the direct command of the Home Secretary, and kept in line only through the Whitehall convention of collegiality, the loose web of contacts between bureaucrats ostensibly bound by professionalism and commitment to the national interest. Observers regarded this arrangement as a matter of trust, or even of blind faith, on the part of those outside MI5. Given the imperfections of custom, a cabinet sub-committee was established in 1996 to examine annual priorities for the Security Service.

### *Legislative forms of control*

Limitations on its real power notwithstanding, the legislature retains a special place in a country's political system as the incarnation of the electorate's preferences, the seat of representation and the foundry of law. It can contribute to the control of security intelligence by imposing on the agency an explicit mandate (in all likelihood, of course, drafted in a government ministry) that shepherds operations in certain directions and away from others.<sup>28</sup>

In the Australian and Canadian cases, for example, the mandates stress that security intelligence is dedicated to the acquisition and analysis of information relevant to security, and avoids the more openhanded licence granted to the British Security Service to provide 'protection of national security'. In the first two countries, threats to security are defined methodically, and do not include the concept of subversion, which has traditionally referred to the threat posed by beliefs and peaceful agitation. Only a vestige of this survives in Australia under the heading of pernicious 'acts of foreign interference', but this excludes 'lawful advocacy, protest or dissent'. The less rigorous Canadian statute permits the surveillance of the latter three activities if they can be linked to espionage, sabotage, foreign manipulation or 'serious', politically purposeful violence. (In practice, however, CSIS does not run a counter-subversion branch.) The statute of the British Security Service avoids the term 'subversion', which has no basis in criminal law, but rather generously authorizes operations against 'actions intended to overthrow or undermine parliamentary democracy by political, industrial or violent means'. Whereas Australia and Canada have replaced the broad term 'terrorism' with the more specific 'politically motivated violence' and 'promotion of communal violence', the concept survives, manifestly underdefined, in British legislation.

States in which the memory of both civil strife and authoritarianism is fresh tend to insist that security intelligence restrict itself to information-gathering so that it be not misused for illiberal purposes, but that it be licensed to monitor a very wide range of possible threats to democratic order. The revised 1972 mandate of Germany's BfV, while stressing that the federal agency and its Land analogues collect and assess information and are not police units, reflects the doctrine of *streitbare Demokratie* ('militant democracy') in the face of domestic extremism. The range of legitimate targets is broad, covering (1) tendencies directed against the 'free democratic order', against the existence or security of the federation or one of its constituent parts, or striving to impair the work of state offices; (2) activities on behalf of a foreign power that threaten the republic's security; and (3) tendencies that harm the republic's foreign interests by use of violence or its preparation.

As the BfV annual report suggests, this mandate permits the collection of copious information (often passed to the criminal police) on German left- and right-wing terrorist groups, socialist political parties (including aspects of the ex-communist Party of Democratic Socialism), neo-Nazis, far-right publishing houses, Holocaust deniers, and fascist internet sites. Rather less pronounced in the report is intelligence on foreign espionage and potentially violent foreign organizations based in Germany (usually Kurdish or Turkish).<sup>29</sup> The sweep of the BfV mandate is embodied in the size of the agency's NADIS database, which by early 1996 held information on 947 501 people, although almost half of the files had been generated by routine security clearances.<sup>30</sup>

Another example from a wary democracy of a mandate, that for Spain's scandal-prone CESID, likewise stresses the organization's identity as collector and interpreter of information on external threats to the state's independence and integrity (including foreign espionage) and to all defence-related sectors of the economy, and on all internal tendencies directed against the constitution, territorial integrity and public institutions.<sup>31</sup> While the mandate avoids loaded terms such as 'terrorism' or 'subversion', it also lacks the careful definitions found in the Australian and Canadian cases designed to protect lawful, peaceful campaigning.

It was noted previously that security in Europe is increasingly understood to include protection from organized economic crime. There is a marked reluctance, however, to rush the security intelligence communities into this field, because of the attendant issues that must first be resolved: secrecy, institutional coordination, civil liberties and the admissibility of intelligence as evidence.<sup>32</sup> Considerable controversy was generated by the British decision to empower MI5 to safeguard the

country's 'economic well-being', although this is assumed not to be a component of national security and it is a point of contention whether MIS is to concern itself only with threats to vital resources or is to shield industry against more adept foreign rivals. The intelligence service (SIS) is enlisted in the defence of the economy and in the 'prevention or detection of serious crime', which includes drug-trafficking and money-laundering; in 1997, the former was elevated to the 'First Order of Importance' among SIS priorities.<sup>33</sup>

### *Legislative institutions of oversight*

Analysis of parliamentary watchdogs can be organized around two variables: participation, that is, the number and form of controlling bodies hosted by a legislature, and the means by which oversight is practised. Each variable gives rise to two options. Participation can be unilateral, in which case one committee undertakes the entire task, or multilateral, whereby two or more divide responsibility. The means can be personal if those performing oversight are chosen on trust in view of their distinction in politics or society, or constitutional if appointment is handled by elected bodies following standing orders.<sup>34</sup>

Continental European practice leans toward the multilateral and the constitutional, as exemplified by Germany, where four parliamentary creations operate with almost no coordination.<sup>35</sup> The one directly tasked with oversight of the three main services, the Bundestag's Control Commission (PKK), currently has nine members, of whom five represent the governing coalition. They are nominated by the major party caucuses, and smaller parties are not guaranteed places: in 1995 the candidate from the ex-communist PDS was rejected even though (or because) that party was an object of BfV interest.<sup>36</sup> The coalition and opposition take turns chairing the PKK for six-month terms, and it is quorate only if at least one member of each main party is present. Its meetings are usually attended by the Chancellery's intelligence coordinator and the three service directors.

To win and keep the confidence of the agencies it oversees, the PKK rarely speaks to the public or even the wider Bundestag. It meets in monthly closed sessions, and divulges secrets in press releases only if two-thirds of PKK members consent. It is required to place a report on its activities before the parliament only once every two years, and former members are sworn to secrecy.

The work of the PKK is tied intimately to that of the government office's Department 6, for it is the latter that proposes items for discussion, provides much of the administrative support, supplies the



required documents, and passes to the services requests for further information. For this reason the PKK should be seen as a reactive institution, although the government is legally obliged to report all significant security intelligence activities, including those that may be politically explosive, minus details that could jeopardize sources or were supplied by a foreign agency. In rare instances the PKK will directly summon case officers to testify. PKK members claim to feel that on the whole they do obtain a complete picture of the services' operations and regret only that membership of other committees deprives them of time to read fully the materials made available to them.

Among the other three oversight bodies is the special Bundestag budgetary sub-committee, the *Vertrauensgremium* (committee of confidants), which scrutinizes the services' expenditure about four times a year in deep secrecy and can veto funding bids. Nine Bundestag members also sit on the G-10 *Gremium*, which meets twice a year to hear general reports on interception of mail, faxes and telephone calls. The G-10 is not informed of specific cases, but sets out strategic guidelines. To investigate individual cases, the *Gremium* appoints a commission of four legal experts, non-parliamentarians linked to the main parties, who are empowered to discontinue an operation if they find it illegal or improper. They may then decide whether to inform the person or group under surveillance. The commissioners also authorize the programming of keywords into scanners searching the airwaves for conversations on sensitive themes. While the *Gremium* and commission are hardly confrontational, the respect they command forces the services to prepare their requests thoroughly and to filter out ones likely to be challenged.

Finally, in addition to these institutions, special investigative committees can be formed at the request of one-quarter of Bundestag deputies in order to address burning issues. Opposition parties have tended to invoke this instrument to demolish government concealment of security intelligence embarrassments, such as treason, infiltration by foreign agents or, most recently, the possibility that a plutonium smuggling ring exposed by the BND in 1994 was staged by the service itself to manufacture success.

Unilateral and personal forms of oversight, however, can be even more effective, although they rely to a great extent on a supporting culture of public interest and a constitution with interstices for creative institution-making. Arguably the best existing example of external oversight is the Canadian 'power auditor', the Security Intelligence Review Committee (SIRC), which began work in 1984. While SIRC is an organ of the Privy Council and is appointed by the premier, its five members are often

former legislators and two of them are usually affiliated to the main opposition parties, the leaders of which are consulted by the premier when making the appointments. Its members serve only part-time but are supported by a permanent research staff.

Bound to confidentiality by oath of the Privy Council, SIRC members are entitled to all information held by CSIS, including expenditure minutiae; to review all ministerial directives (although not Cabinet papers); and to inspect warrant files for propriety. While SIRC's first port of call when raising an objection is the cabinet, it also presents an annual report to parliament and can publicize select issues. It has been praised for its serious, resolute defence of civil liberties and has been credited with a number of constructive changes in the nature of CSIS operations.<sup>37</sup>

Lustgarten and Leigh identify eight features that partly account for SIRC's impact.<sup>38</sup> It enjoys

- independence from the executive;
- the power to initiate inquiries;
- a membership that reflects the political spectrum but is not partisan in manner;
- extensive access to information;
- the ability to maintain secrecy when necessary;
- institutional expertise, as it relies on
- adequate support staff;
- the capacity to mobilize public opinion via the media.

In practice, however, the committee's effect may result largely from its members' personalities, their standing in Canadian society as accomplished public figures, and the confidence generated in CSIS officers by the Privy Council oath that SIRC will not mishandle classified information.

That a unilateral, personal oversight board can also be imperfect is illustrated by the UK's Intelligence and Security Committee (ISC). Housed in neither parliament nor the Privy Council, its nine members are drawn from the Lords and/or Commons, and from the three main parties, with five coming from the governing party. They are often former ministers, and are appointed by the prime minister after consultation with the leader of the opposition. The committee's first chairman, the Conservative MP Tom King, was asked to remain in charge after the 1997 Labour victory.

The ISC is authorized to review the SIS, Security Service and GCHQ, their expenditure, managerial efficiency, tasking and evolution after the Cold War.<sup>39</sup> It meets once a week while Parliament is sitting, and receives testimony from the Foreign and Home secretaries, the heads of the services, and civil servants, so it is kept at a greater distance from the coalface than the Bundestag's PKK. Any information can be withheld from the ISC that might divulge sources (including foreign partners) or operational details. It produces an annual report to the prime minister, a filleted version of which is laid before Parliament and published.

While still in its infancy, the committee has been faulted for its dependence on the Cabinet Office (where the ISC convenes), the ambiguity of its terms of reference, and its members' expressed reluctance to dig into operations past or present.<sup>40</sup> By its own admission, it has rightly taken a strong interest in the services' policies for recruitment, vetting and file management but has had less time to explore areas of growing importance, such as cooperation between MI5 and law-enforcement bodies in combatting organized crime. Having taken stock of its limitations, the ISC intends to institute under its aegis an investigator who would enjoy right of access to agencies' staff and files, although with the service directors and relevant ministers as gatekeepers.<sup>41</sup> A deceptively simple step that would not require amendment of the Intelligence Services Act, the new capacity could radically augment the ISC's power through independent review of operations.

### **Complaints procedures**

Since the finding of the European Court of Human Rights in the 1987 Leander case, citizens must enjoy some right of redress against the security intelligence services.<sup>42</sup> In practice, however, this has been one of the less satisfying ways of holding the state to account, as the full powers of judicial review are not brought to bear.

In Germany, citizens who suspect that they have been under surveillance write to the federal Chancellery's Department 6 or to the Bundestag's petition committee, the latter simply passing the grievance to the former. Even if the services report to Department 6 that the person was indeed under surveillance, and the Chancellery decides to terminate the operation, the complainant will probably never be told.<sup>43</sup> In view of the work of the G-10 *Gremium*, however, the European Court of Human Rights concluded that German control of interception is adequate.<sup>44</sup>

The UK operates three tribunals of senior lawyers, chaired by High Court judges, all to handle a very specific allegation: that the Home or Foreign secretary did not follow correct procedure in issuing a warrant for

wiretapping, letter-opening or break-ins. (No warrant is needed for visual surveillance or for placing a bug.) If the tribunal finds that procedure was not properly followed, it can quash the warrant. It may also rule that an agency's operations were 'unreasonable', and order cessation. To date, there are no known cases of tribunals finding in favour of a complainant, and there is no mechanism for exposing unauthorized surveillance.<sup>45</sup>

By contrast in Canada, where a more stringent regime is in effect for authorizing surveillance to begin with, citizens can complain to SIRC about all aspects of CSIS actions that they believe have affected them. Given its powers of access, in particular the authority to view all warrants files, SIRC is a credible detective for the aggrieved.<sup>46</sup> In the Netherlands, where wiretaps must be pre-approved by four ministers, citizens put their complaints to an ombudsman appointed by parliament, who is entitled to all necessary documentation from the security service; if evidence of unlawful conduct is uncovered, it is forwarded to the courts.<sup>47</sup>

### **Post-communism's specificities**

It follows now to establish the context of post-communism. As the preceding survey of Western practice suggested, control and oversight rely on more than well-designed institutions, and often require a culture of confidence – with healthy lashings of scepticism – in the people who run and monitor offices of state. One account of the success of oversight in the Netherlands, for example, was littered with phrases such as 'The [oversight] committee and its members command respect', 'this form of openness [between parliament and the interior minister] only works if there is a great deal of mutual trust', 'the committee trusts the minister to be as inclusive as possible; the minister trusts the MPs to keep the information secret', 'power and authority are accepted in Dutch society, as long as they do not show too much'.<sup>48</sup> A Belgian counterpart summed up the challenge of oversight as, 'on the one hand, to win the trust of the security services, so that they accept our criticism and recommendations, and on the other hand, to retain our independence from the services and to keep the confidence of parliament'.<sup>49</sup>

Post-communism, by comparison, is procedural democracy in societies lacking trust in institutions beyond the family or other highly personalized networks. There is no regime for methodical, thoughtful handling of information that would foster trust in public offices, since replacement of communist-era secrecy laws falls low on the transition agenda, overshadowed by economic reform. Much of the information that the public requires to form a critical respect for the state is withheld as revolutionaries quickly discover the uses of ambiguity and clandestine

decision-making. The culture of gullible cynicism inherited from communism is reinforced by the new competitive politics' weapons of rumour and planted articles, a form of negative campaigning that perpetuates the image of the state as 'a capricious and uncontrollable body'.<sup>50</sup> Symbols but few individuals enjoy authority. In post-communist legislatures, therefore, we expect to find multilateral, constitutional forms of oversight. Moreover, we expect parliamentarians' energies to be consumed by discussion of the vast amount of pressing legislation relating to economic liberalization and harmonization with the EU *acquis*, leaving little time for watching the departments of state.

A second post-communist problem is the politicization of bureaucracy. Ideally, any bureaucrat should dutifully implement the policies of a lawful government, regardless of its party profile. Outside consultants and organizations such as the EU have stressed the need for the eventual attainment of apolitical public administration in Eastern Europe. Bureaucratic rationality, after all, is one of the primary norms of the Western culture that post-communist societies seek to emulate.<sup>51</sup> In view of the generally peaceful course of the changes since 1989, however, it is easy to forget that a revolution has been taking place, one driven by a liberal project entailing a radical redesign of state and society. In the first years of a revolution, it is questionable whether the pursuit of a neutral bureaucracy is realistic or even felicitous. Given that ministries under communism ran on the cadre principle of political allegiance, it is argued, at the outset the liberal revolution should temporarily populate them with as many loyal activists as possible to ensure that transformative policies are implemented.<sup>52</sup> Even if the existing bureaucracy is willing to transfer its loyalty to the new regime, incoming ministers are often determined to view the incumbents as hostile or unqualified, and to import trusted confederates from dissident networks or new parties.<sup>53</sup>

The ends and means of liberal revolution are thus in quiet conflict and the case of security intelligence is particularly poignant. As one of the most despised communist institutions, the security intelligence service had to be thoroughly vetted and placed under the command of trusted democrats. Yet, like any public agency, security intelligence requires its own expertise; certain directorates, such as those conducting espionage abroad or operating the rarefied technology of interception, employed trained officers who cannot be quickly replaced, especially in the smaller states of Eastern Europe. As in all revolutions, therefore, the ideal (in this case a neutral, professional bureaucracy) must yield to the

immediate pursuit of justice, which in turn accepts the compromises the new regime makes with the old to keep the machinery of state running.

One of the costs of personnel continuity has become clear in the cases of Poland and Hungary as they prepare to enter NATO: Western states found reason to suspect these countries' services of penetration by, or undesirable contact with, Russian intelligence. From early 1998, the NATO Special Committee, grouping the chiefs of member-states' security agencies, addressed the problem repeatedly, but most officials appear to have concluded that the benefits of enlargement outweigh the risks of information-sharing.<sup>54</sup>

A challenge arising from this situation is the development of a corporate culture, which in the case of security intelligence relies heavily on an idea of the state and a tradition of public service. In consolidated democracies, new recruits to security intelligence pass through a probationary period in which they are indoctrinated into the service's bureaucratic routines and into the folklore recounted by older personnel. Both processes – the rational and the ritual – are essential components of a service's organizational environment, without which new officers suffer a lack of identity and loyalty.<sup>55</sup> In Eastern Europe, security intelligence is orphaned by the failure of the communist state, and has to start anew by emphasising the defence of democracy and the nation. If there is continuity with the pre-1989 corporate culture, it may be as harmful as it is integrative.

A related problem to be addressed concerns the handling of the files and lists of informers assembled by the old regime. The exposure of collaborators eventually becomes a public issue in every post-communist state, but in some it emerges on the agenda sooner, and more explosively, than in others. The most convincing explanation is multicausal,<sup>56</sup> factoring in (among other variables)

- whether the communist regime remained consistently severe until its demise;
- whether the communists were willing to bargain a transition to democracy or resisted change until they were forced out;
- whether the communists or their successor parties performed well in the first elections after 1989.

The necessary and sufficient preconditions for early lustration are thus the refusal of an orthodox communist regime to relax and bargain until faced with mass protest, and the communists' loss of influence over the policy agenda after failing in competitive elections.

A final and overarching problem of post-communism is the poverty of threat assessment. States that in effect have been unsovereign for four or more decades have had to relearn the art of identifying security risks and gradating them on a scale of seriousness: is organized crime, for example, a greater threat than terrorism or ethnic conflict? The pursuit of NATO membership has been substituted for serious discussion of what it means to feel safe or unsafe in a multipolar, globalized Europe. This is alarming, since effective control of security intelligence presupposes that it should not fall to the services to decide what or whom to consider a threat; these are political issues requiring open debate and public awareness.<sup>57</sup>

The following chapters will test out these general expectations of post-communism by looking closely at three states of Eastern Europe – the Czech Republic, Romania and Slovakia – which have had distinctive paths of transition since 1989 and relations with Western institutions. In each case, we will map out the communist-era political police to provide a sense of what had to be undone after 1989 and why they can still haunt the new democracies. We will then examine the new services, the institutions devised for control and oversight, and examples that have come to light of possible misuse of security intelligence. Our sources are almost entirely open: the media, parliamentary and government records, archives from the communist period, and on-the-record interviews. In only a few places is information drawn from confidential sources that cannot be identified. As just three of twenty-seven possible cases from Eastern Europe and the former Soviet Union are detailed here, and we have found that it is surprisingly easy to investigate the subject through open sources, we hope that we have succeeded in putting the study of security intelligence on the agenda and that other country studies and comparisons will follow.

## Notes

1. Peter Gill, *Policing Politics: Security Intelligence and the Liberal Democratic State* (London, Frank Cass, 1994), p. 6.
2. J.A. Tapia-Valdes, 'A Typology of National Security Policies', *Yale Journal of World Public Order*, vol. 9 (1982), quoted in Gill, *Policing Politics*, p. 96.
3. Hieronim Kubiak, 'Poland: national security in a changing environment', in Regina Cowen Karp, ed., *Central and Eastern Europe: The Challenge of Transition* (Oxford: Oxford University Press and SIPRI, 1993), p. 70.
4. Knihovna Parlamentu České republiky, E517, inv. č. 975/91, Zpráva o 6. společné schůze Sněmovny lidu a Sněmovny národů [19 September 1990], p. 315. The jurist was Milan Čič, justice minister in the last communist cabinet in Slovakia and since 1993 chairman of the Slovak constitutional court.

5. Kevin O'Brien, 'South Africa's New Intelligence Environment', in Jakkie Cilliers and Markus Reichardt, eds, *About Turn: The Transformation of the South African Military and Intelligence* (Halfway House: The Institute for Defence Policy, n.d.), p. 172.
6. Laurence Lustgarten and Ian Leigh, *In From the Cold: National Security and Parliamentary Democracy* (Oxford: Oxford University Press, 1994), pp. 3–12.
7. Neglect of security intelligence is one of the most striking shortcomings of the transitological literature. This disregard probably stems from analysts' overall indifference to the 'interplay between democratization and bureaucracy'. See Haile K. Asmerom and Elisa P. Reis, eds, *Democratization and Bureaucratic Neutrality* (London: Macmillan, 1996), p. 3. For a rare study, see Jonathan Moran, 'The Role of Security Services in Democratization: An Analysis of South Korea's Agency for National Security Planning', *Intelligence and National Security*, vol. 8 (1998), no. 4, 1–32.
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15. *Ibid.* p. 19. The authors take this point from Joel Aberbach, *Keeping a Watchful Eye: the Politics of Congressional Oversight* (Washington: The Brookings Institution, 1990), and it is taken on board by McCubbins in his article with Arthur Lupia, 'Learning from Oversight: Fire Alarms and Police Patrols Reconstructed', *Journal of Law, Economics and Organization*, vol. 10 (1994), no. 1, 96–125.
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22. Shlomo Shpiro, 'Parliamentary and Administrative Reforms in the Control of Intelligence Services in the European Union', *The Columbia Journal of*



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  24. Gill, *Policing Politics*, pp. 262–7; Lustgarten and Leigh, *In From the Cold*, pp. 418–24.
  25. Shpiro, 'Parliamentary and Administrative Reforms in the Control of Intelligence Services in the European Union', pp. 561–2.
  26. Gill, *Policing Politics*, p. 223; Lustgarten and Leigh, *In From the Cold*, pp. 418, 422.
  27. National Security Service, *Annual Report 1995*, located at <http://www.minbiza.nl/bvd>.
  28. The following discussion of mandates in Australia, Canada and the UK is based on Lustgarten and Leigh, *In From the Cold*, pp. 374–404, 503–4, 518–20, and Gill, *Policing Politics*, pp. 64, 98–9, 111–21, 137–47.
  29. Bundesamt für Verfassungsschutz, *Verfassungsschutzbericht 1996* (Bonn: Bundesministerium des Innern, 1997). See also Katzenstein, *West Germany's Internal Security Policy*, pp. 12–13.
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  42. Gill, 'Reasserting Control', p. 321.
  43. Shpiro, 'Parliamentary and Administrative Reforms in the Control of Intelligence Services in the European Union', p. 571.
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# 2

## The StB in Czechoslovakia, 1945–89

*Kieran Williams*

In the systematic study of communist politics, few institutions received as much weight, but as little weighty analysis, as the security service. It was widely assumed that unpopular regimes, especially in Eastern Europe, could not survive without the help of a secret police. Yet, after the demolition of totalitarian theory's prediction that terror would increase with each passing year, few attempts were made to assess the role of state coercion in system reproduction.<sup>1</sup> This silence, due only partly to a lack of data, was a symptom of the general failure of intellectuals after 1945 to confront the problem of evil.<sup>2</sup>

The sole substantive effort in Sovietology was the functionalist explanation that terror moves in three phases, matching the revolution's needs. First, it is used to consolidate the new regime by eliminating its immediate enemies. Then it intensifies as an instrument in the revolution's attack on the bases of social organization. Once the new order is stable, terror is downgraded and its excesses disavowed as the élite placates the masses, reserving coercion for the troublesome few.<sup>3</sup>

This framework has its attractions for explaining the conduct of the Czechoslovak state-security police, the StB: in the immediate aftermath of the communist takeover coercion was directed against the Communist Party's immediate opponents, then escalated into a wider campaign of repression announced in February 1950, and started to mutate in 1954–6 into a gradually less expansive policy of selective surveillance and persecution. Some modification of this three-stage interpretation, however, is in order. Like all functionalist frameworks, it follows the circular argument that an institution's behaviour can always

be explained by reference to the wider system's survival needs. It imputes a structural necessity that downplays the élite's conscious decision to rule by coercion, and assumes a robust feedback loop that results in policy choices neatly corresponding to system needs. Instead, in all likelihood, élites were improvising, stumbling between changing images of justice and security in a semi-informed haze, with power struggles leading to sub-optimal decisions.<sup>4</sup> Rice critiqued the framework's neglect of exogenous factors such as the Cold War and Soviet interference, which she held responsible for pushing terror in Czechoslovakia beyond what the indigenous culture, prized for its interwar democracy, would have generated.<sup>5</sup> It could be added that international considerations also sometimes served to subdue persecution, especially in the regime's last two decades.

As Rice admits, however, Czechoslovak political and security leaders quickly proved to be very willing executioners, eager to do more than prove their loyalty to Moscow by sacrificing a band of Titoists and Trotskyites. In 1949–51, 260 show trials, replete with a public baying for blood, were staged at the High Court, and in 1951 another 1727 were arranged on the district circuit.<sup>6</sup> Most of the 70 trials of social democrats were held in 1954–5, long after the death of Stalin and the consolidation of the regime.<sup>7</sup> StB and Party officials so revered, and craved the approval of, the Soviet 'advisors' who began arriving in late 1949 that Stalin was driven to reprove President Klement Gottwald for being *too* amenable.<sup>8</sup> Before the arrival of these Soviet officers, moreover, an important precedent had been set by Czechoslovak military counter-intelligence (OBZ), commanded by Party functionary Bedřich Reicin. At the behest of the Party leadership, OBZ orchestrated the trials of many innocent men and women and sent patriots such as General Heliodor Píka to the gallows.<sup>9</sup> Torture also pre-dated the arrival of Soviet advisors (it never ended after the German occupation), as did the use of drugs to extract false confessions.<sup>10</sup> Persecution in Czechoslovakia was no mere indulgence of Soviet fancy, and wants a deeper explanation.

A first step is to forgo the concept of terror, with its implication of enormous and arbitrary bloodshed on the scale of the Nazism, Stalinism or Pol Pot's Cambodia. Rather, for most of its history the StB exercised coercive surveillance of varying intensity. Of the approximately 250 000 people sentenced in Czechoslovakia in 1948–89 for political reasons, almost half were judged *in absentia* after fleeing the country and 40 000 were given suspended sentences. Among the remaining 100 000, 243 were executed by judicial ruling (almost all in 1948–55) with probably 3000 dying in prisons, camps and uranium mines.<sup>11</sup> Between 320 and

400 were killed while trying to escape across the border.<sup>12</sup> Around 22 000 citizens were sent to forced-labour camps (TNP), which the communists set about creating immediately after their seizure of power and shut down in 1954.<sup>13</sup> The size of the political-prisoner population peaked in 1953 at 15 910, and even if we factor in another several thousand in TNP it is unlikely that even in the darkest hours of Stalinism more than 0.25 per cent of the total population was experiencing physical unfreedom for political reasons.<sup>14</sup> The restoration of authoritarian rule after the Prague Spring of 1968 required the imprisonment of 1142 people over six years.<sup>15</sup> Horrific and unjust though this minority's suffering was, the toll is modest by the twentieth century's standard of slaughter and persecution.

The next step toward an explanation is to consider interwar Czechoslovakia's high level of development as a state. As Bauman warns, the cruelties of this century have their origins in a 'bureaucratic culture which prompts us to view society as an object of administration, as a collection of so many "problems" to be solved, as "nature" to be controlled, "mastered", and "improved" or "remade", as a legitimate target for "social engineering" ...'.<sup>16</sup> The lesson of Nazi Germany is that the coolly amoral rationality of the modern state can easily be put in the service of any project, no matter how unethical, once political power is captured and pluralism abolished.<sup>17</sup> In the case of Czechoslovakia, this transition began in October 1938 with the authoritarian Second Republic, after the Munich conference, when power was still in Czech and Slovak hands.<sup>18</sup> The 1939 German occupation of Bohemia and Moravia, the Slovak puppet state, and war then sundered traditional social networks, spun a web of surveillance, and fostered brutality. The post-war retribution measures of 1945–7 perpetuated the supremacy of discipline over freedom: from the prosecution of alleged Nazi collaborators (32 853 in the Czech lands alone) and the methodical, sometimes savage expulsion of 3 million Germans, it was an easy, logical step to a gulag of forced-labour camps and show trials of enemies of socialism, in the service of an indigenous Stalinism.<sup>19</sup>

The following account analyses the StB as a paramilitary political police and the product of a highly developed bureaucratic environment. The latter is not synonymous with institutional stability or clarity; on the contrary, in the case of post-war Czechoslovakia it meant rivalry, duplication and often intentional obscurity. As a political police, the StB enjoyed a medium degree of autonomy and followed the line set down by the totalitarian or post-totalitarian élite. It never escaped the control of the Communist Party (KSČ) for a prolonged period as an independent

security state, largely because of the rigour of the institutions created by the KSČ (made possible by interwar Czechoslovakia's bureaucratic capacity) and the forging of the StB's corporate identity in the specific conditions of 1945–7. An institution's genesis deserves careful attention, since 'the crucial political choices made by its founding fathers, the first struggles for organizational control, and the way in which the organization was formed, will leave an indelible mark. Few aspects of an organization's functioning and current tensions appear comprehensible if not traced to its formative phase.'<sup>20</sup>

### **The origin of a political police**

One seminal factor was the fragmented structure of the new post-war security apparatus. The various units of partisans, armed trade unionists and vetted members of the pre-war police were brought under the umbrella of a National Security Corps (SNB) in summer 1945, but the SNB remained sub-divided into numerous rival agencies, including:

- State Security (StB), initially dedicated to hunting down collaborators with the German Protectorate or Slovak puppet regime – a mandate easily misused to harass any critic of the KSČ;
- intelligence (ZS), which monitored all past and present political parties and institutions as well as foreign and economic espionage;<sup>21</sup>
- a uniformed police, later known as Public Security (VB);
- a criminal-investigative service;
- border guards and 'emergency units'.

Although the communists in exile laid claim as early as December 1943 to the portfolio immediately associated with domestic security, that of the interior minister, any attempt at centralized monopoly control was defeated by the largely deliberate institutional chaos of war's end; by the renewed state's peculiar pluralism; and by continuity with the pre-Munich legal order – the very acronym StB had been coined in 1937 for the police's special branch.<sup>22</sup> The SNB was directed by commissars attached to district and regional councils, which in the country's interior were often in non-communist hands.<sup>23</sup> Although the communists by 1947 occupied 23 of the 53 most important positions in the interior ministry and SNB,<sup>24</sup> they had absolute control only of the domains they themselves had created – intelligence and the border guards. The national socialists, who had nothing in common with German Nazism and were close to President Edvard Beneš, ran the criminal investigators

and had a heavy presence in the uniformed police; a social democrat commanded the StB in Bohemia.<sup>25</sup> The unification of security structures in the Czech lands occurred only in late 1947, as a stronger communist grip made the separate intelligence sector redundant and it was merged into the StB. Divergent structures in the Czech lands and Slovakia were not harmonized until July 1947, whereupon the Slovaks resisted a heavy-handed Czech centralization drive for another two years.<sup>26</sup>

A related limitation was the Communist Party's original intention to win power within the framework of Beneš's 'regulated', illiberal democracy after 1945.<sup>27</sup> For two years, the KSC̣ preferred to court the electorate and disable rival parties by planting communists in their central offices, thereby exercising surveillance with its own resources. A radical tactical change occurred in mid-1947. Mobilization of the StB became desirable because the communists' popularity had started to decline sharply and other parties were beginning to assert themselves. It became possible because two years of purging and recruitment had created a pool of pro-communist officers, in intelligence and border units above all.<sup>28</sup> Beginning in autumn 1947 the StB assailed non-communist parties by permeating their central offices with informers, compiling compromising information on their leaders (who were covertly and overtly tailed), deploying provocateurs to disrupt public meetings, circulating false instructions on their stationery, and even impersonating their officials.<sup>29</sup>

The immediate impact of this offensive, however, did not correspond to its expanse, as the campaign to wreck the Democratic Party (DS) in Slovakia attests. With 62 per cent of the May 1946 vote, the DS was the clear favourite of the agrarian, Catholic Slovak electorate. Consequently, working closely with the foremost Slovak communist Gustáv Husák, the StB hatched a plan in summer 1946 to discredit the DS by 'discovering' its links to the para-fascists of the wartime Slovak state. The ulterior motive was to give Husák an excuse to seize power by reconfiguring the Slovak executive. This campaign involved provocateurs, forged documents, torture and the arrest of 500 local political activists and of the DS élite in autumn 1947. It ran into trouble, however, when the DS stood its ground, the judiciary refused to stage show trials and the StB was denounced in the press. A month of wrangling resulted in the end of the DS majority on the executive (a major setback given its electoral prowess, and essential for preventing a Czech–Slovak conflict later) but no gain for the communists.<sup>30</sup>

Admittedly, the KSC̣ security committee did not pre-approve every single StB scheme in 1947–8, as the politicians were somewhat slower

than the security chiefs in abandoning hope for a quasi-legitimate conquest of power. Nevertheless, as in other times of crisis such as the early 1970s, the StB tried to push Party leaders into tougher policies primarily by feeding them alarmist reports, and eschewed unilateral action.

Once in power, it took the communist core another decade to refine centralized political control of the StB, because of the turmoil of 1949–54 (described below) and the resistance of Rudolf Barák, the ambitious interior minister in 1953–61, who resented any interference.<sup>31</sup> The Party first intensified its hold in the simultaneous purge and recruitment drives of 1948–50, when many original StB officers were replaced by young, unqualified but zealous manual workers.<sup>32</sup> It was decreed that the top 1000 positions at the interior ministry and StB could be filled only by decision of central Party bodies,<sup>33</sup> and loyalty trumped education: a survey of the ministry's top officials in 1954 found that only 8 per cent had finished secondary school.<sup>34</sup>

As another control device, perhaps to inhibit corporate identity, from 1954 until 1965 the very term StB was rarely used officially, and the service was dissolved into its constituent directorates, answering to different deputy ministers.<sup>35</sup> The Party's Military Commission for Defence, set up in early 1957, claimed a monopoly on all strategic security decisions,<sup>36</sup> and the central committee's security department acquired line management over the Party networks in the interior ministry in January 1963. This power was tremendous, given that 90 per cent of StB members were also in the KSČ in the 1960s.<sup>37</sup> The Party staffed the ministry élite whenever possible with loyal apparatchiks, such as Lubomír Štrougal (1961–5) and Radko Kaska, appointed federal minister in January 1970 expressly to keep the StB in its place.<sup>38</sup> When Kaska died in a helicopter crash in March 1973, he was succeeded by another Party heavyweight, Jaromír Obzina. Ten years later the post went to Vratislav Vajnar, who, like Kaska, had previously served as chief of staff to the Party general secretary.

The StB was also told to mind the Party operationally. Guidelines issued in 1959 on electronic surveillance insisted that especially sensitive cases required the consent of the relevant regional Party boss, and only officers who were Party members could operate the listening devices. Electronic surveillance of KSČ offices, conferences and recreational facilities was expressly forbidden.<sup>39</sup> In October 1982, Interior Minister Obzina forbade the electronic surveillance of anyone whose position fell within the central committee's nomenklatura authority.<sup>40</sup> Attempts by teams from the StB economic-security directorate to uncover rampant



nomenklatura corruption in the 1970s and 1980s regularly ended in the officers' dismissal, demotion or transfer to a provincial backwater.<sup>41</sup> Ordinary Party members, however, enjoyed no immunity: in 1955–60 6–7 per cent of all citizens investigated by the StB were in the KSČ, as were 5 per cent of those under surveillance in the mid-1960s.<sup>42</sup>

### **Deviations from the political-police identity**

During its existence the StB was reorganized with remarkable frequency. Most of these reshuffles were cosmetic, enacted in the vain hope that they would mitigate the unrelenting tension between espionage, counter-espionage and political surveillance units. Sometimes they reflected the temporary supremacy of one of two competing formulas for improving the service's performance: either impose a lean, unified command structure (1949–53, 1964–9, 1970–4, 1988–9) or amplify the division of labour and commensurate departmental autonomy (1953–63, 1969–70, 1974–88).

Two restructurings, however, marked a shift away from the StB's character as a political police. The first, in 1950, was the detachment of the StB from the interior ministry into a new ministry of national security, mimicking the Soviet practice of the time. The duration of this ministry until 1953 marks the sole period when the StB might be classified somewhere between a political police and an independent security state.

Certainly, as Rice argues, the impetus for this was the arrival of the first of 50 Soviet advisors in October 1949. Before then, Soviet intelligence had exerted its influence via its residents in the Prague embassy, in Dresden, Vienna and Uzhorod, and hundreds of Czechoslovak agents; their main task had been the periodic abduction of Russian émigrés, Germans, Czechs and Slovaks.<sup>43</sup> The new advisors, to be attached directly to the StB, came with Stalin's drive to unify the bloc as the Cold War advanced, and in a drunken moment they soon divulged their mission: 'Heads must roll in Czechoslovakia.'<sup>44</sup> The advisors instructed the StB in unfamiliar techniques, such as the scripting of 'monster trials' (political cases had previously been managed by the justice ministry) and the uninterrupted interrogation of prisoners, lasting days and nights.<sup>45</sup>

Although Party leaders authorized the surveillance, arrest and trials of their closest comrades in 1951–4 under duress from the Soviets and StB abettors, there was often a definite complaisance, for it was an opportune time to settle accounts with old rivals. Every major show trial was managed ultimately by a special Party commission.<sup>46</sup> The supremacy of the Party was asserted in January 1951, when its internal auditing

commission arranged the arrests of most of the StB command, including many of its founders, who then suffered the forms of torture, trial and execution they had recently endorsed and utilized.<sup>47</sup> On the whole, it was easier in this tumult for Party bosses to meddle in security-police business than it would be later, in 1954–61, when Interior Minister Barák, though loyal to the Party line, jealously guarded his turf, as did Josef Kudrna in 1965–7.

The other great deviation, in the opposite direction toward a bureau of domestic intelligence, came with a general change in attitudes to the role of the state in the early 1960s. Prompted largely by disgust at the crimes of 1948–54, the first step was a wide-ranging performance review conducted by the StB's analytical department in 1963, which found that more than three-quarters of manpower was still dedicated to the wasteful, misdirected hunt for the 'enemy within'. Such inertia is unsurprising given that 12.6 per cent of personnel had joined the StB in 1945–8, and 54.4 per cent in the huge recruitment drives during 1949–56.<sup>48</sup> The enquiry urged the agency to devote itself instead to counter-espionage and prophylactic measures, and re-fuse its disparate directorates into a streamlined command structure.<sup>49</sup>

After a partial implementation of this recommendation in 1964–5,<sup>50</sup> a bold reform was attempted during the Prague Spring by the new interior minister, the repentant Stalinist Josef Pavel, and his deputy Stanislav Padrůnek, author of the 1963 review. Their vision of security intelligence was distinguished by five proposals. First, the StB would be converted into a lean Czechoslovak Counter-Intelligence Service, answerable to the interior minister and dedicated to counter-espionage. At least half of the StB officer corps would be transferred to the regular police (VB) or dismissed for their involvement in political murder. The new service would forfeit the StB's authority to investigate anti-state crimes such as subversion, sabotage, and defamation of the republic. Most domestic political surveillance ceased in March–April 1968, and the three StB departments devoted to it were disbanded two weeks before the Soviet-led invasion.<sup>51</sup>

Second, the interior ministry's First Directorate, for foreign intelligence, would become an independent agency answerable to the prime minister. Intelligence officers, resentful of their uneasy association with the StB within the interior ministry, had been lobbying for several years to separate their directorate, place it on a statutory footing and coordinate its work with other state agencies through a central intelligence council.<sup>52</sup>

Third, Party control of security intelligence would yield to oversight by parliament's defence and security committee (BBV). Oversight was understood to mean the right to scrutinize the budget and to receive regular briefings. The BBV, which in 1945–7 regularly censured the communists and was abolished in 1952, was resurrected on 14 March 1968 and worked actively at least through 1969.<sup>53</sup> Fourth, the seven KGB advisors resident in 1968 would be evicted.<sup>54</sup> Finally, files held on 350 000 people who posed no threat to national security would be incinerated.<sup>55</sup>

This audacious plan to undo two decades of the Sovietization of security intelligence was doomed not only by Moscow's intolerance, but also by the opposition of liberalizers around Alexander Dubček. His centrist coalition, though accepting the need for a reduction in surveillance, wanted intelligence on the new organizations emerging in society, and a scheme was even hatched to revive the pre-1948 practice of infiltrating KSC members to subvert them. Already in early summer 1968 the Dubček team authorized the sabotage of Pavel's reforms, and within a fortnight after the August invasion, with Dubček still in power, Pavel's successor countermanded all orders for the StB's transformation.<sup>56</sup> In the purge that followed, around 3350 employees of the interior ministry were fired for having supported the reforms, including 300 (25 per cent) from the intelligence directorate.<sup>57</sup> By 1972, 73 per cent of the StB command had been replaced.<sup>58</sup>

### **The informer legions**

To fragment society the StB relied not on random terror, but on a reputation for prevalence. Its bloated ranks, while often failing to obtain information of strategic value, conveyed an intimidating impression of omnipresence and thus omniscience. Like its counterparts in the Soviet bloc, the StB was a distinctly unsecret police, more the Party's scarecrow than its sword and shield.<sup>59</sup>

This reputation for ubiquity, however, could not be sustained simply by employing a large officer corps: in keeping with the East European ratio of one officer per 1200–1700 citizens,<sup>60</sup> the StB usually employed around 9000 people in a population of 15 million. Recruitment of a larger force was prevented by the fiscal austerity of the communist regime, and by the low esteem in which the StB was held: a classified opinion poll from the late 1960s placed the security service second only to sewer cleaners at the bottom of the prestige scale of professions.<sup>61</sup> A large informer network was therefore also necessary.

One of the causes of confusion in exposing these collaborators after 1989 was the set of terms used by the StB. Although there was an evolution of terminology over four decades, six categories can be identified.<sup>62</sup> The first four fall under the general title of ‘secret co-worker’, which means that the agreement to collaborate was usually put in writing (though not always, especially after 1970) and sometimes involved remuneration.

*Agent.* From the first StB guideline in 1948 to the last, 30 years later, an agent was understood to be the top class of informer, someone who could be assigned to infiltrate foreign intelligence rings, key Western institutions, émigré networks, or domestic opposition groups. In 1955 agents constituted one-quarter of the informer army, and by 1967 one-half.<sup>63</sup>

*Informant.* From 1948 to 1972 a category of lesser agent, *informátor*, was recognized, into which fell those thought capable not of winning the confidence of opposition groups or foreign networks but of acquiring information from circles close to them.

*Resident.* To cope with the size and volatility of the informer army, StB case officers often used the services of go-betweens, known as *rezidenti*. These were often former employees of the interior ministry or highly experienced agents who could be entrusted with immediate responsibility for five to eight informants.

*Occupant of safe house.* From 1954 a class of collaborator was acknowledged who allowed the StB to use his residence as a safe house, or who agreed to pose as the occupant of an outwardly normal flat or office that actually belonged to the interior ministry. In 1954–68 around 14 000 citizens put their flats at the StB’s disposal.<sup>64</sup> StB officers stole most of the safe houses’ appliances and furnishings in late 1989.<sup>65</sup>

*Confidant.* The category of *důvěrník* is the most ambiguous in StB documentation. It was not a class of ‘secret co-worker’, and no formal agreement, payment or tasking appear to have been involved. The information provided was probably highly anecdotal and unsystematic, relating largely to morale in strategic enterprises. Moreover, it is not always clear whether a confidant was aware that he or she was conversing with the StB.

*Candidate.* One of the most controversial StB practices from the point of view of post-1989 lustration was the categorizing of citizens or foreigners suspected of being agent material. An officer, on becoming aware of a potential recruit, would open a file on the person with a code name and registration number. After background inquiries, the officer would make an open pitch. In most instances, the overture was rejected

and the file was closed: only one-third of the 1251 cases concluded in 1989 ended in an agreement to become an agent.<sup>66</sup> This practice later caused problems in that most candidate files were destroyed in late 1989, but lists of 70 000 candidates' names were reconstructed. Consequently, it was easy to besmirch someone as an agent if the evidence of refusal was missing.<sup>67</sup>

The majority of informers signed up uncoerced. Party members accounted for a share equivalent to their percentage of the total population, around 7–10 per cent in 1964–7,<sup>68</sup> although many more, especially factory directors, regularly provided information without a formal agreement.<sup>69</sup> Material gain was not an incentive for collaboration, as the StB was tightfisted: one agent, the Tokyo correspondent for ČTK, met 300 times with his controlling officer from 1973 to 1982 and received a meagre 3000 crowns' worth of liquor as his reward.<sup>70</sup> Some informed in the hope that the StB would arrange permission to travel in the West or faster job promotion.<sup>71</sup> Blackmail, however, was not uncommon: even among the more trusted agents, 30 per cent had been bullied into cooperation when confronted with evidence of their own criminal activity, collaboration with the wartime regime, or sexual indiscretions.<sup>72</sup> Service chiefs, however, frowned on blackmail in the 1960s, since those acquired in this fashion could not be easily motivated. This may also explain the 7000 known cases of informers who unilaterally ended their collaboration in 1959–68.

The two motives of sympathy and fear created a huge but unstable infantry, numbering around 30 000 in 1954, the first year for which comprehensive data are available. Somewhat surprisingly, the StB enlisted few informers in 1949–53, since emphasis fell instead on finding convenient victims and torturing them into confessing to whatever the StB had scripted. Gradually, the StB was expected to have both a greater grasp of society's moods and at least a veneer of intelligence to its choice of targets, which propelled it to enrol informers by the thousand. As Figures 2.1 and 2.2 suggest, turnover was very common, in some districts as high as 60 per cent in the 1960s.<sup>73</sup> This was due in part to the average informer's brief 'shelf-life', as covers were quickly blown by poor tradecraft, but also because the informer army was a barometer of the political climate, reflecting the relaxation in 1956, the new hard line in 1957–61, and another easing in 1962–8. Due to this high turnover, one in every 80–100 adults alive in 1963 either was or had been a collaborator at some point since 1948.<sup>74</sup> By 1968, an estimated 150 000 people had passed through the informers' ranks.<sup>75</sup> It must be stressed that the real total was probably far greater, as annual statistics did not include

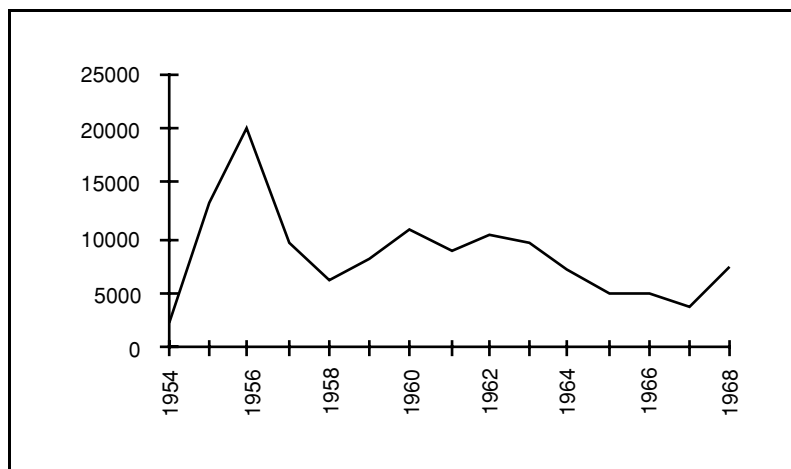
confidants, of whom there could have been as many as there were agents and informants. Data are not available for 1970–88, but it has been reported that at the time of the 1989 revolution, the StB was still using 8825 agents, 183 residents, 1526 safe houses and 8676 confidants.<sup>76</sup> Another source, not distinguishing agents from confidants, reports a total of 12 886 ‘secret co-workers’ as of 30 June 1989.<sup>77</sup>



Sources: A FMV, fond IM (1. nám. MV Záměla), k. 74, č.j. SE-0016/01–68; Koudelka, *Státní bezpečnost 1954–1968*, p. 52.

Figure 2.1 Number of StB informers, 1954–69

Declassified documents tell a story of chronic dissatisfaction with the product of informers’ prying. Expectations were probably unrealistic given the pressure on officers to meet recruitment quotas without regard for quality, and the structure of the StB itself: with almost half of all officers serving at the district level, and around 40 per cent detailed to economic security, the informers they recruited tended accordingly to be local, middle-aged enterprise bureaucrats.<sup>78</sup> A survey of 16 000 informers active in 1964 found that only 182 had direct contact with foreign spies,<sup>79</sup> while only 33 of the 121 informers run outside Czechoslovakia by counter-espionage had brushed the perimeters of the Western intelligence community.<sup>80</sup> The grand consequences were an operational preoccupation with grumbling workers and former members of banned political parties, and ignorance of real enemies’ whereabouts.



Sources: A FMV, fond IM (1. nám. MV Záměla), k. 74, č.j. SE-0016/01–68; Koudelka, *Státní bezpečnost 1954–1968*, p. 52.

Figure 2.2 Loss of informers, 1954–68

Given that informers in the 1960s rarely supplied evidence that led to prosecution, there is a stark incongruity between the grave ethical implications of their decision to inform and the banality of their snooping.

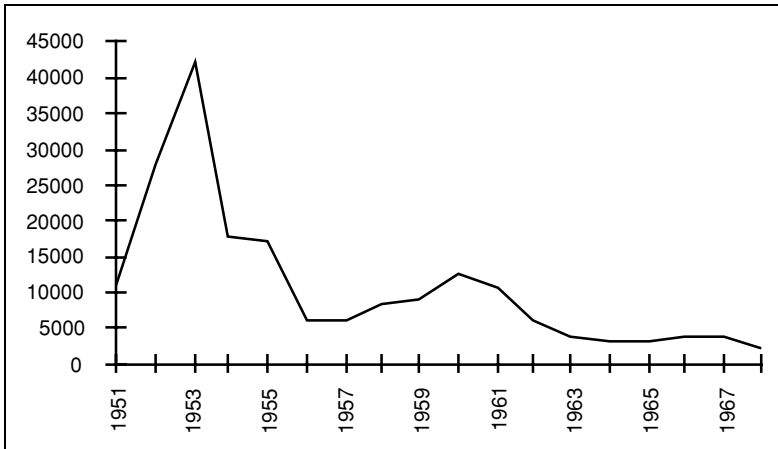
We otherwise know little about the everyday use of informers because Slovak archives remain shut, and as of September 1999 only around 2000 Czechs have exercised their new right to read their files.<sup>81</sup> Journalists and historians are not allowed to view them, so the media have not carried the sorts of stories that flooded the German press when the Stasi records opened. In addition, the Czech media would be unable to assume the West Germans' detached, if voyeuristic, perspective on East German antics.

The story of one pensioner, however, is probably representative. Once a devout communist and high-ranking army official forced out after 1968, Eduard Bejček never doubted that acquaintances were informing on him. Only on viewing his 687-page file, however, did he discover that in fact 14 agents were at work, including a trusted neighbour and a colleague who had similarly been expelled from the army. The StB tried to compromise him by directing his former secretary to seduce him, and sought to extract information from his doctor, grandmother, sister and former workmates. By his own account, Bejček was not an active

opponent of the regime, but his sometime access to military secrets apparently qualified him as a potential threat to national security.<sup>82</sup>

### The extent of surveillance and persecution

Trends in surveillance, like those in the informer ranks, encapsulate the country's drift toward a more predictable post-totalitarianism. Figure 2.3 shows the peak of surveillance in 1953–5, followed by the bell curve of Czechoslovakia's oblique de-Stalinization.



Source: A FMV, f. IM (1. nám. MV Zámle), k. 74, č.j. SE-0016/01–68; Koudelka, *Státní bezpečnost 1954–1968*, pp. 65–73.

Figure 2.3 Number of people under active surveillance, 1951–68

This trend is supported by partial data on the instances of technical surveillance (bugging, wiretaps, break-ins, and covert photography), which dropped from 5800 in 1961 to 1065 by 1966. Those figures, however, do not take into account the open-ended operations against Western embassies or the most prominent critics of the regime, or the fact that officers could lure targets to safe houses wired for sound.<sup>83</sup>

A qualitative change was the shift away from the surveillance of a set agenda of groups – former political parties, the churches, expropriated captains of industry – that had been decapitated in the show trials. From 1955 onwards, the great majority of surveillance operations were routine observations of enterprises and important institutions or signals/observation files, opened when an incident of ‘agitation’ (grumbling)



was detected in the workforce. Such mutterings rarely led to prosecution: of the 75 000 people 'worked' by the StB in 1955–68, only 10 per cent were eventually subjected to formal investigation, while files on the rest were closed for lack of evidence.<sup>84</sup>

The StB included a directorate of around 200 detectives as the law-enforcing agency for high crimes of treason, espionage, subversion, terrorism, sabotage, and defection. In the 1950s these crimes could carry the death sentence, or at least ten years' imprisonment, while in the 1960s execution was less likely and the minimum sentence was reduced to five years. Table 2.1 shows that in the course of these two decades, while the range of crimes in the StB's purview actually expanded, the service increasingly concerned itself with citizens who had not returned from visits abroad. These numbers reflect the service's crisis of confidence, the ability of foreign intelligence agencies to evade exposure, and the growth of Czechoslovak contact with the West.

Table 2.1 StB investigations of anti-state crimes, 1955–68

	Total cases	Treason	Sabotage	Subversion	Defection	Espionage
1955	2889	629	298	n/a	594	171
1956	1875	115	117	n/a	529	88
1957	2020	50	29	202	552	109
1958	2521	71	45	366	828	105
1959	2097	58	57	287	753	88
1960	1616	16	18	264	631	24
1961	1885	67	42	428	579	82
1962	1583	10	42	300	545	50
1963	1147	3	1	86	523	28
1964	1800	1	0	31	1219	13
1965	2726	0	0	9	2001	11
1966	3473	3	0	3	2587	13
1967	3385	0	0	23	2520	19
1968	3290	0	0	3	2328	6

Source: Koudelka, *Státní bezpečnost 1954–1968*, pp. 205–6.

At this point the StB must be placed in context as a component of a punitive apparatus involving the regular police, judiciary, public prosecution service and prisons. Three details are noteworthy. First, in the 1950s the StB was not responsible for every political prosecution, as the regular police covered certain offences that the StB acquired only in the 1960s. Second, from 1956 the judiciary and prosecutors began to dare to question some of the StB investigators' charges. Consequently, in

1957–68 about 1000 people were spared the punishment sought by the StB. Third, Slovakia, which is often admonished for having lacked an opposition as developed as that in the Czech lands after 1977, accounted for one-third of the country's population but one-quarter of the political prisoners in 1948–89. This share is hardly negligible, however, if we recall that Slovakia benefited from the communists' modernization project far more than did the Czech lands.

### **Major operations against society**

As a complete overview of StB methods and operations must await further declassification of documents and publication of research, some sense of how the political police worked in Czechoslovak society is best conveyed for now by a sample of operations conducted at various points in its history.

#### *Purging the cities*

One of the first, and most venal, StB services rendered after the 1948 coup was to clear the major cities of the leaders of other parties and the former owners of nationalized enterprises. Their physical removal during that September simplified control of the centres of power and eviscerated urban culture, while awarding the vacated dwellings to communist arrivistes. A second wave, lasting from 3 to 13 October 1949, dispatched thousands of lawyers, small businessmen and pensioners to hard-labour camps and uranium mines.<sup>85</sup> The third and most severe round, codenamed Operation B, started in summer 1952. Another thousand families were driven from Prague, 600 from Brno and 800 from Bratislava. Although even the StB felt by early 1953 that it had displaced every possible urban foe, the Party and army demanded still more residences, and Operation B continued into the autumn.<sup>86</sup>

#### *Operation SKAUT (Scout)*

In the immediate aftermath of the communist seizure of power, many younger activists in other parties assumed that the new regime could be toppled by World War II-style resistance. Given the pre-coup communist and StB infiltration of those parties, however, it was relatively easy to plant agents in the new underground.

Among them, if post-1989 reports are true, was one of the national socialists' most promising functionaries, Vlastislav Chalupa.<sup>87</sup> Kidnapped by the StB in April 1948 and kept for almost a year under tight guard, Chalupa was directed to set up a bogus Labour Party, intended to dissuade anti-communist socialists from an armed uprising

and from contact with exiles and Western intelligence. This became the centrepiece of Operation SCOUT, in which the StB infiltrated around 17 clandestine groups. As a result, by 1953 about 700 people had been arrested and 15 sentenced to death. Among those executed were several agents, whom the StB abandoned to the gallows to enhance the operation's credibility.<sup>88</sup>

In September 1949, as an extension of SCOUT, Chalupa was sent abroad and later joined by his wife and child and a dozen accomplices. Their mission was to gain the confidence of émigré organizations and uncover their channels of communication to groups in Czechoslovakia. Working in Paris until 1952 and then in Chicago, Chalupa founded institutions and periodicals ostensibly to connect émigré communities in the West, but in practice to have the same neutralizing effect as his Labour Party. His leftist views and suspicious cover stories, however, alienated the more influential émigrés, and historians regard this aspect of SCOUT as a fiasco.<sup>89</sup>

Chalupa today insists that he never collaborated with the communists and was instead a CIA double-agent out to subvert the StB.<sup>90</sup> At the very least, it is clear from StB documents that he became very reticent: from December 1951 until September 1956, when an StB agent hunted him down in Chicago, Chalupa had no contact with Prague. He severed ties again in October 1958 and started to work in earnest against communism, so SCOUT was closed in 1961.

### *Persecution of the churches in Slovakia*

Beside the non-communist parties, the StB's foremost target after the 1948 coup was the Catholic Church, especially in Slovakia. The Church unnerved the new regime by its formidable organization and its ability to mount resistance. In June and July 1949, believers rallied across Slovakia (and Moravia) to the defence of priests threatened with arrest, and in three instances the StB had to call in its crack Jánošík unit, which normally protected Slovak political leaders. At least 717 people, including many priests, were arrested by the StB and 345 were sentenced to hard-labour camps. Similar outbursts in June 1950 in Svit and in Nenince in December 1951, when 1000 villagers lynched the local communist boss after their priest disappeared, also required StB intervention.<sup>91</sup>

In the aftermath of this rebellion, the StB unleashed its own attack on the clergy, often without consulting, and much to the annoyance of, government officials for Church matters. Informers were recruited, usually by confronting priests with evidence of their activities under the wartime regime, while StB officers tried to compromise others simply by visiting them frequently, on the slightest pretence, in the hope that

parishioners would start to fear that their pastor was collaborating. The StB tried to sabotage pilgrimages in 1950 by spreading rumours that they would be commandeered by local councils as venues for political speeches.<sup>92</sup>

One of the harshest blows dealt by the StB, at the Party's bidding, was Operation  $\kappa$  against the monasteries. Starting around the time of the show trial of ten Czech monks in April 1950, intense surveillance of 75 cloisters in Slovakia quickly led to the arrest of 1037 monks deemed politically hostile. Most of them were then kept under close observation in selected monasteries; 99 were dispatched to labour camps. A similar operation, codenamed  $\rho$ , rounded up 1971 nuns. Simultaneously, Operation  $\rho$  reversed centuries of Greek Catholics' fealty to Rome by forcing their clergy to convert to Orthodoxy; nuns who refused were subjected to 're-education' in the Stropkov cloisters, while obstinate priests were deported to Bohemia in 1951–2.<sup>93</sup>

These operations, plus two show trials of bishops in December 1950 and January 1951, subdued the Church's open defiance. Subsequent resistance continued in more clandestine forms, but StB infiltration led to the arrest of several hundred believers in the 1950s.<sup>94</sup>

#### *Operation SVĚDEK (Witness)*

The largest operation of the 1960s was Operation WITNESS, launched in December 1966 when StB officers were under new pressure from politicians to produce results in response to rising social tension. In February and July 1966, the Party Presidium had taken stock of the StB's activities and concluded that it should undertake more focused, resolute work against domestic dissidents and their purported masters abroad.<sup>95</sup> WITNESS was designed accordingly to frame émigré publisher Pavel Tigríd as the foreign director of 14 prominent intellectuals, such as Jan Beneš, Václav Černý and Václav Havel. Most of them were already under surveillance individually, and WITNESS imposed a conspiratorial order by casting Tigríd as their phantom conductor.<sup>96</sup> The operation continued even after the July 1967 trial of Tigríd *in absentia* and of Jan Beneš: by the end of that year the Prague regional StB organization was filing reports almost daily from their surveillance of Havel and Černý, the most likely victims of the next show trial had the Prague Spring not arrived.<sup>97</sup>

#### *Operation IZOLACE (Isolation)*

On 2 December 1977, the KSČ leadership decided that an urgent task for the coming year was the isolation of Charter 77, the recently-born advocacy circle for rights and freedoms, from the working class, youth,

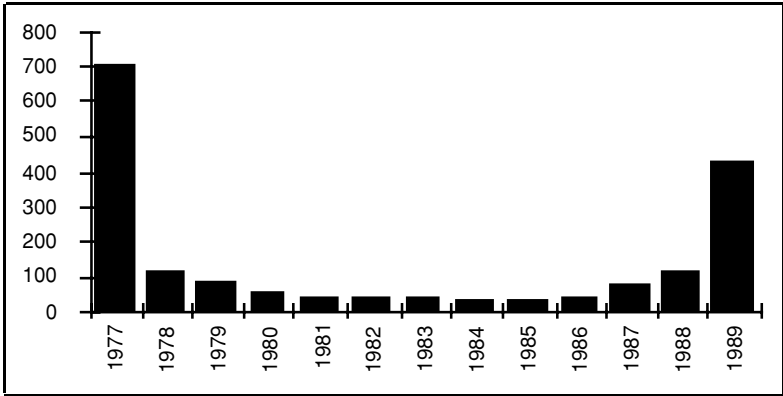
Churches and opposition forces in Poland and Hungary. Moreover, they wanted to separate the critical core of the movement from the less active signatories, and to drive several of the masterminds into emigration. It was not until March 1981, however, that Karel Vykypěl, head of the section for surveillance of 'anti-socialist forces and hostile groupings', devised Operation ISOLATION.<sup>98</sup>

The premise behind the operation was that Charter 77 was best combated not by arrests and trials but by exploiting the fault line running between those who had been Dubčekite socialists in 1968 and those who had been critical of reform communism from a differing socialist, communitarian or religious outlook, or had been too young to be active at the time. These two camps were divided in tactics, the former preferring to stick to the Charter's original aim of persuading the regime to negotiate, while the latter, assumed by the StB to be directed by émigré centres, wanted to infiltrate and unravel the Party-state.

Separate offensives were planned against the Charter's two constituent groups, but the tactics were similar: agents, rumour and compromising materials would be unleashed to discredit first the ex-communists and then the entire group in the eyes of the public and foreign sympathizers. Collective identity and solidarity would be assailed, diverting dissidents' energies into internal quarrels. To create an impression of uninterrupted observation, surveillance tactics were adjusted to shadow Chartists mostly in the evenings and on holidays.

In keeping with the operation's aim to divide the organizers from the followers, signatories outside the major cities were subjected to unrelenting harassment but no violence and hardly any incarceration. Containment was easy, given the rarity of regional involvement: in the West Bohemian province, for example, there were around twenty StB officers for each Chartist, while in the east Bohemian town of Pardubice, now repository of the StB files, the Stibic couple were the only signatories in the movement's first years.<sup>99</sup> Figure 2.4 shows how few people dared to add their names to the document during the 1980s.

There was little novelty to Vykypěl's scheme, as it relied largely on a methodology concocted in 1974 and on Operation PREVENCE, begun in 1978 to sabotage links between the reform communists and foreigners. Moreover, lest we think the StB eschewed stronger tactics, ISOLATION was complemented by Operation ASANACE (Slum Clearance), which tried to drive dissidents into exile through unremitting harassment, searches, interrogations, beatings and death threats. Of the roughly 50 people targeted by ASANACE, 20 did leave the country.<sup>100</sup> A 1991 survey of Chartists found that 75 per cent were interrogated at some point, 61 per



Source: *Magazín DNES*, 2 January 1997, p. 25.

Figure 2.4 Charter 77 signatories

cent had been arrested or detained, and the homes of 36 per cent had been searched.<sup>101</sup>

Although it obviously failed to break the democratic opposition, few details of the conduct of ISOLATION have been declassified. In part this is due to the destruction of files, in part because 16 StB agents penetrated the Charter as a result of ISOLATION and the exposure of their identity today would generate enormous controversy.<sup>102</sup>

#### *Operation KLÍN (Wedge)*

Operation WEDGE has fixed in the public imagination since its revelation in spring 1990. Though conceived as yet another campaign to prevent the 'programmatic unification of anti-socialist elements', its birth in 1986–7 reflected the new pressures caused by society's expectation that Czechoslovakia should imitate Soviet perestroika.<sup>103</sup> While differing little from ISOLATION, WEDGE earned a place in conspiracy theory as evidence of an StB masterplan to ensure its influence after the revolution by riddling civil society with its agents.<sup>104</sup>

Although much of the documentation for WEDGE was destroyed after November 1989, the surviving papers convey no scheme to ensure the StB an afterlife. Until the very end, the StB believed only that dissidents had a new, greater resolve to penetrate and influence official structures and that this threat could be dissipated by agent infiltration, rather than

trials and imprisonment. Using a three-phase sequencing similar to ISOLATION, WEDGE was supposed to culminate in the total discrediting of the opposition by August 1989.<sup>105</sup> When that month arrived and the goal had not been met, the target date was pushed to December 1995 – revealing the StB's assumption that the communist system was not in mortal danger.<sup>106</sup>

Showing the persistence of institutional culture over four decades, WEDGE in practice differed little from operations conducted in 1947–9 against the communists' rivals. Great emphasis fell on using agents to establish bogus dissident groups, to penetrate the cores of real ones, and to introduce fabricated *samizdat* (underground publishing) articles on themes likely to cause rifts between the former communists and the civil opposition, such as religion, the expulsion of the Germans, and 'third way' socialism.<sup>107</sup> Surviving reports boast of the StB's success in infiltration, such as the presence of six agents and one confidant at a Charter forum held in a Prague pub in November 1987.<sup>108</sup> When unease was expressed, it concerned the old problem that the StB could foment discord between former communists and non-communists but could not actually eradicate or even contain the increasingly diverse realm of independent initiatives.<sup>109</sup>

WEDGE was a framework for ongoing operations conducted individually against the 100 most prominent critics of the regime, of whom 60 were in Prague, 20 in Brno and 10 in Bratislava. It was estimated that an additional 5–30 people were affected by the surveillance of each of these 100 targets, and WEDGE schemed to recruit dissidents' adult children as informers. In some respects, the devices listed in planning documents were astute: the StB knew that its purposes were better served by allowing reform Marxists to publicize their enduring commitment to the ideas of 1968, as this would enervate Chartists less enamoured of the Prague Spring.<sup>110</sup> It is not yet clear, however, whether the StB can take any credit for the disputes that erupted in the late 1980s between the Chartists and the younger, more confrontational figures of the cultural underground.<sup>111</sup>

### *Operation NORBERT*

The StB always possessed a special index of the regime's foremost enemies and, like the army and police, devised a number of contingency plans for direct threats to communist power. The most drastic scheme was NORBERT, a grand list of citizens to be rounded up for their political or criminal reputations. Although commissioned by the State Defence Council in 1977 as part of the country's response mechanism for the

outbreak of war, NORBERT could have been activated in the event of severe 'internal disorder' as well.<sup>112</sup> So secret was the operation that General Secretary Miloš Jakeš may have been the only Party leader aware of its existence.<sup>113</sup>

NORBERT was prepared by an interdepartmental council consisting of a representative of the StB Tenth Directorate (political surveillance), of the criminal police, and of the federal interior ministry's defence section. With the help of clone councils established for Slovakia and at the regional and district levels, the NORBERT team divided the state's foes into two categories, those who should be imprisoned (the Z group) or put into labour camps (the P group). The Z grouping applied to the most active dissidents and the most hardened criminals alike.

Due to the destruction of NORBERT documentation in early December 1989, it is not known how many people were targeted for arrest. The district NORBERT councils revised their local lists twice annually, and a major review in 1986 led to the removal of about 2000 names. A 1995 Czech parliamentary inquiry reported that in 1989 around 9000 people were still listed, with 6000 (probably non-political criminals) nominated by the police and 3000 by the StB; 1000 were assigned by the StB to the more serious Z group.<sup>114</sup>

The parliamentary team's numbers, however, were based on affidavits taken from StB officers, and are markedly lower than those derived from a NORBERT paper exercise conducted in November 1988. This source suggests a staggering total of 14 350 people, more than twice the number arrested and interned in Poland under martial law.<sup>115</sup> NORBERT was partially activated in October 1988 on the eve of the state's seventieth anniversary, with 122 people detained. Similar measures in August and October 1989 led to 34 and 43 preventive arrests, respectively.

### **The StB in November 1989**

The great prevailing misconception of Czechoslovakia's Velvet Revolution is that it was a provocation that got out of hand. The unwarranted violence with which riot units dispersed a student demonstration on 17 November 1989 was explained by a subsequent parliamentary investigation as part of an StB–KGB conspiracy to save communist rule by undermining the intransigent Jakeš leadership and installing a Gorbachevesque faction. Instead, events spun out of control and led to round-table negotiations.<sup>116</sup>

This explanation whetted the post-communist appetite for conspiracy theory, and gained currency abroad thanks to a 1990 BBC documentary film, but does not withstand closer scrutiny. The parliamentary



commission, it was uncovered, itself contained three StB agents and a member of the KSČ Central Committee's team of secret agitators specially recruited in early 1989 to defend the Party among students.<sup>117</sup> A second inquiry and the 1992 court martial of top StB officials told a very different story.

First of all, as in the case of WEDGE, there is nothing in the available documents from 1988–9 to indicate an StB awareness of impending catastrophe, which would have motivated a conspiracy to rescue the regime. The rising generation of officers, represented by Alojz Lorenc (deputy federal interior minister with responsibility for the StB), did campaign for technical modernization, especially computerization of analysis and forecasting. They also fought for a tighter command structure, recruitment of university graduates, and the introduction of polygraphs after counter-espionage discovered that a deceased officer in its UK section had been working for MI6.<sup>118</sup> They remained true to the spirit of WEDGE that the best way to offset Charter 77 was by infiltration and embarrassment, not arrests, and it was only on the orders of the Party leadership that tougher measures were adopted in July 1989: at the end of September there were 340 political prisoners in Czechoslovakia.<sup>119</sup> The Lorenc innovations, however, were simply intended to help the StB better perform its old mission as a political police.<sup>120</sup> Although aware that dissidents were emboldened by the communist capitulation in neighbouring states, the StB assumed – not unreasonably – that the higher standard of living in Czechoslovakia would keep the masses docile.<sup>121</sup>

The findings of the second parliamentary enquiry into the events of November 1989 supply several additional refutations of the StB conspiracy explanation.<sup>122</sup>

- The student march was tackled not by the StB but mostly by the regular police and the interior ministry's anti-terrorist unit OZU, which had never been used against civilians.
- The ten StB officers involved were drawn from the notoriously intolerant Prague metropolitan branch. When questioned later, these officers did not even try to exonerate themselves by claiming that they were just obeying orders, and admitted that their savagery flowed from a simple, profound hatred of students. Their brutality was no greater than that meted out on 'Bloody Thursday' eleven months earlier to crowds peacefully commemorating Jan Palach's self-immolation. If anything, that previous incident was

even more shocking in that many elderly bystanders were also battered.

- The purportedly progressive Young Turks of the StB high command were not involved, were not informed of the exact course of events and most were not even in Prague at the time. That Lorenc was hosting a delegation of top KGB officers was initially interpreted as evidence of Moscow's interest in unseating Jakeš, but later inquiries found that their visit was planned well in advance and must be dismissed as pure coincidence.
- The approximately 2000 students were trapped between two cordons of police on Národní třída (National Avenue) not by design but because the two flanks were not properly coordinated in their movements. Recordings of the radio communications between police headquarters and the field indicate pure chaos. The police were thus unaware that all outlets had been blocked off and that the students could not heed the repeated summons to disperse. The protestors' immobility was misinterpreted as defiance and the police charged, despite orders not to. If there had been a plan to box in the marchers for the sole purpose of beating them up, the police would have steered them to a more enclosed space nearby, such as Jungmann Square.
- Police were seen covering an unconscious man with a blanket, and rumours began to circulate that a student had been killed. In March 1990, the young man came forward, alive and well, to announce that he was Ludvík Živčák, an StB lieutenant who had infiltrated the student movement and was ordered to pose as a corpse. This revelation was quickly incorporated into conspiracy theories: the StB had staged a fatality to outrage the public and force the Party to liberalize. Further enquiries, including the 1994 trial of Živčák, found a more prosaic explanation: he suffered a glancing blow to the forearm, whereupon, traumatized by the paradox of being an undercover officer assaulted by his comrades, he fainted. In subsequent days he joined students in further demonstrations, which he would hardly have done if he was supposed to play dead and avoid recognition.<sup>123</sup>

Unlike the army, which urged the Party to crush the growing rebellion, the StB remained true to its deeply institutionalized identity as a political police. The interior minister declared a level-three state of emergency, which was unprecedented in the previous 20 years, but still stopped short of mobilization for a crackdown. (Level three activated only special

units of the police and StB; it could be followed by four more stages of increasingly brutal response, involving the army and Party militia.<sup>124</sup>) StB informers closely followed the brainstorming taking place in the civil opposition and the student strike committees, but were not ordered to interfere. The StB command waited, albeit with an anxiety verging on panic, for the irresolute and divided KSČ leadership to give the order to activate NORBERT, but it never came. Once it was clear that power had shifted from the Party to the government, which in turn was willing to negotiate with the opposition, the StB set to removing and shredding its files.

The behaviour of the StB during the last months of the regime was entirely consistent with its profile as a political police. Although always intolerant of any potential threat to the communist order, it generally refrained from taking the initiative and tried instead to influence Party policy through tailored, distorted assessments of the country's condition. For most of its existence, the StB remained within the constrained autonomy imposed by the mode of its foundation in 1945–7, acting as an instrument of intimidation and rather ineffective intelligence-gathering.

## Notes

1. Jonathan R. Adelman, 'Introduction', in Adelman, ed., *Terror and Communist Politics: The Role of the Secret Police in Communist States* (Boulder: Westview Press, 1984), pp. 1–4. During the 1980s there continued to be no expansion of the literature; see Jonathan R. Adelman, 'The Development of the Secret Police in Communist States', in P. Timothy Bushnell, Vladimir Shlapentokh, Christopher K. Vanderpool and Jeyaratnam Sundram, eds, *State Organized Terror: The Case of Violent Internal Repression* (Boulder: Westview Press, 1991), p. 101.
2. Richard J. Bernstein, 'Did Hannah Arendt Change Her Mind? From Radical Evil to the Banality of Evil', in Larry May and Jerome Kohn, eds, *Hannah Arendt: Twenty Years Later* (Cambridge: The MIT Press, 1996), p. 127.
3. Alexander Dallin and George Breslauer, *Political Terror in Communist Systems* (Stanford: Stanford University Press, 1970), pp. 1–11, 103–21, 136–41.
4. On the importance of images in decision-making, see Edward Rhodes, 'Do Bureaucratic Politics Matter? Some Disconfirming Findings from the Case of the US Navy', *World Politics* 47 (1994), 1–41.
5. Condoleeza Rice, 'Czechoslovakian Secret Police', in Adelman, ed., *Terror and Communist Politics*, pp. 162–3.
6. František Gebauer, Karel Kaplan, František Koudelka and Rudolf Vyhňálek, *Soudní perzekuce politické povahy v Československu 1948–1989 (Statistický přehled)* (Prague: Ústav pro soudobé dějiny, 1993), p. 36.
7. František Koudelka, *Státní bezpečnost 1954–1968: Základní údaje* (Prague: Ústav pro soudobé dějiny, 1993), p. 16, note 22.

8. Karel Kaplan, *Sovětské poradci v Československu 1949–1956* (Prague: Ústav pro soudobé dějiny, 1993), pp. 26, 38.
9. The activities of OBZ are described extensively in František Hanzlík, *Únor 1948: Výsledek nerovného zápasu* (Prague: Prewon, 1997).
10. *Lidové noviny*, 10 September 1994 and 27 September 1996. Many of the 160 suicides and 600 heart failures occurring in prison in the 1950s may have been drug-induced. Altogether 2127 people are known to have died in prison in 1948–68.
11. Knihovna Parlamentu České republiky, E517 PS ČR, 1. vol. obd. 1993, Tisk 715A. Another source puts the number of political executions at 280. See Alena Slezáková, 'Varování před nepotrestaným zlem', *Týden*, no. 9, 23 February 1998.
12. Jiří Málek, 'Metody Státní bezpečnosti na likvidaci třetího odboje v letech 1948–1953', in Jaroslav Cuhra and Václav Veber, eds, *Za svobodu a demokracii 1. Odpor proti komunistické moci* (Prague: Karolinum, 1999), p. 75. Several cases have come to light from 1949–52 of the StB enticing citizens, often teenagers, to cross false border lines, whereupon they would be shot to death without warning. See *Lidové noviny*, 12 September 1995 and 31 August 1996.
13. Karel Kaplan, *Tábory nucené práce v Československu v letech 1948–1954* (Prague: Ústav pro soudobé dějiny, 1992), p. 136.
14. Knihovna Parlamentu České republiky, E517 PS ČR, 1. vol. obd. 1993, Tisk 715A.
15. Jaroslav Cuhra, 'Soudní perzekuce opozice na počátku normalizace', in Cuhra and Veber, eds, *Za svobodu a demokracii*, p. 142.
16. Zygmunt Bauman, *Modernity and the Holocaust* (Cambridge and Oxford: Polity Press, 1989), p. 18. See also pp. 83–116.
17. *Ibid.*, p. 106.
18. Jan Rataj, *O autoritativní národní stát. Ideologické proměny české politiky v druhé republice 1938–1939* (Prague: Karolinum, 1997).
19. Benjamin Frommer, 'Pád do Prokrustova lože komunismu', *Týden*, no. 9, 23 February 1998; Jacques Rupnik, 'The Roots of Czech Stalinism', in Raphael Samuel and Gareth Stedman, eds, *Culture, Ideology, and Politics: Essays for Eric Hobsbawm* (London: Routledge and Kegan Paul, 1982). See also Tomáš Staněk, *Perzekuce 1945* (Prague: Institut pro středoevropskou kulturu a politiku, 1996); Mečislav Borák, *Spravedlnost podle dekretu: Retribuční soudnictví v ČSR a Mimořádný lidový soud v Ostravě (1945–1948)* (Šenov u Ostravy: Tilia, 1998); Petr Holub, 'Revolucionáři a mstitelé', *Respekt*, no. 27, 30 June 1997.
20. Angelo Panebianco, *Political parties: organization and power*. Trans. Marc Silver (Cambridge: Cambridge University Press, 1988), pp. xiii–xiv.
21. On the formation, mandate and structure of the intelligence service, see Igor Lukes, 'The Birth of a Police State: The Czechoslovak Ministry of the Interior, 1945–48', *Intelligence and National Security*, vol. 11 (1996), no. 1, pp. 79–86.
22. Vladimír Bystrov ml. and Jan Pergler, 'Kořeny StB v rakouském mocnářství', *Lidové noviny*, 13 August 1993.
23. Karel Kaplan, *Pět kapitol o únoru* (Brno: Doplněk, 1997), pp. 74–6.

24. Vlastislav Kroupa, *Sbor národní bezpečnosti 1945–1948* (Prague: Naše vojsko, 1977), pp. 32.
25. Kaplan, *Pět kapitol o únoru*, pp. 81, 109.
26. Jan Pešek, *Štátní bezpečnost' na Slovensku 1948–1953* (Bratislava: Veda, 1996), pp. 21, 37, 42–5.
27. Condoleeza Rice, 'Czechoslovakian Secret Police', pp. 157–8.
28. Jan Frolík, 'Nástin organizačního vývoje státobezpečnostních složek Sboru národní bezpečnosti v letech 1948–1989', *Sborník archivních prací*, XLI, no. 2 (1991), p. 451. A model example of a new recruit with a shadowy past was Antonín Kavan, who joined in June 1945. His long career as chief of the StB tailing directorate (until 1982) is especially remarkable as the StB had been aware since 1951 of his heavy involvement in the Kuratorium, the Protectorate's fascist indoctrination programme. See Adam Kretschmer, 'Antonín Kavan – Pilíř socialistické zákonnosti', in *Securitas imperii 2. Sborník k problematice bezpečnostních služeb* (Prague: Ministerstvo vnitra ČR, 1994), pp. 291–5. For evidence of Gestapo and Nazi collaborators in the StB, see Jaroslav Spurný, 'Jeden za všechny ...', *Respekt*, no. 9, 9 May 1990, and *Lidové noviny*, 27 September 1997.
29. Kaplan, *Pět kapitol o únoru*, pp. 107–32.
30. Michal Barnovský, *Na ceste k monopolu moci: Mocenskopolitické zápasy na Slovensku v rokoch 1945–1948* (Bratislava: Archa, 1993), pp. 183–225; Pešek, *Štátní bezpečnost' na Slovensku 1948–1953*, pp. 24–7; Kaplan, *Pět kapitol o únoru*, pp. 132–49, 220–65.
31. Archive of the Federal Interior Ministry (hereafter A FMV), fond A 2/3, i.j. 2342, č.j. ÚKRR – 11878/68 – Hab.
32. In Slovakia, for example, the StB dismissed almost 700 members while doubling its strength from 746 to 1597. See Pešek, *Štátní bezpečnost' na Slovensku 1948–1953*, pp. 52–4. A survey of StB personnel employed in 1961 found that almost 25 per cent had joined the service in 1949–50. See Koudelka, *Státní bezpečnost 1954–1968*, p. 43.
33. Karel Kaplan, *Kadrová nomenklatura KSČ 1948–1956* (Prague: Ústav pro soudobé dějiny, 1992), pp. 12–14, 24–5, 91–6.
34. Koudelka, *Státní bezpečnost 1954–1968*, p. 42.
35. *Ibid.*, p. 17.
36. A FMV, fond A 2/3, i.j. 2342, č.j. ÚKRR – 11878/68 – Hab.
37. Koudelka, *Státní bezpečnost 1954–1968*, p. 41.
38. *Zápis ze zasedání ústředního výboru Komunistické strany Československa 28. až 30. ledna 1970* (Prague, 1970), p. 11.
39. Radek Schovánek, 'Vývoj technických složek MV 1948–1963 (I.)', *Securitas imperii 1. Sborník k problematice bezpečnostních služeb* (Prague: Ministerstvo vnitra ČR, 1994), p. 26.
40. Jan Šubert, 'Tajný rozkaz ministra Obziny', *Lidové noviny*, 30 October 1992.
41. Frolík, 'Nástin organizačního vývoje státobezpečnostních složek Sboru národní bezpečnosti v letech 1948–1989', p. 502.
42. Koudelka, *Státní bezpečnost 1954–1968*, pp. 77, 113.
43. Kaplan, *Pět kapitol o únoru*, pp. 153–62; Frolík, 'Nástin organizačního vývoje státobezpečnostních složek Sboru národní bezpečnosti v letech 1948–1989', p. 451. At least 340 Czechoslovak citizens had studied at the NKVD training

- centre in Bashkortostan. See Pavel Blažek, 'Lágrý a oběti komunistického teroru', *Pátek Lidových novin*, no. 8, 20 February 1998.
44. Kaplan, *Sovětské poradci v Československu 1949–1956*, p. 19, note 20.
  45. Ondřej Neumann, 'Metodika pro estébáky', *Lidové noviny*, 24 July 1996.
  46. Karel Kaplan, *Nebezpečná bezpečnost: Státní bezpečnost 1948–1956* (Brno: Doplněk, 1999), p. 22.
  47. *Ibid.*, pp. 42–9.
  48. A FMV, fond IM, kr. 72, č.j. N/ka – 0031/1 – 1968.
  49. A FMV, Výhledy SAS, kr. 48, č.j. A/16 – 005/ZD – 63.
  50. For more detail see Kieran Williams, *The Prague Spring and its aftermath: Czechoslovak politics 1968–1970* (Cambridge: Cambridge University Press, 1997), pp. 212–13.
  51. A FMV, fond IM, k.5, sv. 70/1.
  52. A FMV, fond A 2/3, i.j. 2140, č.j. A-0022/010–68, A-001/010–68, A-00226/50–68.
  53. Williams, *The Prague Spring and its aftermath*, p. 219.
  54. A FMV, fond IM, k.9, sv. 7/14, č.j. M-00132/68.
  55. František Koudelka and Jiří Suk, *Ministerstvo vnitra a bezpečnostní aparát v období Pražského jara 1968 (leden-srpen 1968)* (Brno: Doplněk, 1996), p. 193.
  56. Williams, *The Prague Spring and its aftermath*, pp. 218, 220–2.
  57. A FMV, fond A 2/3, i.j. 869, č.j. A – 0031/3-Jir-1971; A FMV, fond A 2/3 – 170.
  58. A FMV, fond A 2/3, i.j. 869.
  59. Richard Popplewell, 'The Stasi and the East German Revolution of 1989', *Contemporary European History* I, no. 1 (1992), p. 41.
  60. Frolík, 'Nástin organizačního vývoje státobezpečnostních složek Sboru národní bezpečnosti v letech 1948–1989', p. 479.
  61. Miloslav Púčik, 'Planning for Emergency Security Measures in Slovakia, 1969–1989', *The Journal of Slavic Military Studies*, vol. 12 (1999), no. 1, pp. 180–207.
  62. Terminological evolution is described in Marián Gula, 'Vývoj typů spolupracovníků kontrarozvědky StB ve směrnicích pro agenturní práci', in *Securitas imperii* I, pp. 6–17. The full text of the 1978 classification of informers is published in Marek Pečenka *et al.*, *Encyclopedie špionáže ze zákulisí tajných služeb, zejména Státní bezpečnosti* (Prague: Libri, 1993), pp. 380–90.
  63. Koudelka, *Státní bezpečnost 1954–1968*, p. 56. These figures do not apply to military counter-intelligence, which relied more heavily on informants.
  64. *Ibid.*, p. 65.
  65. Jaroslav Spurný, 'Analýza, psychofarma, letáky', *Respekt*, no. 15, 20 June 1990.
  66. Pečenka, *Encyclopedie špionáže ze zákulisí tajných služeb, zejména Státní bezpečnosti*, p. 176.
  67. Karel Steigerwald, 'Lustrační chaos', *Lidové noviny*, 14 November 1994. See also Jan Brabec, Jaroslav Spurný and Jindřich Sídlo, 'Buldozer lidských osudů', *Respekt*, no. 48, 30 November 1992; and Jiří Kabele, 'Jste evidován, odejděte', *Respekt*, no. 6, 10 February 1992.
  68. Koudelka, *Státní bezpečnost 1954–1968*, p. 59.
  69. Jaroslav Spurný, 'Časovaná nálož', *Respekt*, no. 2, 7 January 1991.

70. Vladimír Nečas, “‘Samuraj’, ‘Rudolf’ a ‘Reportér’”, *Respekt*, no. 40, 12 December 1990.
71. Alojz Lorenc, *Ministerstvo strachu? Neskartované vzpomínky Generála Lorence* (Bratislava: Tatrapress, 1992), p. 114.
72. Koudelka, *Státní bezpečnost 1954–1968*, pp. 57–8.
73. A FMV, *Výhledy SAS*, kr. 48, č.j. A/16 – 005/ZD – 63.
74. *Ibid.*
75. Koudelka, *Státní bezpečnost 1954–1968*, p. 62.
76. Gula, ‘Vývoj typů spolupracovníků kontrarozvědky StB ve směrnících pro agenturní práci’, p. 15. Of these, central offices were using 1575 agents, 5 residents, 194 safe houses and 1292 confidants. The regional offices reported 7250 agents, 178 residents, 1332 safe houses and 7384 confidants.
77. Milan Churaň, ‘Cibulkovy seznamy po šesti letech’, *Střední Evropa*, vol. 14 (1998), no. 85, p. 107.
78. A FMV, fond A7, i.j. 536, č.j. M-00 67/68. In 1963, for example, 57 per cent of informers were run by district-level officers.
79. Koudelka, *Státní bezpečnost 1954–1968*, p. 55.
80. A FMV, *Výhledy SAS*, kr. 48, č.j. A/16 – 005/ZD – 63.
81. Štěpán Korčíš, ‘Širší zpřístupnění svazků StB teď asi není možné’, *Lidové noviny*, 4 September 1999.
82. Luděk Navara, ‘Muž přišel v archivu StB o iluze’, *Mladá fronta Dnes*, 13 November 1997. For other experiences, see Marek Wollner, ‘Podívejte se na svůj život očima StB’, *Týden*, no. 9, 23 February 1998, and Pavel Blažek, ‘A do míst přišel jsem, kde světla není ...’, *Magazín DNES*, no. 17, 30 April 1998.
83. Schovánek, ‘Vývoj technických složek MV 1964–1989 (II.)’, p. 47.
84. A FMV, fond IM (1. nám Záruba) k. 74, č.j. SE-0016/01–68.
85. Kaplan, *Tábory nucené práce v Československu v letech 1948–1954*, pp. 114–27.
86. Gebauer et al., *Soudní perzekuce politické povahy v Československu 1948–1989*, p. 29; Pešek, *Štátna bezpečnosť na Slovensku 1948–1953*, p. 83.
87. The Chalupa case is described in Jiří Málek, ‘JUDr. Vlastislav Chalupa, agent StB’, in *Securitas imperii 2*, pp. 72–116; Zdeněk F. Šedivý, *Velká operace: pokus Státní bezpečnosti o likvidaci třetího odboje* (n.p.: Papyrus, 1996); Michal Příbáň, ‘Exulant ve službách Státní bezpečnosti’, *Lidové noviny*, 15 December 1994; Michal Příbáň and Pavel Šibík, ‘Znovu o případu Vlastislava Chalupy’, *Lidové noviny*, 25 February 1995.
88. Šedivý, *Velká operace*, p. 53.
89. Málek, ‘JUDr. Vlastislav Chalupa, agent StB’, p. 83; Šedivý, *Velká operace*, p. 165.
90. Richard Byrne Reilly, ‘Údajný agent StB Vlastimil [sic] Chalupa zažaloval svého vyšetřovatele’, *Lidové noviny*, 4 May 1995; ‘Soud možná přizve CIA’, *Lidové noviny*, 11 January 1996.
91. Pešek, *Štátna bezpečnosť na Slovensku 1948–1953*, pp. 89–90, 92, 116.
92. *Ibid.*, p. 92.
93. *Ibid.*, pp. 93–5. For a brief account of the operation in the Czech lands, see ‘Před pětácti lety likvidovali StB v “bartolomějské noci” církevní rady’, *Lidové noviny*, 13 April 1995.
94. A FMV, fond A7, i.j. 496.
95. A FMV, f. IM, k. 72, č.j. N/ka – 003/1–1968.

96. A FMV, fond A 2/3, i.j. 2113. See also Karel Kaplan, 'Všechno jste prohráli!' *Co prozrazují archivy o IV. sjezdu Svazu československých spisovatelů 1967* (Prague: Ivo Železný, 1997), pp. 74–6.
97. A FMV, fond A7, i.j. 668; fond A7, č.j. 549 1/2.
98. Details are from Jiří Gruntorád, 'StB proti Chartě – akce "Izolace"', *Listy* 27 (1997), no. 1, pp. 91–6.
99. Marek Šálek and Irena Jirků, 'Podpis jako znamení', *Magazín DNES*, 2 January 1997.
100. Radek Adamec, 'Nový úder proti zvlí komunismu', *Lidové noviny* 17 August 1996.
101. Blanka Císařovská *et al.*, *Charta 77 očima současníků. Po dvaceti letech* (Brno: Doplněk, 1997), p. 83.
102. Gruntorád, 'StB proti Chartě – akce "Izolace"', p. 96.
103. Pavel Žaček, 'Celostátní projekt "Klín"', in *Securitas imperii 1*, p. 60.
104. For example, when the Klaus government fell in 1997 and disputes erupted within his Civil Democratic Party, one letter to the editor of *Mladá fronta Dnes* on 6 December 1997 fumed that it was the work of Operation WEDGE. Turmoil in the Slovak party system in 1994 was similarly attributed to it. See 'Smena: Agenti StB mají vliv', *Lidové noviny*, 16 November 1994.
105. The original schemes for WEDGE are reprinted in *Securitas imperii 1*, pp. 65–84.
106. *Securitas imperii 2*, p. 218.
107. *Securitas imperii 1*, p. 79.
108. In the late 1980s Charter 77 moved toward more institutionalized forums to replace the practice of authorized spokespeople. The StB actually welcomed this shift, assuming that the larger the group involved, the more disunited and permeable it would be. See *Securitas imperii 1*, p. 72.
109. Žaček, 'Celostátní projekt "Klín"', pp. 60–1, 64.
110. *Securitas imperii 1*, p. 72–3.
111. Pavel Žaček, 'Iluze a realita', *Securitas imperii 3. Sborník k problematice bezpečnostních služeb* (Prague: Themis, 1996), p. 13.
112. Jiří Gruntorád, 'Akce Norbert', in *Securitas imperii 2*, p. 5.
113. Knihovna Parlamentu České republiky, F56465 1995, *Těsnopisecká zpráva o 34. schůzi Poslanecké sněmovny Parlamentu konané 26.–28. září 1995*, p. 455.
114. *Ibid.*, pp. 452–3. See also 'Akce Norbert měla izolovat asi 9000 nepohodlných osob', *Lidové noviny*, 29 September 1995.
115. Gruntorád, 'Akce Norbert', p. 10. Of these, 5056 fell into category Z and 9254 into category P, while 40 were soliders to be interned by army counter-intelligence.
116. Knihovna Parlamentu České republiky, E517, inv. č. 1279/90, Tisk 430, pp. 9, 26–7. See also Václav Bartuška, *Polojasno* (Prague: Ex Libris, 1990), Lorenc, *Ministerstvo strachu?*, pp. 8–11, and Jiří Ruml, 'Šest roků', *Lidové noviny*, 17 November 1995. For a critical overview of the early plot theories, see Jan Obrman, 'November 17, 1989 – Attempted Coup or the Start of a Popular Upheaval?', *RFE/RL Research Report*, 6 July 1990, pp. 4–10. The most extreme (and rabidly anti-Semitic) line was aired by Miroslav Dolejší, once a political prisoner and briefly an StB informer in 1951, in the tabloid *Středočeský Expres* on 20 October 1990; it is refuted in Jana Šmídová and Jan Šubert, 'Nová fakta o 17. listopadu', *Lidové noviny*, 15 November 1990, and confronted in



- Anna Sílová and Milan Vybulka, 'Důkazy zalité v asfaltu', *Lidové noviny*, 9 August 1991.
117. The agitator was Jiří Solil. See Rebeka Křižanová, 'Akce "Klín" po stranicku,' in *Securitas imperii 2*, pp. 310–17. The three StB agents, according to the sensationalist *Necenzurované noviny* in February 1996, were Lubomír Fanta (the commission's spokesman), Anna Kocurová and Věra Bartošková.
118. Lorenc, *Ministerstvo strachu?*, p. 90.
119. Žaček, 'Iluze a realita,' *Securitas imperii 3*, p. 33; Knihovna Parlamentu České republiky, E517 PS ČR, 1. vol. obd. 1993, Tisk 715A.
120. Lorenc, *Ministerstvo strachu?*, pp. 43–4, 55–6, 62–4, 80–1, 102–6, 120, 124–7, 149. See also Jaroslav Spurný, 'Šéf', *Respekt*, no. 16, 27 June 1990, and Přemysl Svora, 'Poslední šéf StB se cítí být reformátorem', *Lidové noviny*, 8 February 1995.
121. *Securitas imperii 2*, pp. 162–261; *Securitas imperii 3*, pp. 44–181.
122. All details are taken from Knihovna Parlamentu České republiky, E517, inv. č. 1182/92, Tisk 1236, *Závěrečná zpráva vyšetřovací komise Federálního shromáždění pro objasnění událostí 17. listopadu 1989*, especially pp. 38–99. See also Karel Pacner, *Osudové okamžiky Československa* (Prague: Themis, 1997), pp. 563–70.
123. Žifčák served seven months in prison in 1995, and is now suspected to be the publisher of the shadowy Stalino-fascist weekly *Nové Bruntálsko*. See Tomáš Němeček, 'Na Bruntálsku začíná nová doba', *Respekt*, no. 48, 24 November 1997, and *Právo*, 5 May 1999.
124. Půčík, 'Planning for Emergency Security Measures in Slovakia, 1969–1989'.

# 3

## Czechoslovakia 1990–2

*Kieran Williams*

The challenge of the first years of the revolution in security intelligence was summed up by a parliamentarian in two words: purification and prestige.<sup>1</sup> As the former implied, the institutions had to be purged of all accomplices in the old regime's crimes, and in the process society as a whole had to reflect on the conditions in which abuse of those institutions had been, and might again, be possible. At the same time, as the latter term indicated, a new bureau of domestic intelligence had to earn and receive respect, in order to attract talented staff who could supply decision-makers with valuable information and to reassure citizens unsettled by the crime wave accompanying the transition.

The pursuit of these aims in Czechoslovakia, though widely endorsed from the outset, never fully recovered from its bad start during the power-sharing talks between the civil opposition and the communist establishment in November and December 1989. As in neighbouring states, the opposition Civil Forum underestimated its bargaining strength and was initially willing to allow the defence and interior ministries to remain in communist hands in order to appease the Soviet Union. It was only suggested (not demanded) that the StB be placed under the supervision of a non-communist deputy premier and a national security council at some point in the future.<sup>2</sup> The bolder proposal that the interior ministry be given to someone from the People's Party, the quasi-Catholic satellite that the communists had permitted since 1945, came instead from Michael Kocáb, an art-rock musician who inhabited the interstices of official and underground culture and was the initial facilitator of the round-table talks.<sup>3</sup> The

People's Party quickly nominated one of its round-table representatives, Richard Sacher, for the post.

Civil Forum warmed to Sacher and endorsed his candidacy. The opposition's immediate aim was to demobilize the public, and it believed that the appointment of Sacher, whom Václav Havel lauded as a 'young, dynamic, good-looking, fresh man, capable of instant political thinking, decision-making',<sup>4</sup> would send a calming signal. This bid, however, floundered on the artful warnings of the new communist premier, Marián Čalfa, that the StB might revolt if subordinated to a non-communist, and on the convention of dividing federal offices between Czechs and Slovaks. Traditionally, the defence minister had been a Slovak, but since 3 December had been, and was set to remain, Czech. Sacher, a Czech, was disqualified.<sup>5</sup>

As no Slovak communist candidate could be found, the portfolio was nominally entrusted on 10 December to Premier Čalfa and to two new deputy prime ministers, the economist Valtr Komárek and Ján Čarnogurský, a Slovak attorney and dissident. Even though Komárek had pronounced control of this department to be the 'neuralgic point' of the entire round-table talks,<sup>6</sup> and Čarnogurský was sitting in prison just three weeks before, they left the actual running of the ministry to a staffer from the communist cabinet office and to StB General Lorenc.<sup>7</sup> The new government's inexplicable indifference perpetuated the anarchy that was allowing the StB to destroy, on Lorenc's order, about one-third of the files from its 52 000 ongoing operations.<sup>8</sup> Although Lorenc was removed on 21 December, crowds protested that their new Government of National Understanding had revealed nothing about the StB's structure and operations, and that such a sensitive agency was not under the direct command of one trustworthy minister. Secret memoranda from Civil Forum's security committee show that the country's new leaders were fully aware of the StB's continuing activity, and of its unsettling impact on the population,<sup>9</sup> but it was only on the eve of the new year, after television carried unsettling images of the Romanian *Securitate* at arms, that newly elected President Havel put Sacher in charge.

Sacher was the first non-communist interior minister in a Warsaw Pact country for more than 40 years,<sup>10</sup> but was a stranger to the public. A manual worker who had earned a law degree through night classes, he served for 19 years as director of the People's Party political school until he was removed in 1988 for criticizing his party's servility to the communists. While never a dissident, he reportedly assisted the campaign by Moravian priests for greater religious freedom that

culminated in a petition signed by 600 000 people.<sup>11</sup> His reputation was thus that of a maverick within the system, and likewise in office he quickly proved to be a problematic figure.

### The imperfect purge

One of the most pressing tasks facing Sacher was to dismantle the StB such that the new regime was neither threatened by old structures nor plagued by a climate of suspicion or fear. Two considerations, however, also arose. The first was the practical needs of security intelligence: certain employees of the StB possessed technical skills that the new democracy required, as it would take time to train fresh recruits. The second was the need to fashion the purge in keeping with the new regime's commitment to the rule of law. Most of the politicians and jurists overseeing the transition contended that the old order should be undone through fixed, lawful processes, so as not to repeat the injustices of previous revolutions and beget a disloyal opposition. As the only laws available were those designed by the communists themselves, new democrats had to accept legal continuity precisely in order to break with the preceding age of lawlessness.<sup>12</sup>

Sacher's response to these constraints followed two principles: the 8591 StB officers would be vetted systematically, allowing individuals untainted by involvement in political oppression to remain in service, and any dismissals would be in accordance with existing labour laws. The first steps in this direction were positive: within a month of assuming office, Sacher had shut down all politically compromised sections of the StB, stripped all officers of their badges and weapons, and transferred them from active duty to the reserves. As of 15 February 1990, the StB no longer existed.<sup>13</sup>

At the same time, following a strategy devised by Civil Forum security specialists in December 1989, three institutions were established to oversee the further transformation of the ministry:

- Citizens' committees were established by Civil Forum, its Slovak counterpart Public Against Violence and other parties and advocacy groups, with sole authority to decide which StB members could be retained.
- To prepare the paperwork for the citizens' committees, a network of three-man screening commissions was created on 7 February 1990. Each troika consisted of one former StB officer discharged in 1969–74 for having supported liberalization, one member of a citizens' committee, and one current employee of the ministry.

- A panel of 'experts' was assembled on 30 January by Civil Forum to guide Sacher on major decisions, including institutional reform; to monitor the execution of his orders; and to develop a new concept of security intelligence. Of its 23 members, 3 had served in the StB after 1945, and 14 after 1954.<sup>14</sup> It was headed by Stanislav Padrůnek, author of the 1963 review of the StB and deputy interior minister during the Prague Spring. (See Chapter 2.)

After a promising start, Sacher quickly fell into a nasty feud with his deputy ministers and then with the central citizens' committee and the defence and security committee (BBV) of one of the chambers of parliament. Much of the bitterness stemmed from underlying group dynamics, particularly the rivalry between Civil Forum and the People's Party on the eve of the first free election.<sup>15</sup> The former was represented in this quarrel by onetime Stalinists who became reformers in 1968 and then dissidents during the Husák era. The latter had never been communists but had never defied the old regime either. The dispute, which percolated behind the BBV's doors in March and then erupted during a session of parliament televised live on 19 April, related to lustration (described at the end of this chapter) and to several aspects of the purge.

First, the deputy ministers and the BBV chairman, Ladislav Lis, complained that the screening of StB officers was proceeding at a 'turtle's pace', as they had not been dismissed but placed on reserve, allowing them to continue to draw salaries at considerable cost to the public purse.<sup>16</sup> In his defence, Sacher replied that he wanted to act lawfully at all times, and existing regulations, dating from 1970, permitted the suspension of an StB officer without pay only if he was suspected of committing a crime. Extensive legal amendments would have to be enacted before wholesale firings could begin.<sup>17</sup>

Lis countered that it was precisely Sacher's fault that StB crimes had not been investigated and that the necessary legal amendments were not laid before the assembly until 4 April 1990, two weeks after they were demanded by the BBV. Sacher insisted that blame lay with his deputy minister and critic, Jaroslav Procházka, purged from the StB after 1968 and installed by Civil Forum to reorganize the security forces. On learning of his subordinate's incompetence, Sacher claimed, he personally had given Lis draft legislation in 'late February'.<sup>18</sup> Lis protested that the bill was so poorly prepared that it had to be completely reworked in the BBV. Their variant, passed by the federal assembly on 9 May, authorized the dismissal of officers, without

severance pay and only one month's notice, either because a government-approved reorganization made them redundant or because of a citizens' committee's verdict.<sup>19</sup>

A related embarrassment was Sacher's attempt to dismiss around 1180 StB officers whom the screening commission had judged fit to stay in service. The above-mentioned legal amendments had not yet come into effect, so the officers, suddenly displaying a new concern for rights and due process, challenged their dismissals. Sacher's successor, Ján Langoš, was forced to re-employ them.<sup>20</sup> He quickly found organizational reasons to dismiss them anew, but regional police commanders made so many paperwork errors that the officers again appealed and the courts reinstated them. By the time the ministry finally eliminated them in early 1991, the provision under which StB officers were discharged without severance pay had expired, and they were entitled to millions of crowns in compensation. This incompetence drove the outraged director of the ministry's personnel office to demand an enquiry by the in-house inspector; no action was taken.<sup>21</sup>

Suspicions that Sacher was trying to evade or even sabotage a proper purge were fuelled by allegations that he was retaining, and relying on, high officials inherited from the old regime, such as General Lorenc. Instead of ordering an investigation into Lorenc's responsibility for maltreatment of dissidents and destruction of files, Sacher engaged him as a consultant, then sought an overseas or military posting for him, and then allegedly offered him a generous retirement package.<sup>22</sup> Sacher replied that he was fully committed to a complete overhaul of the security apparatus but, as a new minister, he first needed to know how the structures worked, and the only people who could tell him were characters such as Lorenc. Once they had schooled him in the mysteries of the labyrinth, he tried – on Havel's suggestion – to send them far away, to Ethiopia or Mongolia, 'and thereby rule out the possibility that they might organize old structures against the revolution'.<sup>23</sup> On asking Lorenc to quit on 16 March 1990, Sacher granted the lowest possible severance pay.

While Sacher's explanation is plausible, he damaged his case by seeming more exercised by his critics' distant past than by the recent activities of the likes of Lorenc. The minister protested that, regardless of their activities as dissidents in the 1970s and 1980s, his deputies and Civil Forum's security experts were discredited morally by their involvement in the StB in its founding years and technically by their having been out of the game for two decades. Sacher indicated that he would turn to the younger generation of StB officers who could teach

new staff about the state of the art, rather than listen to someone like Oldřich Hromádko, once the guard commander at the hellish Jáchymov uranium mines, where at least 231 people died between 1948 and 1956. Civil Forum had installed Hromádko as chairman of the central citizens' committee because he had sided with Interior Minister Pavel in 1968 and was one of Charter 77's first signatories.<sup>24</sup>

This argument would almost be convincing if Sacher had not disbanded the panel of experts and fired his deputy ministers in April 1990 on the wild claim that they were reintroducing 'totalitarian' tactics,<sup>25</sup> and had he not filed charges against his deputy Jaroslav Procházka at a time when nothing was being done to prosecute any StB commander.<sup>26</sup> Sacher also waged a filthy campaign against his parliamentary critic Lis, who freely acknowledged the Stalinist errors of his youth and had suffered imprisonment and constant StB harassment for his role in Charter 77.<sup>27</sup>

Sacher can still be given the benefit of the doubt if we assume that he was simultaneously attempting to improve his party's electoral chances and to safeguard the revolution while picking the brains of the very people most likely to essay a putsch. This Machiavellian strategy (if indeed premeditated) stood no chance in the first half of 1990, when Civil Forum was calling for a new morality in politics and the newspapers regularly carried vague, panicky reports that the old guard remained largely intact and active – stories probably planted by the StB in order to create a false impression of strength and thereby improve their bargaining position.<sup>28</sup> Havel at first rejected the critical findings of an April inquiry into Sacher's conduct. Soon thereafter, however, he installed one of Sacher's foremost detractors from Civil Forum, Jan Ruml, as deputy minister with responsibility for security intelligence, and then replaced Sacher at the end of June 1990 with Ján Langoš, a computer engineer and the president's 'favourite Slovak'.<sup>29</sup>

Even after Sacher's dismissal, the purge proceeded fitfully and inelegantly. The citizens' committees had little administrative support and no statutory footing, and were riven with tensions caused by shady characters who wormed their way into strategic positions. The screening committees did not always obtain the complete personnel files of each StB officer, due to the recent destruction of documents, and so could not prove involvement in political repression.<sup>30</sup> By the time the committees completed their work in August 1990, only 1853 (14 per cent) of 13 248 vetted StB members, police officers and career soldiers were judged unfit for further service, while another 765 left of their own accord.<sup>31</sup> Of the 56 uppermost commanders (heads of central and

regional directorates), only 9 were barred from the police or security forces.<sup>32</sup> About 1000 of the StB officers cleared by the committees found new work in the regular police.<sup>33</sup>

The purge's grim burlesque resumed at the end of 1990, when around 125 StB veterans who had been retained in the new security intelligence service were set for dismissal but no bureaucrat remembered to give them formal notice. Remaining on the ministry payrolls 'in reserve', they were forgotten about until security intelligence was detached from the ministry in July 1991 and refused to assume budgetary responsibility for them. To end the year-long jurisdictional dispute that followed, Langoš agreed to consider them ministry employees and fired them on organizational grounds, but had to pay each officer back wages and severance. It was estimated that the cost of paying off these survivors of the StB would leave the ministry without enough money in 1992 to award bonuses to the overstretched criminal police.<sup>34</sup>

By mid-1992, when Jan Ruml announced that a total of 3500 StB officers had been discharged since 1989, observers calculated that the cumulative expense to the taxpayer was a hefty 30 million crowns.<sup>35</sup> This cost appears modest compared to that inflicted by the generous conditions of the 1992 Czech law on police service. Under its provisions, the 2042 former StB members who left the Czech police and security intelligence service in 1992–7 were entitled to a golden handshake of 81 million crowns (around \$2.3 million at 1997 rates).<sup>36</sup>

With this money and years of connections, many StB officers launched new careers, but their economic power is more the stuff of fable than fact. According to an on-line database that matched the names of 202 former officers in the Prague and Central Bohemian regions with the commercial register, 44 (22 per cent) went into business after 1989.<sup>37</sup> There was no obvious pattern either to their places in the StB hierarchy, the section of the StB in which they had worked, or the fields they entered, although several did move into the murky, inflated world of Prague property sales and lettings. A handful, such as Jindřich Zeman and Josef Chvosta from StB sections for Churches, are co-registered with Russian partners. Going probably farther from the defence of communism than any of his colleagues, one former analyst in the section for operations against dissident groups, Ivan Koníček, set up his own business school, named 'Profit', to help create the new Czech bourgeoisie.<sup>38</sup> Many have experienced business failure at least once. One former StB officer not in the database, Josef Kafka, now owns a repair firm, which got into the news when he was hired to fix the social democrats' campaign bus during the 1998 general election. At the time,



Kafka was being prosecuted for his brutal interrogation of dissident singer Vlastimil Třešňák in 1981.<sup>39</sup>

### **New institutions**

From the very beginning, the country's new leaders concurred that security intelligence had to operate on a statutory footing, under parliamentary oversight, and restrict itself to information-gathering and analysis, with special reference to terrorism and organized crime. Many favoured the service's eventual divorce from the interior ministry, to emphasize the break with communist practice and diminish the risk of political manipulation. Actually fleshing out this concept, and agreeing on the means by which the new institutions would be allowed to acquire intelligence and to whom they should answer, proved to be far more difficult and these issues have never been entirely resolved to this day.

Of the seven new agencies that inherited the StB's functions on 16 February 1990, two deserve special attention.

#### *The Bureau for Protection of the Constitution and Democracy (ÚOÚD)*

Branded with an awkward version of the West German security service's title, ÚOÚD was first entrusted to Zdeněk Formánek, an old intelligence operative who had briefly run counter-intelligence under Pavel in 1968, for which he was later expelled from the StB. His deputy, František Stárek, had been imprisoned three times in the 1980s for his involvement in the cultural underground. ÚOÚD initially had around 6000 employees, but the summer purge and autumn reorganizations quickly halved this total.<sup>40</sup> The Bureau was initially divided into four sections: operations, tailing, surveillance technology and internal organization.<sup>41</sup>

- Operations division, about 90 per cent staffed by old StB officers and commanded by a 'reactivated' intelligence officer, was in turn sub-divided into six departments. Despite the new foreign-policy orientation, two sections were devoted to Germany and other Western states, staffed largely by pre-1989 officers who had been vetted positively even though they probably viewed their subjects with an anachronistic hostility. In contrast, the sections for the East (other Warsaw Pact states) and for extremist movements, racism, separatism, and the activities of former StB members were handled by new recruits, often from dissident circles and the citizens' committees, who were easily outmanoeuvred by the more experienced KGB and ex-StB. The remaining sections, for Africa

and Asia (including international terrorism) and drug smuggling, employed a mix of old and new faces.

- As it was estimated that it would take around two years to train new watchers, the tailing section was staffed entirely by about 350 of the original 700 StB shadowers. Only the section director and deputy director were new.
- Surveillance technology was likewise fully staffed by old StB officers under the command of new directors, but had been dormant since January 1990. Sacher had ordered a halt until a bill on electronic surveillance had been passed, and this was shelved by parliament in May 1990 on the grounds that such a sensitive item should not be discussed on the eve of the first free elections. Instead, the section was preoccupied with slowly answering around 200 citizens' requests for assurance that their residences had not been bugged by the StB.<sup>42</sup>
- Internal organization coordinated the regional offices, which were being established gradually as new staff were recruited. Outposts were initially spartan: eight months after ÚOÚD's origin, its Olomouc office had one telephone and one car, while the Ostrava branch was embattled with the regular police over resources.<sup>43</sup> ÚOÚD also had an in-house inspectorate, which devoted its 30 new employees to calling witnesses to identify StB officers who had maltreated them. This work proceeded slowly and quietly, in large part because of Sacher's peculiar indifference.

Under pressure from the public's demands for a radical dismantling of the StB, the ministry had to let these institutions commence without first putting them on a statutory footing. The law originally scheduled for June 1990 was postponed until November, and in this legal vacuum arguments erupted over the permissible extent of domestic surveillance. ÚOÚD director Formánek, deputy interior minister Procházka and several Civil Forum members of the BBV espoused a minimalist model, arguing that neither the service nor the country was ready for a new apparatus of agents and surveillance.<sup>44</sup> Sacher argued that this concept contradicted their own claims that the old structures of the StB and KSČ posed a security risk; accordingly, he favoured an aggressive apparatus with district-level branches and paid informers.<sup>45</sup>

The profile of ÚOÚD changed with the arrival of deputy interior minister Jan Ruml on May Day, 1990. The Charter activist assumed direct control of the Bureau until June, when he installed Jiří Müller, one of the leaders of the student movement of the 1960s and later a much-

persecuted dissident and chairman of the citizens' committee in South Moravia. Ruml initially preferred to rely on close friends and young, raw recruits rather than 'professionalism of the old sort',<sup>46</sup> and together with Müller replaced Formánek's cadre of 1968 veterans with their own contacts. In doing so, however, they imported Charter 77's latent cleavages. Ruml was close to Havel at a time when the president was at the peak of his power, influencing foreign and defence policy via advisors Jiří Křižan and Oldřich Černý (both screenwriters with no relevant experience).<sup>47</sup> Müller, on the other hand, looked to his confederates from university days, who tended to be more pragmatic and better educated than the Ruml-Castle clique.<sup>48</sup>

Despite the multiplying factions, Ruml and Müller slowly activated the paralysed Bureau (Křižan admitted that it had been providing information to decision-makers only 'sporadically'<sup>49</sup>) while preparing legislation for a new service that would be detached from the interior ministry. Again, however, the bill was stymied by disagreements over the nature and methods of intelligence-gathering. Müller decided that the new agency should possess surveillance means (tailing, wiretaps), and not restrict itself to analysis of open sources.<sup>50</sup> Ruml and Křižan campaigned to separate the surveillance sections and scale them down through privatization because they were so heavily staffed by former StB operatives. Their triumph led to the detachment of these sections from ÚOÚD during a sweeping reorganization in October 1990, to Müller's dismissal in November, and to the very termination of ÚOÚD at year's end.<sup>51</sup>

#### *The Bureau for Foreign Contacts and Information (ÚZSI)*

Greater continuity prevailed in the intelligence service ÚZSI. Answering to the federal interior minister, the service was never put on a statutory footing or under parliamentary oversight. It assumed most of the staff, and mixed legacy, of its communist predecessor. Existing formally outside the StB as the interior ministry's First Directorate, the intelligence service had been plagued for decades by turf wars with counter-espionage and the ministry of foreign affairs. It had operated under KGB tutelage and tasking, which often pushed its resources to breaking point: in the mid-1960s, for example, the directorate annually procured 6000–7000 documents, but only 10–15 per cent turned out to be of value. Most significant were scientific and technical secrets, obtained in a dozen Western states, that accelerated the production of computers, television screens and chemicals. Political intelligence, relying on embassy 'legals', was less successful, and failed completely

during crises such as the 1967 Six Day War. More than 50 per cent of political intelligence concerned Third World states, while only one-quarter addressed the USA and West Germany.<sup>52</sup>

Intelligence had its successes, such as the recruitment of around 300 foreigners as agents in 1970–89.<sup>53</sup> It could boast of the penetration of Radio Free Europe by Pavel Minařík (who plotted to blow up the station in the 1970s<sup>54</sup>) and of the West German BND by Jan Fleissig,<sup>55</sup> while its agent Karel Koecher was the first East European to infiltrate the CIA, in 1972–6.<sup>56</sup> On the other hand, it was devastated by the defection of nine officers in 1968–71<sup>57</sup> and of Vlastimil Ludvík to the UK in 1988,<sup>58</sup> and by František Vojtásek's work for French counter-espionage in 1968–76.<sup>59</sup>

Intelligence was also handicapped by the StB's poor surveillance of Western envoys in Prague, especially after the 1969 defection of Jaroslav Janota, an officer familiar with operations against the American, British and Canadian embassies. As of 1975, the StB had 43 embassies and 116 diplomats under surveillance, but was still unable to bug the American, British, Canadian, Chinese or French embassies because its gadgets would be immediately discovered. Even if a bug escaped attention, it often went unused as the StB had enough translators to work only six sites at once. In the 1970s no one in the StB's eavesdropping directorate could understand Arabic, Japanese or the Scandinavian languages, and there was a chronic shortage of English speakers.<sup>60</sup>

When the First Directorate became ÚZSI in 1990, efforts were quickly made to forge 'gentlemen's agreements' with former adversaries: the embassy residents in Western capitals were replaced by declared liaison officers, and Interior Minister Langoš publicly announced an end to Czechoslovak industrial espionage.<sup>61</sup> Most of the 40–70 operatives sent abroad between 1970 and 1989 without diplomatic cover, usually sleepers to be activated in crises, were recalled or, if they refused to come in, were reported to local authorities.<sup>62</sup>

Relations with the KGB were partly corrected in a March 1990 treaty signed by Sacher, who failed to communicate its contents to the interested public. The agreement allegedly focused the relationship on cooperation in combating terrorism, drug-running and organized crime<sup>63</sup> but perpetuated the Soviets' special entrée via at least six officers stationed in the Prague embassy. When the contents of this treaty finally became more widely known, Langoš decided in February 1991 to expel the KGB residents.<sup>64</sup>

ÚZSI, however, could not overcome its structural limitations. Around 85 per cent of its staff were officers kept on after 1989, while the rest were 'reactivated' intelligence officers expelled after 1968.<sup>65</sup> Five of the

service's six sections, including the analytical department, were headed by pre-1989 operatives.<sup>66</sup> Not surprisingly, they found it easiest to remain focused on the West. ÚZSI was able to brief decision-makers about the Persian Gulf War only because it was using the StB's tracking station on Paví vrch (Peacock Hill), which intercepted American and West European transmissions.<sup>67</sup> (To its credit, Czechoslovak radio intelligence picked up information from conversations between Iraqi diplomats that helped the US at the end of that war.<sup>68</sup>) Although the Bundesamt für Verfassungsschutz reported in October 1991 that Czechoslovakia had stopped spying on Germany,<sup>69</sup> this cessation may have resulted from disarray rather than a new friendship: in February 1992 the ÚZSI director provided Czechoslovak leaders with a list of 20 risks to state security, of which 11 related directly to Germany, especially its economic might. Embarrassed by this misplaced suspicion, Langoš publicly admitted that ÚZSI did not actually have a single analyst capable of assessing the impact of foreign capital on the Czechoslovak economy.<sup>70</sup> After a vigorous German diplomatic protest, the ÚZSI director had to step down at the end of 1992, but he immediately became chief of Czech military counter-intelligence.

### **Legislating for FBIS**

At the end of 1990, ÚOÚD was renamed the Federal Information Service (FIS) under the direction of 32-year-old Jiří Novotný, who had worked since summer 1990 as head of the ÚOÚD section for extremist groups and was handpicked by Ruml and Křižan. The rebaptized service retained only around 10 per cent of the ÚOÚD staff, as the tailing and technology departments became separate sections of the interior ministry.<sup>71</sup> At full strength, FIS had around 1000 employees in central and regional offices.<sup>72</sup>

The new director was a staunch advocate of security intelligence based strictly on analysis of open sources, such as domestic and foreign media.<sup>73</sup> The drawbacks of this concept were quickly exposed during the Persian Gulf War, when FIS had to ask the interior ministry for tailing teams to follow foreigners.<sup>74</sup> As FIS lacked analysts with language skills, it had to appeal to overseas correspondents of the state press agency for summaries of the media in their countries.<sup>75</sup> It also emerged that Novotný, a recruit from the film industry like Křižan, was not up to the job. Real management devolved to his deputy Zdeněk Vodsloň and a former StB officer, Julius Vostrý, who had served in politically repressive units in the 1950s and 1960s.<sup>76</sup>

Frustration with this situation, and with the government's persistent failure to prepare legislation, inspired a group of four parliamentarians to draft a bill for a new Federal Security Information Service (FBIS) that would be detached from the interior ministry.<sup>77</sup> While its authors acted with good intentions, the bill was flawed, and was weaker still after being reworked in 50 hours of committee hearings and in a lengthy floor debate on 28–29 May 1991, in which 16 deputies proposed more than 50 changes. As an inauspicious start to FBIS, the final vote on the bill was attended by only 227 of 300 deputies, and passed with only 142 in favour.<sup>78</sup> The bill's main provisions, which have had a long-term impact on Czech and Slovak security politics, can be grouped under four headings.

*Mandate.* FBIS was envisioned as an agency for the acquisition, centralization and analysis of information pertaining to the protection of the constitutional order and the state's security and economic interests, to counter-espionage, and to the exposure of foreign-sponsored terrorism.<sup>79</sup> FBIS was excluded from the war on drugs unless there was a clear link to international terrorism.<sup>80</sup> While there was no use of the problematic concept of subversion, there was also no elaboration of concepts like state and economic security either in the bill or in the supporting documentation, largely because the government had no security doctrine. (The federal government approved a set of 'security principles' on 11 January 1990, but their content was, and is, a mystery.<sup>81</sup>) It was not clear how FBIS would avoid overlap with the bureaux for defence of economic interests, which were also created in spring 1991 under the Czech and Slovak republics' police forces.<sup>82</sup>

Although FBIS would have no law-enforcement authority, the government and the assembly's constitutional affairs committee argued that FBIS staff should have the right to bear arms, their terms of employment and benefits should be governed by the law on armed forces, and they would be judged by courts martial.<sup>83</sup> This militarization clouded FBIS's already ambiguous identity as an 'intelligence organ' outside the civil service. It also left the relationship to the police grossly undefined, as emerged when FBIS was called to investigate attempts to bribe the Czech premier and deputy privatization minister.<sup>84</sup>

*Means.* In the backlash against Novotný's concept of FIS, the bill empowered the new FBIS to use tailing, wiretaps, bugs, videotaping and letter-opening. Warrants had to be obtained from the federal Prosecutor General or a specially authorized prosecutor, and requests had to include the type and proposed duration of surveillance, the place and person to be targeted (including the telephone number, if relevant), and a justifi-

cation for the operation. Permits were valid for up to six months, and could be extended once for another six.<sup>85</sup> Prosecutors were empowered to monitor the use of these warrants, and could revoke them if they felt that the reasons for their issue no longer held.

*Control.* At the time of the bill's formulation, many parliamentarians felt that the assembly should not simply monitor but directly control security intelligence, because executive power could be easily misused in a society that was not yet safe for democracy.<sup>86</sup> This view was shared by Jiří Müller and, reportedly, Havel.<sup>87</sup> A group of 56 FIS officers, all post-1989 recruits, expressed similar sentiments in a letter to the parliament, contending that tasking by the government would amount to a *de facto* continuation of control by the not entirely trustworthy interior ministry.<sup>88</sup> As a compromise, the law offered a muddled separation of powers:

- FBIS was tasked by the federal government collectively;
- its director was appointed by the president on the government's recommendation;
- its director could be removed by the president at the behest of the federal government or federal parliament;
- its director answered to parliament alone 'for the performance of his function';
- as this law was being debated amidst the federation's meltdown, the FBIS director appointed two deputies, one to be nominated by the Czech government and one by the Slovak.<sup>89</sup>

The result was that no single official was responsible for FBIS.

*Oversight.* While consensus on the need for parliamentary oversight was reached immediately after November 1989, the practice was less thorough. Already in January 1990, both chambers of parliament resolved to set up special committees that would 'prevent the misuse of force for the suppression of the exercise of civil rights and freedoms'.<sup>90</sup> In the absence of these organs, the BBV tracked the secret services unsystematically: it had almost no contact with, or hard information from, ÚOÚD under Director Müller.

In late January 1991, four months after its creation was demanded by a federal assembly resolution,<sup>91</sup> a special commission began to oversee FIS. As its nine members were not bound by an oath of secrecy, FIS refused to indoctrinate them into even the most basic operating procedures. Only in mid-March 1991, after such an oath was taken, did FIS begin to share information.<sup>92</sup> The commission concluded that FIS

was acting lawfully and that its greatest shortcoming was not the presence of former StB officers but the absence of able professionals.<sup>93</sup>

The experiences of this commission were incorporated into the FBIS bill, with mixed results. On the positive side, the revised bill more clearly established the parameters of the 'special oversight organ' (ZKO). It would have six or eight members, half elected by each of the assembly's two chambers, in order to combine the need for secrecy and intimacy with a fair representation of parties (there were 14 parliamentary clubs in spring 1991). Given a broad mandate to monitor FBIS activity, and not just its adherence to the law, the ZKO was entitled to inspect FBIS premises and to receive regular reports from the FBIS director on finished operations as well as basic documents: the FBIS internal statute, organizational structure and guidelines, government taskings, data on budget expenditure and the size of the FBIS staff, the use of surveillance technology and the filing system.<sup>94</sup> At the suggestion of former interior minister Sacher, now a very active parliamentarian, the FBIS director would also report the number of ongoing operations and catalogue them according to threat (such as terrorism or espionage) without disclosing details.<sup>95</sup>

Parliament's revisions, however, eliminated the original bill's Belgian-style plan to cast the ZKO in the role of an ombudsman, receiving complaints from citizens about FBIS conduct and demanding explanations from the FBIS director, if need be visiting FBIS to view, and order the destruction of files.<sup>96</sup> While the ZKO was still given the power to demand the explanation and termination of unlawful operations, citizens were encouraged to direct complaints instead to the non-existent constitutional court.<sup>97</sup> Files in these cases would not be destroyed, but archived such that only a judge could access them. ZKO members were obliged to report any illegality to the parliament and prosecutor general, in which instance their oath of silence – which otherwise still held after they ceased to sit on the ZKO – could be lifted.

### **The brief life of FBIS**

FBIS came into existence on 1 July 1991. On quitting the interior ministry, it took most of the FIS staff with it, including 141 former StB officers.<sup>98</sup> It ran three operative sections – counter-espionage, anti-terrorism and protection of the state, constitution and economy – which engaged around 300 of its 1000 employees.<sup>99</sup> As before, counter-espionage was divided into Western and Eastern departments, with sub-sections for countries such as Germany, USA, USSR and Hungary.<sup>100</sup> Besides a head office on Majakovsky Street in the Dejvice district of



Prague, it operated relatively autonomous regional branches, funded out of a 1992 budget of around 700 million crowns, of which 83 million were earmarked for capital investment.<sup>101</sup> While this budget accounted for 12 per cent of all federal-level security spending, it was considered inadequate for recruiting, among other things, an effective anti-terrorist team: FBIS had no documents even on Syrian and PLO terrorists who had been trained by the StB at a special centre outside Brno, and was dependent on Britain's MI5 for relevant intelligence.<sup>102</sup>

Its defenders claim that FBIS scored several successes in its day: the first and second sections participated in an unnamed operation of 'international significance', praised by Western partners, while the third section uncovered arms dealings by former StB officers and exposed spies posing as refugees or businessmen, often from the former USSR.<sup>103</sup> Cooperation expanded through training courses offered by foreign services, although the numbers involved must not be exaggerated: according to an authoritative source, 15–20 FBIS officers were schooled in the West. Cooperation also took a questionable form in 1992 when FBIS provided US President George Bush's re-election team with StB documents on Bill Clinton's 1970 trip to Prague.<sup>104</sup>

Very quickly, the new service suffered two *débâcles*. The first was its failure during the coup attempted in Moscow in August 1991. At that time, 50 KGB agents were thought to be operating in Prague alone, and FBIS was picking up signals of an impending putsch from electronic surveillance of the Soviet embassy. None the less, according to Ruml, 'FBIS simply fell apart. It did not supply one substantial piece of information. The measures it was supposed to undertake were carried out so late that they had no influence on the conduct of security operations.'<sup>105</sup> FBIS was not alone in its ineptitude – apart from Ruml, the Czechoslovak political class was strangely blasé about the Soviet events.

The second setback was a battle for the service's commanding heights. Jiří Novotný, the FIS director, stayed at the helm, but was not formally appointed and so was only 'entrusted' with command of FBIS. As one of the deputy directors the Slovak government nominated a 34-year-old mathematician, Vladimír Palko, who had built up the Slovak branch of FIS. The Czech cabinet narrowly chose Jaroslav Bašta, a leftist dissident who had been FIS deputy director for operations, had been trained in Britain, and was a known critic of Novotný. The unsuccessful counter-candidate was Zdeněk Vodsoň, FIS deputy director for support services and the favourite of Novotný and Havel.<sup>106</sup> Thanks to ambiguities in the FBIS law, Novotný claimed a right to veto the Czech government's decision. Bašta retaliated by seeking an audience with Havel on 3

September 1991, only to find himself promptly dismissed from FBIS and ejected from his office by armed guards, as Sacher's deputies had been in April 1990.<sup>107</sup>

With Bašta dispatched, Novotný was able to install Vodsoň and there followed the dismissal or departure of many who had joined security intelligence in 1990, because they were either demoralized or incompetent. Novotný's own position, however, was already untenable thanks to the Mošnov airfield affair of 29 August 1991, when the interior ministry's rapid response unit was deployed to intercept an illegal shipment of weapons-grade radioactive material from the USSR. When no cache was found, it emerged that the ministry and FBIS may have been the victims of a hoax by a former StB officer or agent.<sup>108</sup> Parliament's BBV and ZKO immediately opened inquiries, but before their findings were heard Havel relieved Novotný of his post.

The new director, the fifth in 20 months, was Štefan Bačinský. A Slovak lawyer and parliamentarian serving on the ZKO and lustration committee, he was seen as a close ally of Novotný and thus a continuation of Havel's influence on the service.<sup>109</sup> Under him, however, FBIS did not markedly improve its product; in late summer 1992, ministers were complaining that the service had supplied only "unfounded nonsense" of zero information value'.<sup>110</sup> Bačinský, a fervent anti-communist, caused a storm of controversy in April 1992 when he supplied the country's leaders with a list of 262 Czech and 114 Slovak journalists suspected of having been StB informers. He argued, without supplying any evidence or analysis, that they posed a security risk, as they might write stories to subvert democracy.<sup>111</sup> FBIS allegedly obtained the list from a journalist who himself had been an StB informer, a fact that FBIS used to coerce him into turning over the names.<sup>112</sup> After the list was immediately leaked to the press by parliamentarians, it turned out to contain many errors and even the names of several deceased, and was denounced as a provocation against the left on the eve of the general election.<sup>113</sup> Bačinský discredited himself further with claims that leftist parties, including the communists, were plotting to seize power.<sup>114</sup>

These intrigues and defects notwithstanding, the ultimate cause of the state of affairs lay in the confused lines of accountability and in the federal government's failure to task and coordinate. Sources in the intelligence service, for example, complained that decision-makers never reacted to their materials or set priorities.<sup>115</sup> The State Defence Council, the supreme decision-making body for security issues, met only six times during the turbulent period between January 1990 and September 1991,<sup>116</sup> and during the Soviet coup the federal cabinet and parliament

did not meet until well after Gorbachev's return to Moscow. Even before the Mošnov affair revealed a lack of communication between the interior ministry, FBIS and military intelligence, parliament's BBV demanded that the federal government coordinate the various services. The cabinet did not act for five months, finally decreeing on 30 January 1992 that it would establish a Council for Intelligence Activity. Three weeks later the BBV still had not received any information about the non-existent council's purpose or powers, and subjected Prime Minister Čalfa to a scathing interpellation.<sup>117</sup>

Finally, on 5 March 1992, the government recommitted itself to instituting a 'coordinating, initiating and advisory organ for the formulation of government security policy'.<sup>118</sup> Chaired by the federal premier, the council consisted of the heads of the two civilian and two military (intelligence and counter-intelligence) services, an official from the foreign ministry, and President Havel's advisor Oldřich Černý. Amazingly, the interior and defence ministries were not represented. The council was to have its own specially equipped room within the cabinet office, overseen by a civil servant. As it arose in the federation's final months, we can assume that this council, on which service directors had such a heavy presence, could little improve the performance of the intelligence community.

The record of oversight was no better. It took four rounds of balloting to elect the ZKO on 15 and 18 July 1991, more than two weeks after FBIS commenced. Candidates put themselves forward, and there was no effort by the 14 parliamentary clubs to coordinate an equitable representation of government and opposition. As contenders could be elected by a majority just of those present, seven of the eight winners were from parties in, or sympathetic to, the government.<sup>119</sup>

After a difficult birth, the ZKO had an equally difficult infancy. Parliament failed to agree on a chairman for it, and it entrusted leadership to its oldest member until he was formally appointed. As only two of them had previously served on the FIS oversight committee, ZKO members needed time to acquaint themselves with the subject and to acquire the secure setting and technology to study the materials to which they were privy.<sup>120</sup> The ZKO chairman later claimed that they were given only a very general overview of closed operations, with no opportunity for deeper scrutiny.<sup>121</sup> The general election soon arrived and a new ZKO had to be established. None of the eight members chosen in August 1992 – two months after the election – had served on the previous ZKO, five were from the ruling coalition of Václav Klaus's Civil Democratic Party (ODS) and Vladimír Mečiar's Movement for a Democratic Slovakia

(HZDS), two were from parties sympathetic to the government, and only one could be considered a representative of the opposition.<sup>122</sup> Again, no chairman could be elected, as ODS stormed out when other parties refused to support its nominee.

Even after a chairman was chosen in October, the ZKO remained dormant. By that point all attention was focused not on FBIS's activity but on the division of its assets between the divorcing Czech and Slovak republics. FBIS was under yet another new director, Pavol Slovák; his predecessor Bačinský had been removed in August 1992 after Mečiar complained of having been under FBIS surveillance. Although the claim was refuted, Mečiar threatened to sabotage negotiations on the termination of the federation unless someone loyal to him was put in charge of the service, and thereby given access to its files – Mečiar had been ousted from office shortly before the creation of FBIS and wanted to find out what it knew.<sup>123</sup> (Mečiar's dealings with the StB, ÚOÚD and FBIS will be recounted in Chapter 5.)

### Lustration

The discussion in 1990–1 of whether and how to expose (lustrate) StB informers is a massive topic that will be the subject of a separate study. Suffice it to set out here four reasons, beside the deep causes identified in the Introduction, why lustration quickly became a burning issue in Czechoslovakia.

First of all, the new political élite, especially President Havel, framed political discourse in an ethical language stressing responsibility. While accepting that most citizens were tainted by compliance with the old regime, many figures with impeccable dissident pedigrees argued that a distinction could and should be made between those who sullenly acquiesced to KSČ domination and those who consciously chose to assist its reproduction by holding certain offices or agreeing to inform for the StB. The latter category of people had made a grave error of judgement that, to many dissidents, disqualified them from any future public role.<sup>124</sup>

A frequent but not automatic corollary to the preceding point was that those who had served the old regime either out of conviction or weakness posed a threat to the new democracy. Almost all arguments in favour of lustration pitched it not as justice, revenge, or coming to terms with the past, but as a purely prophylactic measure. Without providing the slightest evidence, proponents of lustration warned that KSČ functionaries, StB officers and their agents were untrustworthy and vulnerable to blackmail, and therefore had to be barred from power until

democracy was consolidated.<sup>125</sup> Havel, though later a critic of lustration, reinforced this conviction with obscure talk of 'hidden metastructures'.<sup>126</sup> While this language had its origins in dissident discourse, it merged easily with the general post-communist reductionist reasoning that all effects have causes and 'there is no room for happenstance and coincidence'.<sup>127</sup>

Third, lustration was an unintended consequence of the commitment to a lawful transition, which foreclosed summary trials of high-ranking officials. As of October 1991, when the lustration law was passed, state attorneys had managed to indict only twelve StB officers, including Alojz Lorenc, using the laws in existence before 1989, and so far had won no convictions.<sup>128</sup> Politicians therefore wanted a speedier, non-criminal sanction.

Finally, the very term 'lustration', used by archivists before 1989 for the process of verifying that someone was listed in a particular database (such as Gestapo collaborators), entered parlance thanks to Sacher's feud with his deputies in March and April 1990. Sacher and ÚOÚD Director Formánek accused each other of ransacking StB files to find out who among the new ministers and parliamentarians had been informers. This incident, soon followed by Jan Ruml's drive to expose the chairman of Sacher's party as an StB agent, convinced legislators of the need for a methodical, non-partisan vetting of their own ranks before and after the 1990 elections. The lustration cause was revived after the second inquiry into the events of 17 November 1989 was empowered to reconstruct the StB's register of agents, and error-laden variants of this list began to circulate. Although the most notorious of these was published in the anti-communist weekly *Rudé krávo* (You Red Cow) in the spring of 1992, after the lustration law had been ratified, the pain that these lists inflicted on people whose names should not have appeared justified a more confidential, formalized vetting process.<sup>129</sup> Another catalyst for lustration was the failed putsch in the USSR in August 1991, which aroused a minor moral panic over possible StB intrigues.

In October 1991, centre-right parties pushed through law 451, which forbade KSĊ functionaries from the district level up, StB officers, residents, agents, informants and candidates, and members of the party's militia from holding a range of public offices until 1996. Notably, it did not prevent them from standing for elections, nor did it apply to former interior or justice ministers. StB officers could not serve in FBIS if they had worked in counter-intelligence directorates or had commanded a whole department; exemptions, however, could be made by the FBIS director or federal interior minister.<sup>130</sup>

Holders or seekers of the offices in question had to apply to the interior ministry for a certificate confirming that they had no links to the StB. Table 3.1 presents the results of these applications, which to our knowledge have never been published in the Czech Republic or Slovakia: compared to the furore surrounding the law's passage, a peculiar media silence fell once it came into effect. As the law was essentially suspended in Slovakia after 1 January 1993 but extended in the Czech Republic to the year 2000, the data are almost exclusively Czech.<sup>131</sup>

Table 3.1 Results of applications for lustration

Year	Total requests	Positive*	Negative	Positive as per cent of total
1991	17	1	16	6.25
1992	189,000	12,917	176,083	7.34
1993	16,700	455	16,245	2.8
1994	40,408	608	39,800	1.53
1995	12,188	349	11,839	2.95
1996	8,593	262	8,331	3.14
1997	7,967	208	7,759	2.68
1998	11,209	218	10,991	1.95
TOTAL	286,082	15,018	271,064	5.25

\* 'Positive' = was found to be listed in StB register

The upsurge of requests in 1994 can be explained by the decision of many of the 80 000 candidates standing in local-government elections to be lustrated even though the law did not require it.<sup>132</sup>

It should be added that lustration was also demanded by the 1992 law on police service: of the 15 766 requests filed in the Czech Republic in 1992–8, 339 (2.15 per cent) had a 'positive' result, indicating that the person's name appeared in the StB register. A similar law briefly applied to the Slovak police in 1992, during which 41 (0.3 per cent) of 13 690 applicants were positively lustrated.<sup>133</sup> The grand outcome as of the end of 1998, therefore, is a total of 315 538 screenings, of which 15 398 (4.9 per cent) proved to be 'StB positive'.

Several comments on these data must be made. First, it is unknown how many citizens were obliged to undergo lustration, as the interior ministry had no catalogue of offices covered by the law. According to one investigation in late 1992, at the end of the main lustration wave, only 19 bureaucrats – 0.015 per cent of the Czech civil service – had had to end their employment in Czech ministries because of law 451.<sup>134</sup> The

real number of departures was probably somewhat higher, but perhaps no more than 200. The majority of those positively lustrated were demoted rather than fired, suggesting that lustration was not the 'bulldozer of human fates' that some feared and others hoped it would be.

Early estimates from 1992, when the bulk of lustrations occurred, suggested that half of those 'positively' certified fell into the highly contentious category of candidate informer (defined in Chapter 2). These citizens could then appeal their case to an independent lustration commission, chaired by former FIS Deputy Director Bašta, which took a closer look at the files to determine whether the person had actually informed. Of 600 cases studied by the commission in 1992, evidence of collaboration was found in only 3 per cent.<sup>135</sup> On the initiative of Bašta and 99 legislators, the constitutional court ruled in November 1992 that candidates would no longer be lustrated.<sup>136</sup>

Finally, while lustration was designed to obviate court proceedings, hundreds of unhappy lustrati have insisted on hearings to challenge the certificates issued by the interior ministry. As the Prague Municipal Court demanded more evidence of collaboration than the simple appearance of a name in the reconstructed StB register, the ministry was handicapped by the inadmissibility of the microfiches onto which files had been transferred since the 1970s. With the original documents destroyed, the ministry has lost at least 80 per cent of the cases.<sup>137</sup>

## **Conclusion**

The mixed results of the first years of post-communist security intelligence can still be sensed long after the end of Czechoslovakia. On the one hand, the StB was dismantled methodically and lawfully, with relative speed and ease, as thousands of officers traded their vocation as guardians of communism for that of the petty capitalist or simply slipped into retirement. New institutions of security intelligence were established, directed and partly staffed by recruits unassociated with the previous regime's wrongdoings.

On the other hand, the new élite consistently failed to inform the public of its actions and often stoked paranoid claims about the StB's enduring influence. There was no serious attempt to define security and assess threats. Many aspects of the purge of communist-era officers aroused suspicions and complaints, while the performance and tasking of the new institutions left much to be desired. 'It is an unquestionable fact', concluded an advisor to minister Langoš in September 1992, 'that since 1989 the four Czechoslovak secret services have not supplied the government with a single piece of information that decisively influenced

government decision-making. The question is, how much are the services to blame for this and how much is the government itself.'<sup>138</sup>

## Notes

1. Knihovna Parlamentu České republiky [hereafter KPČR], E517, inv. č. 975/91, Zpráva o 6. společné schůzi SL a SN [19 September 1990], p. 325. The speaker was Karol Stome of Civil Forum.
2. Vladimír Hanzel, *Zrychlený tep dějin: Reálné drama o deseti jednáních* (Prague: OK Centrum, 1991), pp. 302, 312, 393–4 (remarks by Petr Pithart and Václav Havel).
3. *Ibid.*, pp. 315, 322.
4. *Ibid.*, p. 449.
5. *Ibid.*, pp. 353, 414, 448–64.
6. *Ibid.*, p. 451.
7. Lorenc, *Ministerstvo strachu?*, p. 179; Oldřich Hromádko, 'Krach jedné koncepce', *Respekt*, no. 4, 4 April 1990.
8. Pacner, *Osudové okamžiky Československa*, p. 552; Jaroslav Spurný, 'Poznej svého udavače', *Respekt*, no. 52, 30 December 1996.
9. Jiří Suk, *Občanské Fórum. 2 díl – dokumenty* (Brno: Doplněk, 1997), pp. 273–5, 290–2.
10. Jan Obrman, 'New Minister Dissolves State Security,' *RFE Report on Eastern Europe*, 16 February 1990, p. 11.
11. KPČR, E517, inv. č. 1240/90, Zpráva o 28. společné schůzi SL a SN [8 May 1990], p. 468.
12. Andrew Arato, 'Constitution and Continuity in the East European Transitions', in Irena Grudzinska Gross, ed., *Constitutionalism and Politics* (Bratislava: Slovak Committee of the European Cultural Foundation, 1994), pp. 271–2.
13. KPČR, E517, inv. č. 1235/90, Zpráva o 24. společné schůzi SL a SN [27 February 1990], p. 71.
14. KPČR, E517, inv. č. 1240/90, Zpráva o 28. společné schůzi SL a SN [8 May 1990], p. 464.
15. Jiří Hanák, 'Kdo hlídá hlídače', *Lidové noviny*, 11 April 1990.
16. KPČR, E517, inv. č. 1240/90, Zpráva o 27. společné schůzi SL a SN [19 April 1990], pp. 281–3.
17. KPČR, E517, inv. č. 1279/90, Tisk 449, p.16.
18. Jan Bauer, *Aféry: jak pro koho* (Prague: Betty, 1991), p. 14.
19. KPČR, E517, inv. č. 1240/90, Zpráva o 28. společné schůzi SL a SN [9 May 1990], pp. 488–91.
20. KPČR, E517, inv. č. 975/91, Zpráva o 6. společné schůzi SL a SN [19 September 1990], p. 298.
21. Jaroslav Spurný, 'Odškodné pro estébáky', *Respekt*, no. 23, 8 June 1992; Rebecka Křížanová and Martin Bartůnek, 'Dobře zaplacený civil', *Respekt*, no. 47, 23 November 1992.
22. KPČR, E517, inv. č. 1240/90, Zpráva o 27. společné schůzi SL a SN [19 April 1990], p. 282.
23. KPČR, E517, inv. č. 1279/90, Tisk 449, p. 8; Bauer, *Aféry: jak pro koho*, pp. 24, 26.



24. KPČR, E517, inv. č. 1240/90, Zpráva o 27. společné schůzi SL a SN [19 April 1990], p. 295; KPČR, E517, inv. č. 1279/90, Tisk 449, p. 19. Hromádka served under Pavel as deputy chief of the StB Main Directorate and was entrusted with a rapid-response 'operational staff' created in July 1968. See A FMV, kr. 41, 73/7, č.j. IMV 003/ZO-70.
25. KPČR, E517, inv. č. 1240/90, Zpráva o 27. společné schůzi SL a SN [19 April 1990], p. 295.
26. Procházka was charged with violation of state secrecy for allegedly revealing Sacher's classified 'concept' of security intelligence, which the minister himself had outlined in earlier press conferences. See *Lidové noviny*, 24 April 1990. The absurd charges were later dropped.
27. Lis's response, part self-criticism, part self-defence, is found in KPČR, E517, inv. č. 1331/91, Zpráva o 12. společné schůzi SL a SN [16 January 1991].
28. For an overview of these unfounded reports, see Bohuslav Blažek, 'Zaručené pravé podvrhy', *Respekt*, no. 17, 4 July 1990.
29. Langoš, who helped distribute *samizdat* writings, became acquainted with Havel in the late 1980s, and Havel would stay in Langoš's flat when visiting Bratislava. See Andrej Bán, 'Nejsem lovcem Eichmannů', *Mladý svět*, no. 14, 1994.
30. Jaroslav Spurný, "'Porušování lidských prav'", *Respekt*, no. 13, 12 June 1990, and Spurný, 'Amatéri proti profesionálům', *Respekt*, no. 25, 29 August 1990.
31. KPČR, E517, inv. č. 975/91, Zpráva o 6. společné schůzi SL a SN [19 September 1990], pp. 298, 376.
32. KPČR, E517, inv. č. 1240/90, Zpráva o 28. společné schůzi SL a SN [8 May 1990], p. 434.
33. Jan Urban, 'Ex-ministrova půlpaměť', *Lidové noviny*, 30 April 1991.
34. Spurný, 'Odškodné pro estébáky', *Respekt*, no. 23, 8 June 1992.
35. *Ibid.* A precise breakdown of the rate of dismissal was not made public, but if we start with the 1853 rejected by the screening and citizens' committees, and add the 618 who left in 1990, 456 in 1991 and 381 in 1992, we arrive at a total of 3308. The numbers from 1990–2 are from *Lidové noviny*, 10 February 1998.
36. *Lidové noviny*, 10 February 1998.
37. <http://www.geocities.com/CapitolHill/Senate/2927>, as of July 1999.
38. Tomáš Němeček, 'Přímý a férový člověk', *Respekt*, no. 3, 11 January 1999.
39. *Mladá fronta Dnes*, 17 March 1999.
40. Jaroslav Spurný, 'Znovu od základů', *Respekt*, no. 39, 5 December 1990.
41. All details are from Jaroslav Spurný, 'Nová zpravodajská služba', *Respekt*, no. 19, 18 July 1990, and Spurný, 'Je to posun', *Respekt*, no. 29, 26 September 1990.
42. KPČR, E517, inv. č. 1500/92, Zpráva o 16. společné schůzi SL a SN [12 July 1991], pp. 1436–7.
43. KPČR, E517, inv. č. 975/91, Zpráva o 6. společné schůzi SL a SN [19 September 1990], p. 323.
44. KPČR, E517, inv. č. 1240/90, Zpráva o 28. společné schůzi SL a SN [8 May 1990], p. 460.
45. KPČR, E517, inv. č. 1279/90, Tisk 449, p. 17; *Lidové noviny*, 24 April 1990; and Petr Uhl, 'Tajná služba nové totality?', *Lidové noviny*, 24 April 1990.
46. Kateřina Perknerová, *Komu slouží vnitro?* (Prague: Grafit, 1992), pp. 70–1.

47. Křížan was already one of Havel's closest confederates in 1988–9, especially during the round-table talks, and it is regrettable that he refuses to discuss his experiences. See Boris Dočekal, 'Za nezávislost se platí', *Magazín DNES*, 26 June 1997.
48. Jaroslav Bašta, 'Koncepce bezpečnostní politiky 1989–1993', *Listy*, vol. 23 (1993), no. 5, pp. 60–1.
49. Jaroslav Spurný, 'Změny v armádě', *Respekt*, no. 33, 24 October 1990.
50. Bohumil Pečinka, 'Kontrarozvědka: Důvěru za důvěru', *Lidové noviny*, 21 January 1995.
51. Bašta, 'Koncepce bezpečnostní politiky 1989–1993', p. 61.
52. A FMV, fond A 2/3, i.j. 2140, č.j. A-0022/010–68, A-001/010–68, A-00226/50–68.
53. Jan Šubert, 'Co s agenty rozvědky', *Lidové noviny*, 3 November 1992.
54. Jaroslav Spurný, 'Terorista s řádem Rudé hvězdy', *Respekt*, no. 18, 6 May 1991; *Mladá fronta Dnes*, 10 April 1992.
55. Jaroslav Spurný, 'Zpravodajské hry', *Respekt*, no.1, 6 January 1992.
56. Pečenka, *Encyclopedie špionáže ze zákulisí tajných služeb*, pp. 183–4; *Lidové noviny*, 28 March 1995.
57. A FMV, fond A13, i.j. 110, č.j. A-00555/I-69.
58. Pečenka, *Encyclopedie špionáže ze zákulisí tajných služeb*, p. 207.
59. Luděk Navara, 'Špion Vojtěšek vyhrál zásadní spor o čest', *Mladá fronta DNES*, 20 March 1998.
60. Radek Schovánek, 'Vývoj technických složek MV 1964–1989 (II.)', *Securitas imperii* 2, pp. 56–7.
61. Jan Obrman, 'The New Intelligence Services', *RFE/RL Report on Eastern Europe*, 28 June 1991, p. 9.
62. Šubert, 'Co s agenty rozvědky', *Lidové noviny*, 3 November 1992; Alena Růžková, 'Bývalí spravodajcovia pod tlakom', *Pravda*, 22 October 1993.
63. KPČR, E517, inv. č. 975/91, Zpráva o 6. společné schůzi SL a SN [19 September 1990], p. 389.
64. *Lidové noviny*, 2 February 1991; Anton Fillo, 'Súboj informácií z rezortu', *Národná obroda*, 2 February 1991.
65. Jaroslav Spurný, 'Znovu od základů', *Respekt*, no. 39, 5 December 1990.
66. Jaroslav Spurný, 'Špionážní služba před rozpadem', *Respekt*, no. 33, 17 August 1992.
67. *Ibid.*
68. Jaroslav Kmenta, 'Českoslovenští zpravodajci uchránili USA před blamáží', *Mladá fronta Dnes*, 3 February 1997.
69. Perkerová, *Komu slouží vnitro?*, pp. 76, 88.
70. Jaroslav Spurný, 'Šéf rozvědky píše vládě', *Respekt*, no. 7, 17 February 1992.
71. Bohumil Pečinka, 'Kontrarozvědka: Důvěru za důvěru', *Lidové noviny*, 21 January 1995.
72. Pečenka, *Encyclopedie špionáže ze zákulisí tajných služeb*, p. 139.
73. *Lidové noviny*, 6 December 1990.
74. KPČR, E517, inv. č. 1316/91, Tisk 537, p. 7.
75. Jan Šubert, 'Nešlo o agenty', *Lidové noviny*, 20 May 1992.
76. Pečenka, *Encyclopedie špionáže ze zákulisí tajných služeb*, p. 139. It appears that Vostrý left the StB in 1964 to become ideology secretary of a KSČ

- district committee, and thus was not a victim of the post-1968 purge. See Bašta, 'Koncepce bezpečnostní politiky 1989–1993', p. 62.
77. KPČR, E517, inv. č. 1352/91, Zpráva o 15. společné schůzi SL a SN [28 May 1991], p. 1496. This group was led by Jana Petrová (from Václav Klaus's ODS), one of the initiators of the legal amendments to facilitate the dismissal of StB officers in the spring of 1990. The others were Pavel Dostál (social democrat), Štefan Glezgo (Public against Violence) and Jiří Pospíšil (ODS).
  78. KPČR, E517, inv. č. 1357/91, Zpráva o 15. společné schůzi SL a SN [29 May 1991], pp. 1764–5.
  79. *Sbírka zákonů*, pt. 48, p. 1114, §2, para. 1.
  80. KPČR, E517, inv. č. 1352/91, Zpráva o 15. společné schůzi SL a SN [28 May 1991], p. 1497.
  81. KPČR, E517, inv. č. 1230/90, Zpráva o 22. společné schůzi SL a SN [23 January 1990], p. 95.
  82. A September 1990 law on the division of responsibility for security stated only that federal agencies would expose 'criminal activity involving unauthorized production, possession and distribution of drugs, smuggling, and the falsification and alteration of money, stamps and securities'. See Siegfried Lammich and Jan Musil, 'Das neue Polizei- und Staatsschutzrecht', *Jahrbuch für Ostrecht*, vol. 33 (1992), pp. 491–7.
  83. KPČR, E517, inv. č. 1352/91, Zpráva o 15. společné schůzi SL a SN [28 May 1991], p. 1536.
  84. Vladimír Labuda, 'Zpackaný melouch FBIS aneb Vyšetřování do ztracena', *Rudé právo*, 6 February 1993.
  85. *Sbírka zákonů*, pt. 48, pp. 1116–17, §14–20; KPČR, E517, inv. č. 1321/91, Tisk 471, pp. 8–10.
  86. See remarks by Albert Černý, from the BBV of the Chamber of the People and a member of the centrist Civil Movement, in KPČR, E517, inv. č. 1352/91, Zpráva o 15. společné schůzi SL a SN [28 May 1991], pp. 1529–30.
  87. Jiří Müller, 'Uklízí tajná služba v koalici?', *Lidové noviny*, 27 January 1995.
  88. KPČR, E517, inv. č. 1352/91, Zpráva o 15. společné schůzi SL a SN [28 May 1991], pp. 1753–60; *Lidové noviny*, 30 May 1991. Although the letter arrived six days before the session on the FBIS law opened, only a handful of deputies received copies. A motion by Josef Lux, of Sacher's People's Party, to read out the letter before voting on the FBIS law failed by a wide margin.
  89. *Sbírka zákonů*, pt. 48, p. 1114, §4.
  90. KPČR, E517, inv. č. 1230/90, Zpráva o 22. společné schůzi SL a SN [23 January 1990], pp. 117–18.
  91. KPČR, E517, inv. č. 975/91, Zpráva o 6. společné schůzi SL a SN [19 September 1990], pp. 387, 403, 766.
  92. KPČR, E517, inv. č. 1352/91, Zpráva o 15. společné schůzi SL a SN [28 May 1991], p. 1499.
  93. Perknerová, *Komu slouží vnitro?*, p. 86.
  94. KPČR, E517, inv. č. 945/92, Tisk 654, pp. 5–7.
  95. KPČR, E517, inv. č. 1357/91, Zpráva o 15. společné schůzi SL a SN [29 May 1991], pp. 1702–3.
  96. KPČR, E517, inv. č. 1321/91, Tisk 471, pp. 4–5.
  97. KPČR, E517, inv. č. 1352/91, Zpráva o 15. společné schůzi SL a SN [28 May 1991], p. 1513.

98. *Lidové noviny*, 10 February 1998.
99. Pečenka, *Encyclopedie špionáže ze zákulisí tajných služeb*, p. 138.
100. Jaroslav Spurný, 'KGB, Palestinci a nacionalismus', *Respekt*, no. 48, 2 December 1991.
101. KPČR, E517, inv. č. 1177/92, 'Návrh zákona o státním rozpočtu na rok 1992'.
102. Jaroslav Spurný, 'KGB, Palestinci a nacionalismus', *Respekt*, no. 48, 2 December 1991.
103. Ivana Pečenková, 'Konec politické špionáže', *Mladý svět*, no. 27, 1993.
104. *Denní Telegraph*, 10 and 11 January 1994.
105. Jaroslav Spurný, 'Konec morální politiky', *Respekt*, no. 34, 26 August 1991.
106. *Lidové noviny*, 25 July 1991.
107. Bašta, 'Koncepte bezpečnostní politiky 1989–1993', p. 63.
108. Jaroslav Spurný, 'Neúspěch nebo dezinformace?', *Respekt*, no. 36, 9 September 1991; Michal Pařízek, 'Pochybná družba na tajnej úrovni', *Práce*, 11 March 1994.
109. Pečenka, *Encyclopedie špionáže ze zákulisí tajných služeb*, p. 138; Bašta, 'Koncepte bezpečnostní politiky 1989–1993', p. 63.
110. Vladimír Mlynář, 'ODS Mečiarovi nevěří', *Respekt*, no. 35, 31 August 1992.
111. Jan Šubert, 'Agenti mluví z novin', *Lidové noviny*, 24 April 1992.
112. Bašta, 'Koncepte bezpečnostní politiky 1989–1993', p. 63.
113. KPČR, E517, inv. č. 1545/92, Zpráva o 22. společné schůzi SL a SN [29 April 1992], p. 1892.
114. Jaroslav Spurný, 'Levicový puč', *Respekt*, no. 28, 13 July 1992.
115. Jaroslav Spurný, 'Špionážní služba před rozpadem', *Respekt*, no. 33, 17 August 1992.
116. *Lidové noviny*, 7 September 1991.
117. KPČR, E517, inv. č. 2003/92, Zpráva o 20. společné schůzi SL a SN [19 February 1992], pp. 2084–7.
118. KPČR [uncatalogued], Usnesení vlády České a Slovenské Federální Republiky ze dne 5. března 1992, č. 140 o zřízení Rady pro zpravodajskou činnost.
119. KPČR, E517, inv. č. 1495/92, Zpráva o 16. společné schůzi SL a SN [15 July 1991], pp. 2492–9.
120. KPČR, E517, inv. č. 1941/92, Zpráva o 20. společné schůzi SL a SN [29 January 1992], p. 783.
121. *Mladá fronta Dnes*, 31 July 1993; Stanislav Kněnický and Marek Vítek, 'ODS vyvrací zprávy o projektu své tajné služby', *Český deník*, 31 July 1993.
122. KPČR, E517, inv. č. 1943/92, Zpráva o 2. společné schůzi SL a SN [6 August 1992], pp. 554–614, 733.
123. Pacner, *Osudové okamžiky Československa*, pp. 658–60.
124. For examples of such reasoning, see Vladimír Mlynář, 'Lustrace nejsou trest', *Respekt*, no. 35, 2 September 1991, and Petr Janyška, 'Pět minut po dvanácté', *Respekt*, no. 44, 4 November 1991.
125. Jana Šmídová, 'Spisy nebyly zničeny', *Lidové noviny*, 3 January 1991, and Ivan Trefuka, 'Vidím, co vidím', *Lidové noviny*, 3 April 1991.
126. Václav Havel, 'Hovory z Lán', *Lidové noviny*, 9 April 1990. See also Susan E. Scarrow and Jonathan Stein, 'Interests, Institutions and the Challenges of History in Germany and the Czech Republic', in Egbert Jahn and Rudolf

- Wildenmann, eds, *Stability in East Central Europe/Stabilität in Ostmitteleuropa?* (Baden-Baden: Nomos, 1995), p. 64.
127. George Schöpflin, 'Post-Communism: some theoretical considerations', unpublished paper, London, 1997.
  128. KPČR, E517, inv. č. 948/92, Tisk 892. Lorenc was sentenced in 1992, but the end of the federation allowed him to avoid prison by residing in Slovakia.
  129. For reflections on the *Rudé krávo* episode by a former FBIS officer, see Milan Churaň, 'Cibulkovy seznamy po šesti letech', *Střední Evropa*, vol. 14 (1998), no. 85, pp. 104–10. Letters from people describing their experience after being wrongly listed were collected and published in Zdena Salivarová-Škvorecká, *Osočení: Dopisy lidí ze seznamu* (Toronto: Sixty-Eight Publishers, 1993).
  130. For more detail, see Vladimír Mlynář, 'Lustrační zákon schválen', *Respekt*, no. 40, 7 October 1991; Jiří Pehe, 'Parliament Passes Controversial Law on Vetting Officials', *RFE/RL Report on Eastern Europe*, 25 October 1991, pp. 4–9; and Paulina Bren, 'Lustration in the Czech and Slovak Republics', *RFE/RL Research Report*, vol. 2 (1993) no. 29, pp. 16–22.
  131. These data were supplied to the author by Jan Frolík, the director of the Czech interior ministry's section for protection of official secrets, by letter dated 11 February 1998, and by Aleš Šulc, director of the Czech interior ministry's security department, by letter dated 15 November 1999.
  132. *Lidové noviny*, 20 August 1994.
  133. Also according to data supplied by Jan Frolík and Aleš Šulc (see note 131 above).
  134. Jan Brabec, Jaroslav Spurný, and Jindřich Sídlo, 'Buldozer lidských osudů', *Respekt*, no. 48, 30 November 1992.
  135. *Ibid.*
  136. KPČR, Rozhodnutí Ústavního soudu, Nález č. NA03/92.
  137. By early 1995, the ministry had already lost 100 of 120 cases. See Martin Schmartz, 'Lustrace: svár minulosti s budoucností', *Mladá fronta Dnes*, 16 February 1995.
  138. Boris Lazar, 'Lesk a bída tajných služeb', *Respekt*, no. 36, 7 September 1992.

# 4

## The Czech Republic since 1993

*Kieran Williams*

'I don't need intelligence services, CNN is enough for me.' This quip, attributed to Prime Minister Václav Klaus in 1994, encapsulates the trivialization of security issues in Czech politics.<sup>1</sup> Whereas the period of 1990–2 was shaped by President Havel's politics of an ethical community, the Klaus era of 1992–7 was characterized by an ambivalence to the state: its redistributive and symbolic powers were actively, if discreetly, enlisted to buy support for the transition to a market economy, while its regulatory powers were disparaged as interference with natural order. From this general indifference to many of the state's traditional virtues, which one philosopher dubbed 'gangster liberalism', flowed a disregard for institutions of information, safety and correction.<sup>2</sup>

### **The security and institutional contexts**

The Czech Republic set up four security intelligence agencies out of the wreckage of the federation:

- the Security Information Service (BIS), for civilian counter-intelligence;
- the Bureau for Foreign Contacts and Information (ÚZSI), for civilian intelligence;
- Military Defensive Intelligence (VOZ), the defence ministry's counter-intelligence service;
- the Intelligence Service of the General Staff, the army's intelligence agency.

One of the factors shaping the environment in which these services had to operate was the rapid shift of power away from earlier foci (Castle, parliament) to the government and prime minister. This realignment occurred in part because a relatively stable coalition of centre-right parties had a comfortable legislative majority, and in part because the new Czech constitution wittingly reduced the president's policy-formulating role. Havel could now influence security policy only indirectly, by getting his advisors Křižan and Oldřich Černý into executive positions (deputy interior minister and head of intelligence, respectively).

The Klaus government thus enjoyed an almost uncontested monopoly on security policy-formation, but had little interest in exercising it. A National Security Strategy, which is required by NATO to itemize all defence and security priorities, should have been completed by the Klaus government in 1996; instead, it fell to a social democratic minority cabinet to adopt it, in February 1999.<sup>3</sup> Given that the army's strategic documents (which had been repeatedly rejected by ministers as unsatisfactory) assume that the state is in no danger of direct attack, there has been all the more need to identify and especially to rank non-military threats.<sup>4</sup>

From the belated Security Strategy and from earlier materials produced by the Czech interior ministry (under Jan Ruml until November 1997), several conclusions can easily be drawn about security priorities. First, the Czech Republic is not a terrorist target. The approximately 236 pre-meditated explosions that occurred in 1990–8, starting with those on Prague's Old Town Square in June 1990 and at a nudist beach two months later, have been the work of lone amateurs with no discernible political motive.<sup>5</sup> Since there is a possibility that groups might use the republic as a base for attacks in other states, or to hit the embassies of countries like the United States or Prague-based institutions like Radio Free Europe/Radio Liberty's Iraqi and Iranian services, BIS has initiated development of an interagency Counter-Terrorism Centre to track the arrival of suspected terrorists into the country.<sup>6</sup>

Second, extremism, represented primarily by the approximately 10 000 Czechs associated with skinhead, neo-Nazi and far-right organizations, poses a serious threat to non-white citizens but not to the constitutional, democratic order.<sup>7</sup>

Third, transnational organized crime and financial machinations constitute the greatest immediate menace. The number of known economic crimes (such as fraud, tax evasion and bribery) soared from 12 000 in 1992 to 30 000 in 1998.<sup>8</sup> The escalation began in the first year

of Czech independence, as the country was attractive both as a transit route and as a market due to the relative prosperity of its inhabitants and the weaknesses in its legal and policing structures: laws permitting the use of undercover agents and combating money-laundering came into effect only in autumn 1995 and summer 1996, respectively, and the first court conviction of mafiosi from the former USSR did not occur until March 1998. Russian, Ukrainian, Yugoslav, Chinese, Bulgarian, Turkish, Albanian and Italian syndicates swiftly and easily set up major operations for prostitution, illegal migration and money laundering, and turned Prague into the drug capital of Central Europe. Every step of the way they were helped by Czechs who legalized their activities through front companies or banks, provided counsel and recruited accomplices from the old nomenklatura and StB.<sup>9</sup> Czech gangs specialized in the illegal sale of explosives such as semtex, and in 'tunnelling', whereby raiders used gaps in securities laws to suck the capital out of banks, firms, investment funds and local government and move it abroad before feeble regulatory agencies intervened.<sup>10</sup>

Also part of the security context are two great flaws in the Czech state that affect its pursuit of membership in international organizations. The first is the poor quality of public administration, which was one of the principal criticisms levelled by the European Commission in its July 1997 Opinion. Despite Klaus's self-description as a Thatcherite, his five years at the helm of the Czech government saw the state bureaucracy almost double in size, unregulated in its conduct by a civil service statute.<sup>11</sup> There is no special judicial process by which citizens may seek redress if they feel wronged by the state, as the constitution's provision for an administrative court remains a dead letter.<sup>12</sup> Repeated attempts by the opposition social democrats to create an ombudsman for rights (as in Poland, Hungary, Slovenia and twelve EU-member states) were torpedoed by Klaus's Civil Democratic Party (ODS), which saw it as a threat to its own power;<sup>13</sup> the institution was finally endorsed by parliament in November 1999. Citizens have thus had to turn to the regular courts, which EU experts regard as understaffed, overworked and too dependent on the executive branch.<sup>14</sup>

The second shortcoming of the Czech state, one faulted strongly by NATO, has been its lack of a rigorous method for classification and protection of secrets, the rider to which was its lack of a freedom of information regime.<sup>15</sup> Until recently, a morass of 98 legal norms and the constitution's blanket protection of individual privacy licensed bureaucrats to decide arbitrarily which information to disclose or withhold. To add injury to insult, there have been at least six major



incidents since 1992 in which data on millions of citizens were leaked from state offices to private firms or unauthorized police officers.<sup>16</sup> Inflexibilities in the communist-era classification scheme put many documents in the 'top secret' category, but 130 000 bureaucrats probably had access to them.<sup>17</sup> There was no procedure of deep background checks for security clearance, or of follow-ups.<sup>18</sup>

Klaus's interior minister, Jan Ruml, was tasked with presenting a NATO-compatible secrecy law by 31 October 1996; this deadline was rolled over repeatedly, such that a year later the Czech ambassador in Brussels alerted Prague that the country's admission to NATO was being jeopardized. Ruml's deputy, Martin Fendrych, publicly trivialized this warning, and the Klaus government never met its obligation.<sup>19</sup> It fell instead to the post-Klaus caretaker government to get the law passed in June 1998, and to establish a National Security Bureau to protect state secrets and conduct background checks. The bureau suffered an immediate setback when its first director was inexplicably dismissed by the new social democratic interior minister, an ardent opponent of background checks on government members.<sup>20</sup> Under its new director, a former BIS functionary, and staffed largely by veterans of BIS and the StB (the latter making up around 40 per cent), the Bureau has begun work as a clearing-house for screening applications, sending those from civilians to BIS for processing, and from soldiers to military counter-intelligence. Faults in the new secrecy law quickly began to appear: the levels of classification still do not correspond to those commonly used in NATO systems, far more people are required to undergo clearances than would be in West European states, and the questionnaire, at around 60 pages in length, is far more demanding than NATO would require.<sup>21</sup> BIS has been overwhelmed by the task of processing these forms, which could take up to eight months; by June 1999, three months after the republic had joined NATO, BIS still had not awarded clearances at 'secret' and 'top secret' levels to any of the 800 employees of the interior ministry who had to be vetted.<sup>22</sup>

One of the Bureau's other great concerns is the inadequate security of the state's information system. Designs for an integrated (and less porous) network of state databases, which began to be discussed in 1993 and have been twice rejected by parliament, are still far from realization.<sup>23</sup> Apart from BIS, no public office's computer systems meet the level of security demanded by the law on protection of personal data (which should have been reached by April 1995) or the 1998 law on protection of secrets.<sup>24</sup> One expert concluded that, for purely political reasons, 'the level of security for information systems in the Czech

Republic is simply catastrophic', and any progress in this area has come thanks only to pressure from Western states.<sup>25</sup>

Before the emergence of the Freedom Union, founded by defectors from Klaus's ODS in 1998, no political party championed freedom of information. In February 1998, a commendable private members' bill, based on the American, Swedish and French models, won the backing of the post-Klaus caretaker cabinet, but was killed in parliament's second chamber, the Senate, by a cross-party alliance led by the social democrat Pavel Rychetský.<sup>26</sup> Senators then held up a second, almost identical bill in March 1999 that Rychetský, now in government, had sponsored.<sup>27</sup> It finally passed, with the minor changes of wording demanded by the upper chamber, in May 1999, and took effect on 1 January 2000.

Against this background, this chapter will focus on the most controversial of the security intelligence services, BIS. It will survey the legislative framework, problems of control and oversight, and the scandals that have erupted. It will also address foreign contacts, and the ways in which Czech society is still coping with the StB legacy.

### **BIS Mk I**

The birth of BIS was accompanied by several omens of government neglect. The first warning sign was the very fact that, like FBIS before it, BIS was created by a bill submitted not by the government, but by a group of legislators spurred into action by Slovak Premier Mečiar's attempts to abolish FBIS in September 1992.<sup>28</sup> No government minister even bothered to attend the shambolic floor debate in the Czech legislature on 21 October. The hastily drafted bill, based on working papers supplied by FBIS officers, largely resembled the FBIS law, with a few significant deviations.

*Mandate.* BIS was charged with providing intelligence in the same broad areas as FBIS, but was also invited to recommend 'measures' to enhance state security. BIS was marginally less militarized in that reams of extra chapters on service conditions were incorporated from the 1992 police law, rather than that for the armed forces.<sup>29</sup> While the law failed to elaborate the concept of economic security, BIS acquired an information monopoly in this area in late 1993 when the Czech police's Service for Protection of Economic Interests was dissolved. Previously the two services had not cooperated, out of mutual contempt.<sup>30</sup> BIS reportedly developed good relations with the police's Unit for Organized Crime and Intelligence, created in 1993.<sup>31</sup>

*Control.* The BIS director answered to the government rather than the Czech parliament, but this clarified only somewhat the lines of account-

ability. That no one bore overall responsibility for BIS became clear in April 1993, when no minister could answer a legislator's interpellation on the efficacy of counter-espionage.<sup>32</sup> As the Czech presidency was vacant when the law was enacted, the BIS director was to be appointed by the Czech parliament at the government's suggestion, and could be recalled at the request of the government, ZKO or full legislature.

*Oversight.* The Czech parliament's special oversight organ (ZKO) was originally envisioned as a compact, five-member body, but the opposition won an amendment enlarging it to seven, such that representativeness trumped intimacy.<sup>33</sup> The BIS director was obliged to present a classified version of the BIS budget to be seen by parliament in closed session, and a top secret variant to be seen only by ZKO. Compared to its predecessor for FBIS, this ZKO was weaker in that it could only ask the BIS director to 'explain' potentially unlawful operations, and could not demand their termination. A novelty, however, was its right to be informed immediately of any warrants for surveillance of major political figures.

The bill passed on 22 October 1992 with the support of only 108 of 200 deputies, and thus probably of only the governing parties. Conceding its flaws, the bill's presenters agreed that it would be superseded at the end of 1993 by a better one.

The story of the first BIS law showed that the government of the new Czech state was not taking security more seriously than its federal forerunner. Another indication was its mishandling of the appointment of a BIS director. Preparation and direction of the new service was entrusted to the last Czech deputy director of FBIS, Stanislav Devátý. As one of Charter 77's more confrontational members, he earned the nickname 'Rambo' for daring exploits such as his escape to Poland in August 1989 to avoid imprisonment.<sup>34</sup> He then distinguished himself by his involvement in the second inquiry into the events of 17 November 1989 and that commission's exposure of parliamentarians suspected of cooperation with the StB, in particular Jan Kavan, who in exile in the UK before 1989 had campaigned on behalf of dissidents such as Devátý.<sup>35</sup>

The new director thus resembled predecessors such as Bačinský, but his appointment must be viewed in the context of the power shift that occurred as the federation withered away. With security now a matter for the government rather than the Castle, the directorship of BIS fell hostage to the wranglings of the coalition of four parties: the Civil Democratic Party (ODS) of Premier Klaus, its Christian satellite KDS, the Civil Democratic Alliance (ODA, another offshoot of Civil Forum), and

the Christian Democratic Union-People's Party (the successor to Richard Sacher's party). Devátý, like Interior Minister Ruml, sided with Klaus's ODS, which prompted the other parties to protest the concentration of security power in the hands of one party.<sup>36</sup> As a sub-optimal compromise, Devátý was made 'provisional' director of BIS; he remained in this handicapped position for four years.

Another symptom was the inertia of the Czech government's council for coordination of the secret services, which was supposed to identify risks, formulate tasks and evaluate performance.<sup>37</sup> Officially in effect from January 1993, it had no chairman for two months, until Premier Klaus assumed the role, and it held its first session on 29 March.<sup>38</sup> Unlike its federal forerunner, the council balanced the presence of the two civilian and two military service chiefs with representatives of four ministries; advisors to the premier, and later to the president, also attended. The services were dismayed by the decision to entrust the council to Klaus, who already had a reputation for indifference, if not hostility, to security intelligence. His stance was summed up in three principles:

- The government should be restrained in issuing specific tasks, as BIS had been mandated by law to cover certain areas. In the period between September 1993 and March 1995, the premier personally tasked BIS only once.<sup>39</sup>
- The performance of the secret services would be assessed primarily by comparing their results to their budgets.
- Secret services should operate on the edge of society and never assume a central role.<sup>40</sup>

As he explained in 1998, out of office and with a tinge of bitterness, Klaus wished to avoid giving his jittery coalition partners any reason to accuse him of misusing the services, and under these circumstances he could not also find a way to control and task the services, and thus keep them both in line and at work. Unable to square the circle, he chose the least demanding course of action, which was inaction.<sup>41</sup> Despite his loyalty to the Klaus government, Devátý soon went on record to complain that 'Ministers take no interest in the information we supply, and they are unable to determine what we should be working on.'<sup>42</sup>

In these conditions, BIS began operations. Although it worked out of the old FBIS headquarters in western Prague, took on the Czech FBIS personnel, and appropriated the old FBIS logo (in violation of the law terminating the federation), Devátý decided that a clean break with

FBIS's poor reputation was needed, and thus a further purge of staff recruited in 1990 by Jiří Müller.<sup>43</sup> Altogether in 1993–4, about one-quarter of BIS personnel was changed,<sup>44</sup> with 100 new recruits in 1995–6.<sup>45</sup> To combat accusations that he was eliminating the best and brightest, Devátý announced that 76 per cent of BIS managers were university graduates, while half of the rest were earning degrees part-time.<sup>46</sup>

Those unhappy with Devátý's strategy retaliated. Seventeen FBIS members not retained by BIS alleged that they were being punished for trying to root out StB officers or informers who remained in high places.<sup>47</sup> That these disgruntled FBIS veterans had sympathizers within BIS was shown by press leaks claiming that as many as 75 ex-StB officers were working in sensitive command posts such as operational centre (the receiving point for all information), analysis and anti-terrorist units.<sup>48</sup> Devátý did not deny that BIS employed some StB members, but stressed that they had been vetted repeatedly.<sup>49</sup> Soon thereafter, possibly because of information leaked by FBIS staff not taken on by BIS, a scandal erupted indicating that FBIS had acquired compromising information on politicians (see the box 'Wallisgate').<sup>50</sup>

These affairs generally undermined confidence in the security services. They also underscored the Czech parliament's neglect of oversight. The ZKO was not elected until July 1993, seven months after BIS had commenced activities and ten months after passage of the BIS law. In the interim, the defence and security committee (BBV) had occasionally discussed items such as the BIS budget, misuse of information, and new legislation, but was not empowered to examine operations.<sup>51</sup> When parliament finally elected the ZKO, it showed that it had learned from the federal assembly's errors. The vote was structured to ensure that three of the seven places went to opposition parties, although the communists (the second largest parliamentary group) were not represented, nor were the extreme-right republicans. The selection of candidates was sensible in that five of the seven also served on the BBV and four oversaw the police's use of surveillance technology, so they were already familiar with many of the issues. Moreover, the ZKO was empowered to choose its chairman and vice-chairman (from the ODS Christian satellite and social democrats, respectively) at its first meeting on 14 July.<sup>52</sup>

The ZKO met once a month during the summer, and reported to parliament in mid-September on its initial findings: although its chairman had predicted that it would take two years for ZKO to start monitoring BIS properly,<sup>53</sup> he confidently announced that they had uncovered no wrongdoing, nor any systematic acquisition of compro-

## Wallisgate

The first scandal to hit BIS was in fact a legacy of its federal forerunner. In December 1992, FBIS requested the arrest of one of its own officers, Václav Wallis, a pre-1989 intelligence operative who had spied in the UK in 1978–81. Wallis was charged with blackmailing Viktor Kožený, the president of the Harvard Capital and Consulting (HC&C) firm that had recently made billions of crowns in the coupon privatization of large enterprises.

Kožený alleged that he had been forced by Wallis to buy FBIS materials about HC&C and compromising information on Czech politicians. A media storm erupted after Wallis was indicted by a court martial in July 1993, as journalists and officials demanded to know whether FBIS (and BIS) had kept the country's leaders under surveillance. It emerged that the Czech government had indeed tasked FBIS with investigating the highly successful privatization fund, and that FBIS's internal controls were ineffective, since Wallis should not have had access to the HC&C file. The prying into politicians' private lives was explained as Wallis's extra-curricular operation, which aroused suspicion that StB files reportedly destroyed in December 1989 might in fact still be changing hands.

Wallis insisted that he had been approached first by Kožený, in whose firm the FBIS officer hoped to find employment. While the court did not accept Kožený's unconvincing claim that he had been blackmailed, it sentenced Wallis to 37 months in prison for violation of public authority. He was acquitted on appeal, largely because of BIS ineptitude in showing how he had compromised classified information. Another trial in June 1997 ended in a 20-month prison sentence, but it was overturned that December for lack of evidence. None the less, between 1992 and 1997 Wallis spent that amount of time in custody, and received very low compensatory damages; he now makes a living selling gates. His case continues to be bandied about the courts, in an endless dispute over jurisdiction. The millionaire Kožený moved to the Bahamas and then to London in order to focus on the former USSR. His remaining Czech operations were entrusted to a high-ranking StB officer.

Sources: Jana Kalinová, 'Aféra Wallis', in František Cinger, ed., *13 českých skandálů* (Prague: Baronet, 1995), pp. 167–83; *Mladá fronta Dnes*, 7 February 1997; Jan Macháček, 'Poslední tah česko-irského mága', *Respekt*, no. 35, 25 August 1997; *Lidové noviny*, 9 December 1997; Sabina Slonková, 'Proti Wallisovi od počátku nebyly hodnověrné důkazy', *Mladá fronta Dnes*, 10 December 1997; Jiří Pirník, 'Případ Wallis se stal noční můrou justice', *Mladá fronta Dnes*, 3 September 1999.

missing information on politicians by FBIS. No fault was found in the 100 warrants for technical surveillance requested by BIS and issued by the Prosecutor General. None of BIS's warrant requests had been refused, and none involved surveillance of political figures. One did permit searches of Iranian diplomatic pouches at Prague airport.<sup>54</sup> While around 40 legislators protested the thinness of the ZKO report, the majority did not demand more detail.<sup>55</sup> They similarly did not object when Devátý broke section 6 of the BIS law by presenting parliament with a classified report on BIS's activity rather than a filleted version to be discussed in open session. Klaus's ODS exonerated Devátý's misdemeanour as an attempt after a summer of scandals to maximize legislators' familiarity with the service's business, since the laws of secrecy were so strict that a public report could contain no meaningful information.<sup>56</sup>

As the autumn passed, legislators were alarmed that the BIS law was set to expire but the government was only just putting together the first principles of new legislation. When reminded by journalists in August 1993 that he bore responsibility for submission of a new BIS bill, which parliament had expected by the end of April, Klaus replied, 'I don't know, I don't recall, I don't know if that's true.'<sup>57</sup> Soon thereafter, the BBV demanded that the bill arrive by 15 October, but Klaus indicated that he would aim for the end of 1993.<sup>58</sup> As parliament would be unable to pass it before the existing law expired, it was agreed – amidst many opposition reproaches – that the latter would be extended until 31 July 1994.<sup>59</sup>

## **BIS Mk II**

One cause of the delay was the dispute in the government's secret services council in September and October 1993 over the optimal number and configuration of agencies. Premier Klaus and Devátý favoured a radical merging of forces, such that there would be a unified civilian intelligence and counter-intelligence bureau, and one military analogue. Klaus argued that the Czech Republic, as a medium-sized Central European state, did not require a differentiated security community on the American, British or German scale, and he ordered service chiefs to focus strictly on geographically proximate threats.<sup>60</sup> BIS wanted to acquire the civilian intelligence agency (ÚZSI) because the latter rarely shared information; one BIS officer complained that it was easier to get help from Britain's MI5 than ÚZSI.<sup>61</sup>

ÚZSI, backed by Interior Minister Ruml and Foreign Minister Josef Zieleniec (the grey eminence of Klaus's party), stressed that an externally

focused organization had to operate under a separate legal regime, licensed to break the laws of foreign states. They also rejected Klaus's assertion that the Czech state could obtain intelligence about Asia, Africa and Islamic fundamentalism from friendly foreign services and did not need to acquire it independently. ÚZSI warned that any partner, no matter how benevolent, would tire of assisting a country that only served its selfish interests and never reciprocated.<sup>62</sup>

In the end, ÚZSI, Ruml and Zieleniec prevailed; only the two military services were to be merged into a consolidated bureau answering to the defence minister.<sup>63</sup> (For more detail, see the box 'Military information organs'.)

The government prepared a framework law defining the mandates and oversight of the one military and two civilian services, while BIS wrote an accompanying bill specifying its employees' service conditions, including the use of surveillance technology. Although paragraph outlines were sent to parliament in October 1993, committees did not address the umbrella law for four months, and the BIS law for six months. Workable bills were not ready until late May 1994, and were not discussed at appropriate length.<sup>64</sup> The BBV had instructed the government to take into account precedents from Western Europe, and the German and Dutch models were allegedly studied closely, but the bills ended up looking very much like the earlier ones for FBIS and BIS. Four innovations are noteworthy:

*Mandate.* Though still broad, the BIS mandate was fleshed out to commit the service to gathering information on 'intentions and activities aimed against the democratic foundations, sovereignty and territorial integrity of the state'; on foreign intelligence services; on threats to the state's secrets, security and vital economic interests; and on terrorism. 'Economic interests' were understood to exclude the struggle against organized crime, which was to be strictly a police matter.<sup>65</sup>

*Means.* Following a communist-sponsored amendment to the BIS law in December 1993, the authority to issue a surveillance warrant was transferred to the president of a high court. This change was justified by the principle of judicial protection of basic rights and liberties, as set out in section 4 of the Czech constitution.<sup>66</sup> Warrants would be valid for up to three months, without renewal. BIS would have its own surveillance teams, as previously, together with the police, it had 'rented' them from the interior ministry, which complicated oversight.<sup>67</sup>

*Control.* As author of the bill, the government gave itself sole authority to appoint and remove the BIS director. The president could task BIS but only via the government, which otherwise had a monopoly on



### **The military's information organs**

Military counter-intelligence (VOZ) was the successor to the StB's Third Directorate, which Richard Sacher immediately transferred from the interior to the defence ministry in January 1990. Roughly 100 communist-era officers were retained in the new VOZ, and accounted for more than half of all personnel. In 1993 VOZ was entrusted to General Radovan Procházka, a former political prisoner and head of the federal civilian intelligence service until 1992. His deputy was Štefan Bačinský, the former director of FBIS.

Military intelligence fell under the army's general staff, and it was the only secret service entrusted to a pre-1989 officer, General Kozojed. Since January 1997 it has been directed by Petr Pelz.

The two services were formally amalgamated into a Military Intelligence Service (VZS) and put on a statutory footing through the 1994 intelligence bill, but they operate independently of one another. A parliamentary oversight commission was not elected until late 1996, and it examines only the counter-intelligence branch.

VZS is housed within the defence ministry, but ministers reportedly know little about its expenditure. It has 800 employees, of which 24 are embassy attachés in the USA, Western Europe, Libya, Syria and China. The first VZS director was Procházka, who continued to incense Germany by identifying the situation in the former GDR as the second greatest danger to the country (after a war between Russia and Ukraine); he was succeeded in November 1997 by the lower-profile František Stěpánek. In June 1994, a Procházka protégé, Jiří Růžek, took over the counter-intelligence section of VZS, and earned wide respect. Politicians, however, took as little interest in the work of VZS as in that of the other services: from 1993 to 1997 it did not receive a single written task from the government.

Sources: Jaroslav Spurný, 'Vláda odmítla přijmout zprávu o bezpečnostní situaci', *Respekt*, 4 April 1994; *Mladá fronta Dnes*, 7 April 1994; Jaroslav Spurný, 'BIS a ti druzí', *Respekt*, no. 7, 13 February 1995; Jaroslav Spurný, 'Protiněmecká ofenziva generála Procházky', *Respekt*, no. 9, 27 February 1995; Tomáš Hořejší, 'Skomírání české rozvědky', *Týden*, no. 35, 25 August 1997.

assignments. Only the president, premier and select ministers would be regular recipients of service reports and a full annual report. (Since October 1993, Premier Klaus had received weekly summaries of BIS operations, to which the government as a whole was not privy.<sup>68</sup>) These

prerogatives were defended by the government as commensurate to its 'full responsibility' for the country's safety.

*Oversight.* The baldest attempt to increase the cabinet's standing was a clause in the first outline of the umbrella law that the government exercised oversight (*kontrola*) of the secret services' activities, with parliament performing only supervision (*dohled*) of their respect for citizens' rights and freedoms, and not of expenditure, government tasking, or the quality or propriety of operations. The ZKO would receive information not from the services directly but via the government, and BIS personnel could no longer complain to the ZKO if they were being ordered by superiors to break the law. Parliament's contacts with the state's security organs would thus be mediated within executive-legislative relations.<sup>69</sup> The BIS law omitted oversight altogether.

While accepting most of these changes in its vote on 7 July 1994, parliament asserted itself through motions proposed by members of the ruling ODS and ODA. The umbrella bill was revised to require the government to consult the legislature's security-related committees before appointing the BIS director. Organized crime, arguably the greatest threat to the country's economic well-being, was added to the list of BIS's areas of interest, although grouped with terrorism (section 5, para. 1.e) rather than possible threats to economic interests (section 5, para. 1.d). The power of oversight was returned to parliament, but in tandem with the government, and without the provisions set down in the 1992 BIS law. Legislators (including at least one-fifth of the ruling parties' deputies) accordingly committed the government to presenting by the end of 1994 a further bill to clarify and enhance parliamentary oversight.<sup>70</sup>

Predictably, the government made no attempt to meet this obligation – Klaus notified parliament in January 1995 that he was content with the existing arrangement – and the ZKO was left in legal limbo.<sup>71</sup> Only by stretching the new laws and by counting on the goodwill of BIS was the ZKO able to continue to examine BIS's closed cases, contacts with foreign services and final expenditure accounts for 1993 and 1994, although a full audit was impossible without information about ongoing operations. From May to December 1994 it convened just twice, and it was spurred into action in January 1995 only after ODA publicly accused BIS of surveillance (see the box 'Kalvoda versus BIS').

On reporting to parliament on 15 March 1995, the ZKO chairman reported that they had uncovered no violation of citizens' rights and freedoms by BIS. The commission was displeased only by the service's

### **Kalvoda versus BIS**

On Friday the Thirteenth, January 1995, Deputy Prime Minister Josef Kalvoda publicly accused BIS of gathering information on parliamentary parties and leaking it via trusted journalists as part of a 'political game'. He presented no evidence to support this claim, nor did he name the party of which he was chairman, ODA, as one of BIS's targets. He was quickly joined in these ambiguous pronouncements by Josef Lux, also a deputy premier and chairman of the Christian democrats. Both men appeared to blame their more powerful coalition partner, Václav Klaus's ODS.

Instead of exposing wrongdoing by BIS, the affair revealed the murky world of party financing. BIS had stumbled across the ODA and Christian democrats in 1993 while looking into the activities of Antonín Moravec, owner of the Credit and Industrial Bank (KPB), because of his link to a group of retired army generals who wanted to acquire a disused air base. (The government had asked FBIS, and then BIS, to investigate all bidders for the base.) In the process, BIS discovered that Moravec had also been a major creditor to the heavily indebted ODA and to the Christian democrats, and seemed to have profited from these political connections. When KPB collapsed under bad debts, Moravec was arrested on numerous fraud charges.

Inquiries by the government and parliament's BIS commission found no evidence of purposeful surveillance of either ODA or the Christian

inability to file materials according to a transparent, leak-proof procedure, which was blamed on the government's failure to develop a comprehensive information regime and on BIS's lack of an in-house watchdog.<sup>72</sup>

Another member of the ZKO revealed that the government made no attempt to systematize and rationalize its use of BIS, since individual ministers were tasking the service and receiving dozens of reports without notifying cabinet colleagues.<sup>73</sup> Figures released later suggest that it was indeed around this time that ministers were beginning to turn to BIS more frequently. The service provided top politicians with 192 reports in 1993–5, 161 in 1996 and 186 in 1997. Of these a large share went specifically to Foreign Minister Zieleniec (98 in 1996 and 62 in 1997), while Interior Minister Ruml received 22 and 41 reports in those years, respectively.<sup>74</sup>

democrats, but representatives of those parties persisted in their suspicions. These were partly confirmed in late 1996, when disgruntled BIS employees proved that the service had not destroyed the information it had inadvertently acquired about Lux, but that before parliament's commission looked at the Moravec file BIS had excised three pages and substituted rewrites using a less 'pejorative tone'. The originals still existed and could be used to compromise the Christian democrats – they painted a grim picture of cronyism in Lux's agriculture ministry.

This second instalment of the scandal showed that in not properly destroying the pages on Lux, BIS had committed an offence (on which the statute of limitations had already expired). There was still no trace of a policy of premeditated surveillance of parties. The victims of this affair were Devátý but also Kalvoda's ODA, which lost credibility and disintegrated in early 1998 after new funding scandals.

Sources: Tomáš Rychlý, 'Kalvoda versus Devátému: Spehovaly tajné služby politické strany?', in František Cinger, ed., *13 českých skandálů*, pp. 13–26; Tomáš Hořejší, 'Impérium bankéře Moravce se zhroutilo', *Lidové noviny*, 11 February 1995; *Mladá fronta Dnes*, 18 February 1995; Sabina Slonková, 'Aférou v BIS se začali zabývat vyšetřovatelé', *Mladá fronta Dnes*, 16 November 1996; Vladimír Mlynář and Jaroslav Spurný, 'Proč byl Josef Lux sledován', *Respekt*, no. 46, 11 November 1996; Jaroslav Spurný, 'Jak Bašta k materiálům BIS přišel', *Respekt*, no. 47, 18 November 1996; *Mladá fronta Dnes*, 26 February 1997; Jaroslav Spurný, 'Vlastne se nic nestalo', *Respekt*, no. 9, 24 February 1997.

Parliamentarians, especially from ODA, took BIS to task for its attitude to 'extremism', a problem implied but not listed in the legal mandate. In early 1994 BIS drew up a study of interethnic conflict, which on Klaus's orders was developed into a wider study of extremism, understood as all activity against the social, constitutional and legal order. ODA and the press got hold of an uncatalogued working list of extremist organizations on which BIS included Greenpeace and the ecologist Rainbow Movement for having organized one demonstration against a nuclear power plant, the foundation Animal SOS for having tried to disrupt a horse race in 1992, and the anti-racist association HOST because some of its members had physically defended foreigners against skinhead assaults. Several members of the ZKO suspected that BIS had had these legal, non-violent organizations under surveillance. It also appeared that BIS had acquired information by covert means on one parliamentary –

and genuinely extremist – party, Miroslav Sládek’s Republicans.<sup>75</sup> While Klaus insisted that none of these organizations had been under BIS surveillance,<sup>76</sup> the final index of 14 extremist groups approved by the government still mentioned the lawful Rainbow Movement and Animal SOS.<sup>77</sup> It took them six months, and charges filed against Devátý, to get BIS to drop them from the list.

In January 1996, after a whole year had passed without the government meeting its obligation to present an oversight bill, two deputies from ODA, Vladimír Šuman (chairman of the defence and security committee) and Oldřich Kužílek (chairman of the committee for oversight of the police’s use of surveillance technology) submitted their own. Their core idea was to divide responsibility between two bodies. A five-member supervisory commission (*dozorčí komise*) would perform traditional scrutiny of budgets and closed cases conducted by BIS and the counter-intelligence branch of the military service. A three-member oversight organ (*kontrolní orgán*) would watch all secret services and would be authorized to examine ongoing operations. While the former would consist of members of the Chamber of Deputies, the latter’s members would be eminent citizens selected by the president, government and Senate. In both instances the nominees were expected to be figures of authority, and in the case of the oversight organ they had to be at least 40 years old and willing to do the job full-time for at least five years, independently of parliament’s electoral cycles. The office-holders would be put through security clearances, intensively briefed, and equipped with a modest support staff.<sup>78</sup>

The Šuman–Kužílek bill deftly resolved the dilemma of minimizing the risk of information leaks while granting trusted figures access to most files. The government, however, bulldozed it by invoking a fundamentalist reading of separation of powers, insisting that it alone had the right to monitor expenditure and other internal-organizational business. Parliament’s sole task, according to the jealous executive branch, was to watch for ‘political misuse’ of secret services, and it predicted hysterically that the three-member oversight organ would turn into a ‘*sui generis* intelligence service’.<sup>79</sup> Even ODS’s advocates of parliamentary access to live files argued that no committee requiring security clearances could be instituted, as the legislation permitting such intrusions into citizens’ privacy had not yet been passed.<sup>80</sup> The Šuman–Kužílek bill was killed on its first reading by a barely-quorate Chamber of Deputies: it took only 59 votes, of which 46 came from Klaus’s ODS and 5 from its KDS satellite, to block the bill’s advance to the committee stage.<sup>81</sup>

The government, represented by Interior Minister Ruml (ODS), assured the assembly that a government bill on oversight was in the works. One was indeed coming together, which would have greatly restored the ZKO and possibly have even granted it the right to view ongoing cases. The bill died, however, for two reasons. The first was the impending general election, which Klaus used as an excuse to postpone the matter. The second was the running dispute within the cabinet over its own oversight and control duties. Deputy premier Josef Kalvoda (ODA) felt that the premier should take direct responsibility, assisted by a panel of experts. Klaus argued for joint control by the ministers of defence, foreign affairs and the interior. Ruml wanted to appoint a minister without portfolio who would oversee the secret services, as in Hungary. No compromise was attainable.<sup>82</sup>

The June 1996 election changed the balance of power in the Chamber of Deputies, with the reconstituted governing coalition two votes short of a majority. The new assembly moved quickly to elect an oversight organ, now known officially as the standing commission for oversight of BIS. Each of the six party clubs put forward a candidate (ODS nominated two) and all were eventually elected, which gave the commission a gravitas not provided by the law.<sup>83</sup> The representative of the social democrats, now the second largest parliamentary party, was Jaroslav Bašta, former FIS deputy director and chairman of the lustration appeals commission (see Chapter 3). Although Ruml tried to prevent his election, arguing that someone once immersed in the intelligence world lacked the detachment that oversight requires, Bašta succeeded with the support of the entire Christian Democrat-People's Party club, most of ODA and even half of the ODS deputies.<sup>84</sup>

Soon thereafter Bašta became the commission's chairman, and one of his concerns was to press the government to submit the long-overdue bill on oversight. In October 1996 and again in April 1997 parliament recommitted the cabinet to preparing this legislation, to no avail. To fill the vacuum a statute for the oversight commission was enacted on 11 June 1997, but this covered only procedural matters like the division of places between government and opposition (4 to 3), its obligation to present an annual report to parliament, and parliament's power to lift the oath of silence from anyone whom the commission might need to interview.<sup>85</sup> The essence of oversight – the power of budgetary and operational scrutiny – still had no expression in law.

While the ODA was unable to push through its oversight bill, it did manage to wrest control of the government's coordination council from Klaus, who had been convening it only once or twice a year – it did not

meet even once between August 1995 and August 1996.<sup>86</sup> Pavel Bratinka, a Charter 77 signatory and former deputy foreign minister for European integration, was entrusted with the council as minister without portfolio. His ambition was to invigorate government control by developing a council office akin to Department 6 of the German Chancellery (see Chapter 1), which would assume direct responsibility for all three secret services. He also made no secret of his wish to see Devátý unseated. Klaus, however, undercut Bratinka by refusing for several months to appoint Jan Schneider, the former head of a BIS regional bureau who had quit after quarreling with Devátý, as head of the council's office.<sup>87</sup>

Schneider was not the only casualty of arguments with the director. Within BIS dissatisfaction with his management was growing, fuelled by rumours that he was more interested in earning a law degree than in running the service and defending it against accusations of wrongful surveillance and incompetence.<sup>88</sup> Thirty operatives in the section for economic and organized crime were in open rebellion, as were the BIS deputy director Sylvia Šauerová and the heads of the operative, personnel and training divisions.<sup>89</sup> In autumn 1996 Devátý began to drive several of his critics out or down, but the aggrieved took their revenge by leaking documents to the parliament's oversight commission that revived accusations from 1995 of political surveillance (see the box 'Kalvoda versus BIS'). Coming on the eve of Senate elections, the allegations were denounced as a stunt to boost the ODA and Christian democrats, but in reality they resulted from factional strife within BIS that was leaving the service demoralized and adrift. Some BIS sources even claimed that the agency should be disbanded.<sup>90</sup>

Fearing that it would be damaged electorally by association, ODS pressed Devátý to step down. After four years as 'provisional' director, he quit on 12 November 1996. Soon thereafter he found a place in a legal firm run by a fellow veteran of the inquiry into the events of November 1989.<sup>91</sup> The man who made a career out of using files to undo parliamentarians suspected of StB connections had himself fallen victim to a questionable use of documents.

The coalition discord that had prevented the permanent appointment of Devátý then thwarted the quick selection of a successor. The cabinet vowed on 13 November 1996 that a new director would be chosen 'within a week'; it ended up taking five months. The most promising candidate within BIS, the chief of the analytical department, had quit the service in solidarity with Devátý.<sup>92</sup> A range of attractive outsiders were considered, but they either declined the offer or were unacceptable

to one of the coalition parties. In the meantime, another scandal erupted when the speaker of parliament claimed to have more evidence of political surveillance (see the box 'The mystery of Zeman's briefcase').

### **The mystery of Zeman's briefcase**

In mid-November 1996, Miloš Zeman, the speaker of the Chamber of Deputies and leader of the opposition social democrats, announced that he had a briefcase containing proof that his party, the ODA, Christian democrats and even members of the ODS were under surveillance. With characteristic bombast, Zeman declared that the Czech Republic was becoming a police state, and accused BIS of interrogating his frail mother to get information about his rumoured alcoholism.

When the contents of his briefcase finally became known two months later, they turned out to contain:

- 25 pages alleging that BIS and the interior ministry had the ministry's former chief inspector (now an advisor to the social democrats) under surveillance. These were quickly shown to be forgeries, of unclear provenance: Bašta, after fingering two fraudsters, accused an ODS deputy (once the head of the ZKO) of planting the material to embarrass the social democrats in the middle of Senate elections. Their more likely origin is in a failed scheme by con artists to sell them to two businessmen who were in the market for materials that could intimidate or influence public officials.
- Three pages identifying 19 people, including two social democratic deputies, as agents of BIS or the StB. This list was also proven false.
- Five pages of correspondence between BIS and the interior ministry relating to the searches of Iranian diplomatic pouches in 1993 and proposing closer surveillance of the Russian and Ukrainian embassies.
- Two unmarked, unsigned pages containing information about two social democratic deputies, of which BIS denied authorship.
- Plans for the creation in 1991 of an investment fund to help the social democrats, which had no discernible connection to the allegations against BIS.

Zeman's claims of a 'police state' were widely derided, and some social democrats suspected that the briefcase was empty when he first



announced the discovery between the first and second round of Senate elections, with papers stuffed in later when he was summoned to supply evidence. This suspicion was supported by contradictions between Zeman's initial accusations and the content of the documents. Even Zeman's own mother refuted his story that she had been harassed by BIS; she said she had been visited only by the private television company Nova.

Undeterred by these gaffes, Zeman again produced spurious 'secret documents' in May 1998 to compromise Jan Ruml, now the leader of a party competing against the social democrats in the June elections.

Sources: *Mladá fronta Dnes*, 28, 30 and 31 January 1997, 5 and 6 February 1997, 10 September 1997; Vladimír Mlynář, 'Zemanovo utajené delirium' and 'Pozor na Sépii', *Respekt*, no. 5, 27 January 1997; Martin Poláček, 'Devátý vysoudil na ČSSD milion', *Lidové noviny*, 25 February 1997; *Lidové noviny*, 7 and 9 January 1998, 12 March 1998; *Mladá fronta Dnes*, 5 May 1998.

### The man from Mars

When a new director was found, he almost fulfilled the prediction of an exasperated Klaus that he would have to be a man from Mars to satisfy everyone involved. Karel Vulterin, the head of the university teachers' trade union and a chemist by training, had no known connection to the security community and was recruited for his managerial experience and acquaintance with Bratinka.<sup>93</sup> Having immediately forecast that he would need a year to get BIS into shape, he was given a lengthy grace period by the media and by the oversight commission and BBV; only the communists complained that he clearly had no idea of what needed to be done.<sup>94</sup> The stories about BIS that preceded his appointment – tales of functional paralysis, of weapons lost in restaurants, of informers acquired by intimidation and sexual assault, of staff bugging each others' offices – ceased.<sup>95</sup> Having found their man, the cabinet immediately returned to old habits: ministers did not make time to meet with the new director for another five months.<sup>96</sup>

In his first weeks on the job, Vulterin familiarized himself with BIS as Devátý had left it. At the end of 1996 the service had around 900 employees, including a large support staff, of which perhaps 4 per cent had worked in the StB.<sup>97</sup> (Within two years the staff had shrunk to around 800.<sup>98</sup>) At the top was the very powerful directorship, which Vulterin planned to attenuate by strengthening the middle echelons of the BIS command structure, although on other occasions he implied that

power needed to be recentralized.<sup>99</sup> In addition to departments for analysis and information technology, surveillance and administration, it ran five operational sections: for 'Eastern' countries; all other parts of the world; economic intelligence and organized crime; defence of the constitution (anti-extremism); and terrorism.<sup>100</sup> In 1996, BIS was conducting 777 operations, of which 263 were opened and 166 concluded during the year. The breakdown of operations by sub-headings for 1996 and 1997 are given in Tables 4.1 and 4.2.

Table 4.1 BIS operations by subject area, 1996

Threat	Total	Of which closed in 1996	Of which begun in 1996
Activities against democracy, sovereignty & integrity of republic	59	16	18
Foreign espionage	374	99	128
Threats to state secrets	17	2	11
Threats to economic interests	221	46	88
Organized crime, terrorism	106	3	18
Total	777	166	263

Source: Zpráva o činnosti Bezpečnostní informační služby za období od 1. ledna 1996 do 31. prosince 1997, posted at [http://www.bis.cz/i\\_zprava.html#10](http://www.bis.cz/i_zprava.html#10), as of July 1999.

Table 4.2 BIS operations by subject area, 1997

Threat	Total	Of which closed in 1997	Of which begun in 1997
Activities against democracy, sovereignty & integrity of republic	82	7	15
Foreign espionage	302	37	40
Threats to state secrets	17	0	3
Threats to economic interests	192	17	30
Organized crime, terrorism	120	3	16
Total	713	64	104

Source: Zpráva o činnosti Bezpečnostní informační služby za období od 1. ledna 1996 do 31. prosince 1997, posted at [http://www.bis.cz/i\\_zprava.html#10](http://www.bis.cz/i_zprava.html#10), as of July 1999.

Table 4.3 BIS public accounts, in Czech crowns

	1994*	1995†	1996‡	1997§	1998**	1999††
Original budget granted	775,173,000	797,925,000	824,367,000	881,300,00	688,200,000	749,400,000
Non-capital expenditure	461,444,000	448,505,000	507,758,000	653,600,00	577,000,000	629,300,000
Capital investment	299,056,000	343,739,000	310,065,000	227,700,00	111,200,000	120,100,000
Unspent funds	14,673,000	5,420,0000	6,544,000	16,520,000	22,700,000	n/a
Total expenditure	760,500,000	792,244,000	817,823,000	716,100,000	665,500,000	n/a
US dollar equivalent of actual expenditure	26,424,600	29,839,698	30,133,492	24,710,144	20,057,263	n/a

\* KPČR, E517, 1 vol. obd. PS ČR, Tisk 1692, Kapitola 305. Money was saved because of unfilled job vacancies, and because disputes with local government over the transfer of certain facilities into BIS's hands held up capital investment.

† KPČR, uncatalogued, Návrh státního závěrečného účtu České republiky za rok 1995, příloha F, sešit 1, Kapitola 305. Money was again unspent due to unfilled vacancies.

‡ KPČR, uncatalogued, Návrh státního závěrečného účtu České republiky za rok 1996, příloha F, sešit 1, Kapitola 305. The unspent money was again due to BIS not being at full strength.

§ According to the BIS website, at [http://www.bis.cz/i\\_rozpcet.html](http://www.bis.cz/i_rozpcet.html), as of July 1999. It should be noted that the website's original figures for 1995 and 1996 are higher than the parliament figures, by 30 million to 50 million crowns.

\*\* According to the BIS website, at [http://www.bis.cz/i\\_rozpcet.html](http://www.bis.cz/i_rozpcet.html), as of July 1999.

†† According to the BIS website, at [http://www.bis.cz/i\\_rozpcet.html](http://www.bis.cz/i_rozpcet.html), as of July 1999.

Several years of relatively generous budgets, summarized in Table 4.3, had supported a programme of capital development, in particular of new headquarters in a refurbished StB complex in the Stodůlky district of Prague, ironically (or appropriately) on the edge of a housing estate known to be home to many Russian and Ukrainian mafiosi.<sup>101</sup>

Although the novice needed time to immerse himself in the special world of BIS, by the end of 1997 staff were tiring of Vulterin's reluctance to announce a vision of security intelligence, and were displeased by one of his first major decisions, the appointment of a former laboratory colleague to the vacant position of deputy director for personnel.<sup>102</sup> While he left only three of the top twelve administrators in their positions, the conflict-averse Vulterin shuffled rather than fired the others, who were often the strongest and most controversial personalities within the service. He also ruffled feathers by redefining domains, ostensibly in anticipation of BIS's new responsibility for conducting security clearances. Vulterin subordinated the information technology department to the deputy director for support services (communications and building security) on the grounds that it would improve secrecy; operatives objected that he had thereby increased the number of people who would have access to classified data. When the section for liaison with foreign services was put under the deputy director for administration, the deputy director for operations quit.<sup>103</sup> Altogether, around twenty unhappy high functionaries left the service in January 1998.<sup>104</sup>

After giving Vulterin several months in which to prove himself, parliament's BIS commission also lost patience. The new director was reproved for not displaying leadership and for being worse than Devátý about communicating with the commission, which he refused even to apprise of his reorganization plans. In February 1998 the commission posed around forty questions relating to serious problems that had come to their attention, and expected Vulterin to act.<sup>105</sup> The boost BIS received in March 1998 by the foreign ministry's announcement that it was satisfied with BIS's performance<sup>106</sup> was immediately cancelled out by the revelation that the service had detected but failed to alert decision-makers to the sale of a Czech hotel chain to a Libyan-controlled company.<sup>107</sup>

With the director's position clearly compromised, group warfare and anonymous denunciations resumed within BIS. Inspectors found that two officers in the České Budějovice branch were wiretapping a colleague's telephone as part of a puerile feud. The two offenders, who could have been imprisoned for three years, were fined 12 000 crowns (\$333) and dismissed from the service; in firing them, however, Vulterin

did not follow the law correctly and in the end it was BIS that had to pay out hundreds of thousands of crowns in back wages to the discharged officers.<sup>108</sup> Allegations of sexual harassment and intimidation at the BIS training centre outside Brno (the StB's Zastávka complex) were also examined and found to be at least partly true: live ammunition had been 'misused'.<sup>109</sup> In Hradec Králové a BIS officer and a former StB member joined forces in trying to swindle a businessman out of 200 000 crowns (\$5700).<sup>110</sup> In Olomouc, the involvement of a BIS employee, Pavel Heger, in a war between two entrepreneurs appeared to be one of the worst known cases of the corruption of a public servant. Vulterin purged the Olomouc branch, and parliament set up its own team of inquiry. In March 1999, however, detectives closed their two-year investigation of Heger for lack of evidence, and he was allowed to return to BIS.<sup>111</sup> One of Vulterin's appointees, Deputy Director Luboš Doležal, turned out to have been a political commissar in the army before 1989, and was eventually driven to quit as part of a campaign against Vulterin within BIS. Finally, the director himself became the target of an anonymous letter, sent to the oversight commission, which accused him of buying large amounts of alcohol, of using BIS funds to acquire and furnish a flat, and of nepotism.<sup>112</sup> Instead of stonewalling, Vulterin quickly confessed to most of the allegations but refused to resign.

On 24 April 1998, the director had a long meeting with parliament's BIS commission. During the session he reported on changes he had effected since the February list of questions. Afterwards, critics such as Jaroslav Bašta suddenly announced a new satisfaction with his management.<sup>113</sup> This verdict contrasted sharply with media reports in the preceding week that parliamentarians and even several ministers were openly considering the dissolution of BIS and creation of a new service.<sup>114</sup> No explanation of this Damascene conversion was offered.

Vulterin probably was not in any danger of removal since politicians were awaiting the outcome of the June 1998 general election. Josef Tošovský, who replaced Klaus as interim premier in December 1997, assumed responsibility for security intelligence, since Bratinka was not allowed to realize his vision of government control. Advised by the former head of BIS's section for organized crime, the banker Tošovský did not appear to hold the institution in high regard and was rumoured to favour its refoundation.<sup>115</sup> During his government, however, there was a marked improvement in public relations through the BIS Internet site. Originally, it had offered only the turgid 1994 legislation, a brief history and a FAQ page; since the spring of 1998, it has provided outlines of security issues covered by BIS, basic data on tasking, operations, and

expenditure, a filleted report for activities in 1996–7 (the only annual report ever made public), and regular press releases.<sup>116</sup>

After the inconclusive early elections of June 1998, thanks to a deal with Klaus's ODS, the social democrat Miloš Zeman set up a minority government, in which Bašta sat as minister without portfolio for the security services. Bašta quickly announced plans to streamline the community by eliminating the intelligence service, placing BIS under the direct authority of the interior ministry, and perhaps establishing a separate agency for electronic intelligence-gathering. In keeping with the social democrats' pledge to clean up Czech capitalism, priority was to go to BIS's economic section and the police's anti-corruption team.<sup>117</sup> At the start of 1999, Bašta vowed to present a bill on the reorganization of the security services in February; as usual, drafting and approval in the government's various councils took longer than anticipated, with an outline endorsed by the cabinet on 1 September 1999. A full bill was scheduled to reach ministers by 31 March 2000, and would be unlikely to take effect before June 2000. The sketch approved by the government signalled the defeat of Bašta's original bid to abolish the separate intelligence agency, and endeavoured instead to

- create a direct line of responsibility over BIS, by empowering an individual minister to appoint and recall the director;
- channel tasking through this minister, while the tasking of military services will go through the defence minister and the tasking of foreign intelligence (ÚZSI) will go through the interior minister. This change was intended to end or minimise the practice hitherto of uncoordinated tasking;
- give military intelligence responsibility for electronic gathering of information, which is then to be shared with the other services and law-enforcement bodies.

The upshot of the proposal was to create stronger and more direct executive control, while significantly upgrading the role of military intelligence in the security community.

While this bill was on its long march through the institutions, BIS's chronic personality differences and factional tussles resurfaced. In July 1998, Bašta and Vulterin resumed their earlier feuds over BIS structure, and by the autumn the government was not even trying to conceal its intention to remove Vulterin in the very near future.<sup>118</sup> When it came in January 1999, his downfall not only resembled earlier BIS disputes, but was also symptomatic of the over-politicization of Czech public

administration. The disintegration of the ODS-led coalition in November 1997 had exposed the extent of clientelism and corruption in government departments, practices that the social democrats, as the sole party of government, were being attacked for perpetuating. In this climate, a clean dismissal of Vulterin without a detailed explanation (as might otherwise be justified, in the interests of security) would have been impossible, open to opposition and media portrayal as a fig leaf for the appointment of someone sympathetic to the ruling party. Just cause, therefore, would have to be found and communicated.

Although a reason presented itself in early 1999, the cabinet, in particular Bašta, lacked the political skills to master the situation. It emerged that before Christmas, the Iraqi consul in Prague, who ran intelligence operations throughout central Europe, had defected to Britain with his wife, seven children and 60 cases of possessions and documents. BIS, which monitored the consul only at his workplace and not his residence, had not noticed. On 27 January 1999, almost three weeks after the consul's disappearance was publicized, Vulterin was sacked. No official explanation was issued, but government sources immediately began leaking details to reporters: BIS under Vulterin failed to detect and report the consul's defection, failed to disclose that the consul *might* have been tasked by Baghdad with bombing Radio Free Europe/Radio Liberty's Prague-based Iraqi service (whether he was indeed given such a mission, and when BIS found out about it, remain unclear), and missed an opportunity to recruit the consul as a double agent.<sup>119</sup> (British sources later claimed that the consul was already an MI6 asset and quit Prague for fear that his cover was at risk from loose Czech lips.<sup>120</sup>) Lest these accusations seem too tame, ministers hinted at grander, more ominous reasons: there were in fact ten serious allegations, Vulterin had broken the law on intelligence services, and endangered the country's security.<sup>121</sup>

Predictably, these alarmist, cryptic insinuations were a red flag to journalists and to parliament's oversight commission, now chaired by Jan Klas from Klaus's ODS. During 1998, a rift had emerged within the commission, with its members from ODS and other centre-right parties (who held four of its seven places) tending to side with Vulterin against his critics on the left. Oversight also received a boost from the government's minority status, which slowed the legislative process almost to a halt (only ten bills and the budget were passed in nine sessions from July 1998 to February 1999) and encouraged the Chamber of Deputies to challenge executive behaviour. For example, in the parliament's debates over the 1999 budget, Klas successfully campaigned

to defeat the government's plan to take 40 million crowns (\$1.3 million) away from BIS in order to build up the cabinet office.<sup>122</sup> The emboldened commission questioned Bašta and Vulterin separately about the director's removal; six hours of hearings, it was made known unofficially, had left the majority of the commission's members (including its two social democrats) unconvinced that the mishandling of the consul's defection warranted Vulterin's removal.<sup>123</sup> Shortly thereafter, President Havel expressed similar misgivings. Critics noted that if Vulterin really had broken the law, as Deputy Prime Minister Pavel Rychetský had declared, then he should not only be dismissed, but also face prosecution. To insinuate serious wrongdoing but then be satisfied with just the director's replacement debased the allegations and fuelled speculation that it was all politically motivated.<sup>124</sup>

It did not help that Bašta and his colleagues in government were unable, individually and collectively, to stick to a single version of events. To underscore the incompetence of BIS under Vulterin, Bašta added to his account that it was only thanks to the local British intelligence liaison officer, Christopher Hurran, that he had first become aware of the significance of the Iraqi consul.<sup>125</sup> Although the course of events is murky, at some point in mid-January 1999, Hurran was directed by London to write to Bašta and Vulterin, protesting the inability of Czech officialdom to guard secrets. Gently worded, it was intended as advice to a partner, not as a *démarche*. Bašta, however, apparently used the letter to legitimate his call in the cabinet for Vulterin's dismissal. Hurran had thus become an accomplice in the director's fall, and immediately faced the consequences of involvement in Czech politics: within days, Hurran's name, address and homosexuality were made known to, and broadcast by, the private television station Nova, renowned for never letting ethics or common sense constrain its reporting. While it is not known whether Vulterin or his sympathizers were the source of this very sensitive information – according to one source, 25 politicians and all of BIS knew Hurran's identity – Vulterin did quickly find new employment as a consultant to the very Nova journalist who had 'outed' Hurran.<sup>126</sup>

Although the social democrats had long been agitating for Vulterin's removal, they had not managed to line up a successor. A replay of the way in which Vulterin had been appointed thus ensued. A month passed. The chief of military counter-intelligence, Jiří Růžek, became the rumoured front-runner. Bašta issued a vigorous denial. Another month passed. The cabinet announced Růžek as its choice. Bašta claimed to have had him in mind all along.<sup>127</sup>



Růžek's résumé was impeccable: co-founder of a local chapter of Civil Forum in 1989, in June 1990 he was recruited to the new counter-intelligence service ÚOÚD as deputy head of its organizational section. He then served, from December 1990 to May 1994, as deputy director of the intelligence service for administration and logistics, and since June 1994 had run military counter-intelligence to general acclaim.<sup>128</sup> With experience in three services, he would be well placed to combat the chronic lack of coordination and cooperation between them. In short, he seemed in every way the respected professional whom the social democrats had promised to bestow on BIS.

Even Růžek, however, generated controversy, in particular allegations that he had misused his authority to protect a former intelligence colleague from prosecution for drink driving by listing him retroactively as an agent and claiming that he had been on a military mission at the time. Only after state attorneys decided that there was no case to pursue, and Bašta convinced sceptical parliamentarians that Růžek was the right man to run BIS, did he take up his new post on 1 July 1999, five months after Vulterin had vacated it.

The new director immediately announced a policy of media blackout. For the past two years, BIS had worked from the assumption that its reputation would be improved if it responded quickly to breaking stories through a spokesman. Růžek and the social democrats decided that it would be better if BIS communicated with the public only via reports to the government. This policy overlooked the obvious fact that the service's reputation had been damaged repeatedly not by official statements but by unauthorized leaks to the press ensuing from internal factional strife, much of which appeared to result from competing party loyalties.<sup>129</sup>

The solution to BIS's problems, therefore, lies in exposure and termination of the patron-client links between parties and officers, and in a more rigorous institutional framework for control and oversight. Fortunately, now that the members of parliament's BIS commission must undergo invasive security clearances, they have tired of being 'toothless' and want access to all open files, minus specific details such as agents' names. In response, Bašta produced a bill to establish a five-person committee, supervising the civilian and military intelligence as well as counter-intelligence agencies, but initiated into ongoing operations only via an authorized minister, who could withhold information.<sup>130</sup> This plan, approved by the cabinet in May 1999, awaits an arduous journey through the legislature, where interested parties will view the proposed body's powers as excessive or insufficient.

## Foreign relations

By comparison, the story of the Czech intelligence agency, ÚZSI, has been somewhat happier. According to its laconic 1994 mandate, intelligence gathers information originating abroad 'important for the security and protection of the foreign-policy and economic interests of the Czech Republic'. In practice, ÚZSI studies 'global anti-civilizational risks', such as terrorism, extremism, the proliferation of nuclear, chemical and biological weapons, drugs and arms-dealing.<sup>131</sup> Located in the Prague district of Kobylisy, ÚZSI for its first five years was under the direction of one of Havel's advisors, Oldřich Černý. His deputy Rudolf Růžička, like Černý, worked in the film industry until 1990, when he went to work in Havel's security department.<sup>132</sup> When the social democrats came to power in 1998, Černý resigned. His successor, Petr Zeman, was a former dissident, a 1990 recruit to the security community, and previously manager of the BIS training centre near Brno; he was also close to the new ruling party.

While BIS answers to the entire government, ÚZSI falls under the interior minister – the opposite of what one would normally expect but a result of the greater fear of the political misuse of domestic surveillance in post-communism. ÚZSI has never been under parliamentary oversight, and it is unknown how many of its analysts worked for communist intelligence; Černý claimed to employ only codebreakers and radio operators from the past. As in BIS and military intelligence, its personnel complained of the government's aversion to tasking.<sup>133</sup>

Due to the shutdown of espionage after 1989, ÚZSI continued to work largely from open sources and through declared liaison officers. German press allegations in early 1994 that the Czechs had resumed espionage in the West were flatly denied,<sup>134</sup> while diplomatic sources regard the Czechs as 'clean' compared to Polish and Hungarian services.<sup>135</sup> While there is very little or no cooperation with the countries in which many of the crime syndicates plaguing the Czech Republic originate,<sup>136</sup> relations with counterparts in the USA, UK and Germany are said to be warm. The counter-espionage division of BIS reportedly does not track American, British, French or German intelligence operatives in the Czech Republic, even though the last-mentioned are allegedly active.<sup>137</sup> (In 1994–5, however, BIS took an indefensible interest in prominent Czechs favouring reconciliation with Germany.<sup>138</sup>) BIS was criticized by parliamentarians for its alleged indulgence of the estimated 50 agents of Slovak intelligence on Czech soil, claims that acquired a new gravity when it

was revealed in 1999 that the Slovaks had been running operations to hinder Czech accession to NATO and the EU.<sup>139</sup>

Among the successes publicized and praised by the West were BIS's cooperation with Spanish police in catching an illegal shipment of Czech weapons to Iran and Bosnia in 1993; a joint BIS-police interception of three kilos of enriched Soviet uranium-235 in 1994; and the 1995 raid on Russian mafiosi in the Prague restaurant U Holubů after deep surveillance by BIS (which suggests that foreign contacts were uninformed of, or were willing to overlook, the raid's many faults).<sup>140</sup> In 1996, Devátý became the first director of an East European service to attend the NATO special committee of security chiefs.<sup>141</sup> (In November 1997, Vulterin was joined at the Madrid summit by Polish and Hungarian counterparts.<sup>142</sup>)

At the same time, the very source of Western trust in the Czech community – the profound turnover of personnel – is also the cause of misgivings. There is reason to fear that more seasoned and assertive Russian or Yugoslav agents, often working through front companies, could easily outmanoeuvre the novices of Czech counter-espionage. By the Czech authorities' own estimate, one-half of the 63 Russian diplomats and 104 support staff at the enormous Prague embassy are suspected of spying.<sup>143</sup> While around one-half of BIS operations are directed against foreign espionage, which the service regards as the greatest threat to the country's security, the Czech Republic has never publicly expelled a spy.<sup>144</sup>

Several incidents have come to light, in addition to the Iraqi-consul affair mentioned above, which raise doubts about the Czech security community's ability to protect secrets. In 1995, BIS transferred a computer to a regional office, for use by about ten employees. Over time it emerged that the computer's hard drive contained unencrypted information about contact with foreign services, which should have been classified as top secret and off-limits to regional personnel.<sup>145</sup> Military intelligence has suffered three serious losses of information, including an electronic diary containing telephone numbers and a list of operative agents, all due to the theft or burglary of employees' cars.<sup>146</sup> Probably the most devastating indiscretion occurred in May 1996, when an ÚZSI employee (and pre-1989 intelligence operative) was allowed by his superior to take home a service laptop. (ÚZSI did not yet have a network of connected workstations, so most employees used laptops.) Stopping first in his favourite bar, he left the computer on a table while in the toilet. It was immediately snatched by a youth who flogged it at the Prague railway station to fund his addiction to video games, and there the trail was lost. ÚZSI Director Černý offered his resignation, but

Ruml refused it. As it was unclear whether the laptop contained sensitive information – it probably held the addresses of several ÚZSI facilities and the true names of five employees – the incident was never reported to the government or parliament, and reached the press only a year later.<sup>147</sup> While operations might not have been compromised, episodes like these and the ‘outing’ of Christopher Hurran have made Western partners think twice before entrusting information.

### **The StB legacy**

In addition to lustration, which applies until the end of the year 2000, the Czech Republic has developed two institutions for coping with the StB legacy. The first is the Bureau for Documentation and Investigation of the Crimes of Communism (ÚDV), housed in the police’s bureau of investigations. Formed in the 1995 merger of teams run by the interior and justice ministries, the ÚDV has 100 employees who have looked into more than 2000 cases. By the end of 1998, prosecution of 40 communist-era officials, including several StB officers, had been recommended but resulted in only 27 indictments and six verdicts; none of the convicted have served any prison time.<sup>148</sup> (The only previous successful prosecution occurred in 1992, when the last federal interior minister, František Kincl, and the last chief of the StB’s counter-intelligence directorate, Karel Vykypěl, were sentenced to three years and three and a half years in prison, respectively; Kincl was released after 19 months, while Vykypěl served half his sentence.) Cases are normally thrown out by judges subscribing to a narrow interpretation of non-retroactive justice, which holds that the statute of limitations expired long ago on crimes committed under communism. This opinion flies in the face of section 5 of the 1993 act on the unlawfulness of the communist period, and of findings of the constitutional court, which hold that the statute of limitations could not have expired on deeds that for purely political reasons became punishable only after 1989.<sup>149</sup> Since the statute of limitations expired on 80–85 per cent of remaining crimes of communism (leaving only murder, treason and genocide) at the end of 1999, the ÚDV has requested dozens of additional indictments but has been hindered by internal disarray and the revelation that files were being illegally copied and removed from the Bureau.<sup>150</sup>

The second institution is the interior ministry’s special repository in the east Bohemian town of Pardubice, where four million pages of StB files have been computerized for viewing by citizens who were once of interest to the secret police. The opening of the archives was initiated in 1993 by the social democrats and endorsed by Interior Minister Ruml as

a response to 'Wallisgate', in order to prevent further misuse of StB documents.<sup>151</sup> Ratification of the bill was delayed for three years by political, legal and technical considerations, such as the disclosure of StB informers' true identities (it was agreed to allow it). Czech citizens and people who were citizens of Czechoslovakia between 1948 and 1989 may view their own file, or that of a deceased parent, spouse or child. Foreigners, journalists and historians are not admitted.

Little fanfare accompanied either the passage of the government's bill in April 1996, since all parties except the communists and republicans fully supported it, or the opening of the Pardubice centre in September 1997. An opinion poll in late 1995 found that only 6 per cent of respondents were interested in knowing what the StB knew.<sup>152</sup> In the first two years of the centre's existence, more than 27 000 citizens asked to view files, of which around 16 000 requests met the legal conditions; files were then found to exist in only 4000 instances, of which one-half have been viewed. The rate of application for access has been slowing perceptibly since early 1998. It is assumed that records survive for at most 60 000 eligible individuals, perhaps one-tenth of the number of people on whom the StB held files.<sup>153</sup> In September 1999, senators from ODS announced an initiative to expand access to StB records to any interested person, including journalists and historians, but seven laws governing privacy and information would have to be amended first.

## **Conclusion**

Stocktaking of Czech security intelligence should start with the prediction made by a well-connected journalist at the end of 1992 that his country would have to wait at least five years until it would have a community capable of supplying useful information.<sup>154</sup> That period has elapsed, and the Czech Republic's security institutions – judging by Czech media coverage – still leave much to be desired. While they may be staffed by patriotic and promising new people, the various services have been mismanaged and undirected. There is no question that blame for this situation lies squarely with the Klaus government.

The same journalist predicted that BIS would pose no threat to citizens because it was 'entirely incompetent'. It can certainly be argued that the allegations of domestic political surveillance that have featured in various scandals have all been shown to be unfounded; those who accuse BIS of a new Watergate often end up suffering their own Waterloo. BIS, however, does not match the ideal type of a bureau of domestic intelligence, as its low penetration of society is not the result of effective executive control or legislative oversight. The latter is especially anaemic,

not because it takes constitutional, multilateral forms, but because the four interested committees (BBV and the commissions for BIS, military counter-intelligence and police surveillance) enjoy so little power or prestige. Rather, BIS's temperance stems from the inexperience of its staff, a normative commitment to breaking with communist practice, and the classic bureaucratic dysfunctions that plagued the StB: departmental jealousies, cycles of centralization and devolution of authority, and ineffectual counter-espionage. In all likelihood, only the commitments imposed by cooperation with, and accession to, organizations such as NATO and the EU will force Czech decision-makers to manage security intelligence more professionally.

## Notes

1. Tomáš Hořejší, 'Bezpečnost státu: Pozdní procitnutí', *Týden*, no. 50, 8 December 1997.
2. Jan Sokol, quoted in Lubomír Mlčoch, *Zastřená vize ekonomické transformace* (Prague: Karolinum, 1997), p. 72.
3. *Lidové noviny*, 7 February 1998; Martin Kontra and Jaroslav Spurný, 'Ospalost hlavní překážkou na cestě k diplomatickému úspěchu století', *Respekt*, no. 11, 9 March 1998. The text of the strategy is posted at <http://www.vlada.cz/rady/brs/dokumbrs/rok1999/bezpst.r.win.htm>, as of 21 July 1999.
4. Jaroslav Spurný, 'Češi nemají nepřitele', *Respekt*, no. 1, 2 January 1995.
5. *Respekt*, no. 18, 2 May 1995; *Lidové noviny*, 28 April 1998; *Právo*, 2 July 1999. No culprit was ever found in the 1990 bombings, and wild rumours of an StB subversion campaign were dismissed.
6. Jan Hrbáček, 'Riziko terorismu v České republice stoupá', *Lidové noviny*, 18 June 1998.
7. Jaroslav Spurný, 'Vláda pojmenovala tuzemské extremisty', *Respekt*, no. 20, 15 May 1995; Radek Kříž, 'Útoky podle plánu', *Týden*, no. 10, 2 March 1998; *Lidové noviny*, 15 July 1999.
8. KPČR, E517, II. vol. obd. 1996, Tisk 4, Příloha 10; *Hospodářské noviny*, 22 April 1998; *Lidové noviny*, 15 January 1999.
9. KPČR, E517, I. vol. obd. 1995, Tisk 1735, Příloha 8; Miroslav Nožina, ed., *Mezinárodní organizovaný zločin v ČR* (Prague: Koniasch Latin Press, 1997), pp. 17–73.
10. Petr Hořejší, 'Realita tunelu', *Týden*, no. 51, 15 December 1997; Robert Zelenka and Vladimír Dubský, 'Tunelování se stalo klíčovým slovem roku 1997', *Lidové noviny*, 7 February 1998.
11. Petr Holub, 'V obklíčení byrokratů', *Respekt*, no. 32, 4 August 1997.
12. Martin Kudera, 'Už pět let se čeká na správní soud', *Mladá fronta Dnes*, 6 October 1997.
13. Martin Fendrych, *Jako pták na drátě* (Prague: Torst, 1998), p. 108.
14. *Lidové noviny*, 11 April 1998.
15. Jaroslav Spurný, 'Tajnosti s NATO', *Respekt*, no. 2, 9 January 1995; Jaroslav Spurný, 'Americké obavy ze špiónů v Čechách', *Respekt*, no. 37, 11

- September 1995; Jaroslav Spurný, 'Sladké tajemství', *Respekt*, no. 8, 19 February 1996.
16. Sabina Slonková and Martin Kudera, 'Stát od lidí žádá informace, ale nechrání je', *Mladá fronta Dnes*, 12 April 1997.
  17. Vladimír Petřík, 'Držte jazyk za zuby!', *Magazín DNES*, 19 March 1998.
  18. *Mladá fronta Dnes*, 24 February 1996.
  19. For the history of the secrecy law's protracted birth, see *Týden*, no. 9, 22 February 1999.
  20. Jan Hrbáček, 'Bašta: Naši lidé v alianci by mohli být odhaleni jako špioni nějaké třetí země', *Lidové noviny*, 7 April 1998; *Mladá fronta Dnes*, 21 May 1998; Sabina Slonková, 'Ministr vnitra odvolal šéfa bezpečnostního úřadu', *Mladá fronta Dnes*, 25 July 1998.
  21. Kamil Houska and Jiří Roškot, 'NATO považuje české prověrky za zbytečně přísné a obsáhlé', *Právo*, 17 February 1999.
  22. Kamil Houska, 'Vláda chce novelou prověrek předejít chaosu státní správy', *Právo*, 4 June 1999.
  23. Sabina Slonková and Martin Kudera, 'Němcův projekt zřejmě narazí na tuhý odpor úředníků', *Mladá fronta Dnes*, 11 April 1997; Petruška Šustrová, 'Ministři a bezpečnost', *Lidové noviny*, 16 July 1998.
  24. Tomáš Hořejší, 'Nebezpečné sítě', *Týden*, no. 25, 14 June 1999.
  25. Petr Hořejší and Tomáš Hořejší, 'Válka on-line', *Týden*, no. 15, 6 April 1998.
  26. Jan Macháček, 'Kultura utajování', *Respekt*, no. 29, 15 July 1996; JM, 'Pilipovy trezory zatím bez senzací', *Respekt*, no. 52, 29 December 1997; Martin Kontra, 'Zapomenutá revoluce', *Respekt*, no. 10, 2 March 1998; *Mladá fronta Dnes*, 26 March 1998; Martin Kontra and Marek Švehla, 'Hlas proti svobodě', *Respekt*, no. 25, 15 June 1998.
  27. Jindřich Sídlo, 'Mráz přichází ze Senátu', *Respekt*, no. 11, 8 March 1999.
  28. KPČR, Těsnopisecká zpráva o 5. schůzi České národní rady [21 October 1992], p. 124.
  29. *Ibid.*, p. 128.
  30. Dušan Šrámek, 'SOEZ půjde pod Bezpečnostní informační službu', *Denní Telegraf*, 31 July 1993. The police subsequently set up a Service for the Exposure of Corruption and Serious Economic Crime (SPOK), which has a strictly law-enforcing brief, although the media often refer to it misleadingly as 'economic counter-intelligence'.
  31. KPČR, E517, I. vol. obd. 1994, Tisk 959, p. 12.
  32. KPČR, E517, 1993, Tisk 204.
  33. KPČR, Těsnopisecká zpráva o 5. schůzi České národní rady [22 October 1992], pp. 253, 262.
  34. Jan Lipold and Sabina Slonková, 'Nejprve odvážný muž disentu, pak umíněný šéf tajné služby', *Mladá fronta Dnes*, 12 November 1996.
  35. The best treatment of the Kavan affair, unmatched by any Czech commentary, is Lawrence Weschler's two-part enquiry 'The Velvet Purge: The Trials of Jan Kavan', *New Yorker*, 19 October 1992 and 'From Kafka to Dreyfus', *New Yorker*, 2 November 1992.
  36. Martin Schmarz, 'Zájem stran o kontrarozvědku', *Český deník*, 20 January 1993.

37. Petr Pražák, 'Jaké jsou tajné služby České republiky', *Lidová demokracie*, 13 August 1993. The council's statute, in its 1997 wording, is posted at <http://www.vlada.cz/rady/rzc/statut/statut.win.htm>, as of September 1999.
38. Robert Dengler, 'Čermák: Tajné služby nesmějí mít volnost', *Rudé právo*, 12 March 1993.
39. KPČR, F56465, 1995, Těsнопisecká zpráva o 29. schůzi Poslanecké sněmovny Parlamentu, konané 14.-17. března 1995, p. 270.
40. Boris Lazar, 'Mytologické příšery', *Respekt*, no. 7, 13 February 1995.
41. *Metro*, 24 February 1999.
42. *Respekt*, no.14, 5 April 1993.
43. Jaroslav Bašta, 'Koncepce bezpečnostní politiky 1989–1993', *Listy*, vol. 23 (1993), no. 5, p. 64.
44. *Respekt*, no. 47, 18 November 1996.
45. Jaroslav Spurný, 'Zbavili jsme společnost strachu', *Respekt*, no. 45, 4 November 1996.
46. Ivan Jemelka, 'Stanislav Devátý neví, proč chce ODA obsadit místo ředitele tajné služby', *Mladá fronta Dnes*, 22 March 1993.
47. *Lidové noviny*, 9 March 1993.
48. *Český deník*, 2 August 1993; Jan Kreuzer, 'Máme čtyři tajné služby, ale zákon jen pro jednu', *Český deník*, 7 August 1993.
49. Ivana Pečenková, 'Konec politické špionáže', *Mladý svět*, no. 27, 1993.
50. Dušan Šrámek, 'Stanislav Devátý se odmítá tajných informací', *Denní Telegraph*, 3 August 1993.
51. I am inferring this from the skeletal records of BBV meetings, available in the Czech Parliament's Library electronically in directories info\1vob\_PSP\výbory\BBV\pozvánky and info\1vob\_PSP\výbory\BBV\zápis.
52. The chairman was Tomáš Svoboda, the vice-chairman Vlastimil Doubrava. They switched places in May 1994. When Doubrava defected to ODS in 1995 he quit the ZKO, but his place was not filled by the social democrats for almost six months.
53. *Mladá fronta Dnes*, 10 September 1993.
54. *Mladá fronta Dnes*, 21 May 1993, 16 August 1993 and 19 September 1994. The searching of Iranian pouches lasted from February to May 1993, in search of evidence of links to terrorism.
55. KPČR, F56465, Těsнопisecká zpráva o 12. schůzi Poslanecké sněmovny Parlamentu 14.–16.09.93, pp. 290–309. See also Viktor Krejčí, 'Svazek FBIS neobsahuje kompromitující materiály', *Denní Telegraph*, 7 August 1993.
56. Jiří Kouda and Naďa Adamičková, 'Devátý porušil zákon o BIS', *Rudé právo*, 2 December 1993.
57. Jitka Götzová and Robert Dengler, 'Případ Wallis je uměle nafouknutá bublina', *Rudé právo*, 4 August 1993.
58. KPČR, info\1vob\_PSP\výbory\BBV\zápis\záp-19 and info\1vob\_PSP\výbory\BBV\usnesení\1993\VPOB\U-060 [electronic records of BBV meeting of 26 August 1993].
59. Jiří Fiedor, 'Zneužití informací lze již zabránit', *Lidová demokracie*, 12 August 1993; KPČR, E517, 1993, Tisk 737; KPČR, F56465, 1993, Těsнопisecká zpráva o 15. schůzi Poslanecké sněmovny Parlamentu 1.–9.12.92, pp. 617–28.



60. Viktor Krejčí, “‘Český rozměr’ zpravodajským službám’, *Denní Telegraph*, 27 August 1993; Jiří Leschtina, ‘Redukce tajných služeb je nutná’, *Mladá fronta Dnes*, 30 August 1993.
61. Jaroslav Spurný, ‘Boj tajných služeb o místo na slunci’, *Respekt*, 13 September 1993.
62. ČTK, 13 September 1993; Spurný, ‘Boj tajných služeb o místo na slunci’, *Respekt*, 13 September 1993.
63. Marek Vítek, ‘Zpravodajské služby budou sice tři, ale žádná z dnešních nebude zrušena’, *Český deník*, 8 October 1993; Dušan Šrámek, ‘V ČR budou působit tři tajné služby’, *Denní Telegraph*, 16 October 1993.
64. Jaroslav Spurný, ‘Boj o právo kontrolovat tajné služby’, *Respekt*, no. 26, 27 June 1994.
65. KPČR, E517, F56465, 1994, Těsнопisecká zpráva o 21. schůzi Poslanecké sněmovny Parlamentu, 7.–9.7.94, p. 77.
66. KPČR, F56465, 1993, Těsнопisecká zpráva o 15. schůzi Poslanecké sněmovny Parlamentu 1.–9.12.92, p. 622.
67. *Lidová demokracie*, 19 March 1994.
68. KPČR, E517, I. vol. obd. PS ČR, 1995, Tisk 1537A.
69. KPČR, E517, I. vol. obd. PS ČR, 1993, Tisk 591, p. 5; Tisk 1016, pp. 5–6, 10–11, 15–16.
70. KPČR, F56465, 1994, Těsнопisecká zpráva o 21. schůzi Poslanecké sněmovny Parlamentu, 7.–9.7.94, pp. 86–120.
71. *Lidové noviny*, 18 January 1995. Klaus allegedly wrote this letter on the advice of Ruml and Jan Kalvoda, the deputy premier responsible for legislation. See Tomáš Chalupa, ‘Ani v Polsku nedochází k návratu zpět’, *Denní Telegraph*, 10 February 1995.
72. KPČR, F56465, 1995, Těsнопisecká zpráva o 29. schůzi Poslanecké sněmovny Parlamentu, konané 14.–17. března 1995, pp. 259–63, 274, 293.
73. KPČR, F56465, 1995, Těsнопisecká zpráva o 29. schůzi Poslanecké sněmovny Parlamentu, konané 14.–17. března 1995, p. 273. The speaker was Pavel Severa, of the Christian democrats.
74. BIS Press Release, ‘BIS a orgány státní správy’, issued 10 June 1998 and posted at <http://www.sisr.cz/bis/tiskovezpravy>. From 1993 to 1997 BIS supplied 1528 reports and statements to other state agencies, such as the central bank, supreme audit chamber, bureau for nuclear safety and police investigations bureau.
75. KPČR, F56465, 1995, Těsнопisecká zpráva o 29. schůzi Poslanecké sněmovny Parlamentu, konané 14.–17. března 1995, pp. 286–8.
76. KPČR, E517, I. vol. obd. PS ČR, 1995, Tisk 1502A and Tisk 1538A. See also Bohumil Pečinka, ‘Extremismus a tajné služby’, *Lidové noviny*, 31 January 1995, and *Mladá fronta Dnes*, 1 February 1995.
77. Jaroslav Spurný, ‘Vláda pojmenovala tuzemské extremisty’, *Respekt*, no. 20, 15 May 1995; Petr Třešňák, ‘Extremista v dejvické škole’, *Respekt*, no. 32, 7 August 1995.
78. KPČR, E517, I. vol. obd. PS ČR, 1995, Tisk 2040.
79. KPČR, E517, I. vol. obd. PS ČR, 1995, Tisk 2040/1.
80. See the interview with ODS deputy Jan Klas by Jaroslav Huk, ‘Zpravodajské služby potřebují funkční kontrolu’, *Denní Telegraph*, 2 March 1996.
81. *Parlamentní zpravodaj*, vol. 2 (1995–96), no. 7, pp. 304–6.

82. Jan Pergler and Peter Závodza, 'Koaliční nedohody', *Týden*, no. 16, 15 April 1996; Jaroslav Spurný, 'Vládu špioni nebví', *Respekt*, no. 24, 12 June 1995.
83. ODS nominated two members because it had merged with its Christian satellite, thereby making the government a three-party coalition, which was entitled to four of the seven oversight places. The republican candidate was not elected until November 1996, with the support of the communists, social democrats and Christian democrats. See *Parlamentní zpravodaj*, vol. 3 (1996–97), nos 1–2, p. 41, and no. 3, p. 127.
84. KPČR, F56465, Těšnopisecká zpráva o 3. schůzi Poslanecké sněmovny Parlamentu, konané 23.–26. června 1996, pp. 419–21; *Parlamentní zpravodaj*, vol. 3 (1996–97), nos 1–2, p. 41.
85. *Parlamentní zpravodaj*, vol. 3 (1996–97), no. 8, p. 444.
86. Miroslav Korecký, 'Největším problémem je BIS', *Lidové noviny*, 24 August 1996.
87. Jaroslav Spurný, 'Bratinkovy představy a drsná skutečnost', *Respekt*, no. 43, 21 October 1996; Ondřej Neumann, 'Spor o zavěšení tajné služby', *Lidové noviny*, 28 November 1996; *Mladá fronta Dnes*, 11 September 1996 and 9 November 1996.
88. Sabina Slonková and Kamila Čerovská, 'Příslušníci BIS Devátému vyčítají, že je neřídil', *Mladá fronta Dnes*, 15 November 1996.
89. These were Jan Princ, Jiří Geissler and Petr Zeman, respectively. Šauerová was a 1990 recruit to security intelligence and oversaw the administrative and training side of BIS. See Jaroslav Spurný, 'Jak Bašta k materiálům přišel', *Respekt*, no. 47, 18 November 1996.
90. *Mladá fronta Dnes*, 9, 11 and 15 November 1996.
91. *Ibid.*, 4 February 1997. The firm, run by Petr Toman, is also the legal representative of ODS.
92. Jaroslav Spurný, 'Vulterin smiřovač', *Respekt*, no. 22, 26 May 1997.
93. Sabina Slonková, 'V čele BIS bude stát neznámý vědec', *Mladá fronta Dnes*, 13 March 1997.
94. *Mladá fronta Dnes*, 14 March 1997.
95. *Ibid.*, 7 February 1997.
96. Sabina Slonková, 'BIS bude ještě pár týdnů pracovat bez kontroly', *Mladá fronta Dnes*, 26 July 1997.
97. Jaroslav Spurný, 'BIS a ti druzí', *Respekt*, no. 7, 13 February 1995.
98. Sabina Slonková, 'Nového šéfa kontrarozvědky čekají perné chvíle', *Mladá fronta Dnes*, 16 June 1999.
99. *Lidové noviny*, 20 September 1997.
100. *Respekt*, no. 47, 18 November 1996.
101. Jaroslav Spurný, 'Dědictví po StB', *Respekt*, no. 14, 1 April 1996.
102. Filip Hubička, 'V kontrarozvědce začíná být opět chaos', *Lidové noviny*, 25 October 1997.
103. Jan Hrbáček, 'Vulterin začal reorganizovat BIS', *Lidové noviny*, 12 January 1998.
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105. Jan Hrbáček, 'BIS: Vulterin dostal od poslanců ultimátum', *Lidové noviny*, 14 February 1998.
106. *Lidové noviny*, 20 March 1998.

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109. Jan Hrbáček, 'V BIS se asi schyluje k velkému skandálu', *Lidové noviny*, 16 March 1998; Jan Hrbáček, 'Některá fakta z anonymu o BIS se potvrdila', *Lidové noviny*, 18 March 1998; Czech Television 1, 'Události', 19:15, 18 March 1998.
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112. *Lidové noviny*, 2 April 1998.
113. *Ibid.*, 25 April 1998; Sabina Slonková, 'Vulterin svoji pozici před komisí uhájil', *Mladá fronta Dnes*, 25 April 1998.
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130. *Právo*, 22 February, 8 April, 19 April, 11 May and 17 May 1999.
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132. Jaroslav Spurný, 'Letní aféry špionů', *Respekt*, no. 34, 18 August 1997.
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136. Jaroslav Spurný, 'Vláda se pochválila', *Respekt*, no. 20, 13 May 1996.
137. Sabina Slonková, 'BIS nesleduje některé cizí služby', *Mladá fronta Dnes*, 24 April 1996.
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140. Nožina, ed., *Mezinárodní organizovaný zločin v ČR*, pp. 52–8, 132–3; Jaroslav Spurný, 'Fendrych v CIA', *Respekt*, no. 21, 20 May 1996; Sabina Slonková, 'Za zákrok u Holubů asi nikdo nebude stíhán', *Mladá fronta Dnes*, 9 July 1996; Sabina Slonková, 'Policejní jásot nad razií u Holubů přišel předčasně', *Mladá fronta Dnes*, 13 October 1997. The anti-terrorist commando unit used in the raid on U Holubů displayed its characteristic excess of force, and all the mafiosi detained had to be released for lack of evidence. Many of them were declared *persona non grata*, but dozens of the affected operations adapted and survived.
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145. KPČR, F56465, 1995, Těsнопisecká zpráva o 29. schůzi Poslanecké sněmovny Parlamentu, konané 14.–17. března 1995, p. 293.
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151. *Rudé právo*, 16 August 1993.
152. Jaroslav Spurný, 'Kdo koho udával', *Respekt*, no. 51, 18 December 1995.
153. *Parlamentní zpravodaj*, vol. 2 (1996), nos 5–6, pp. 237, 277, and no. 8, p. 424; Štěpan Korčíš, 'Širší zpřístupnění svazků StB teď asi není možné', *Lidové noviny*, 4 September 1999.
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# 5

## Slovakia since 1993

*Kieran Williams*

For the first five years of its existence as an independent state, Slovakia was ruled by a coalition of parties, industrialists, and nationalists assembled around the charismatic Vladimír Mečiar. His style of government – Mečiarism, for lack of a conventional ideological label – was distinguished by three features: economic centrism, cultural essentialism and political illiberalism. Economic centrism tried to reconcile robust growth with suppression of inflation, competition with mild corporatism, and open trade with rampant clientelism. Cultural essentialism was rooted in the clerical, agrarian *longue durée*, inclining to introversion, étatism, paternalism, ambivalence toward capitalism, an inferiority complex toward the West, and the lack of an overall *projet de société*.<sup>1</sup> Political illiberalism suggests a regime that may have been chosen in largely fair, competitive elections, and professed an obligation to respect, and reflect, the popular will, yet did not feel constrained by constitutional niceties. Rights, rules and conventions enjoyed no sanctity, but were contingent on their fit with the agenda of the moment.<sup>2</sup>

It is in the context of political illiberalism that we should consider the activity of the Slovak Information Service (SIS). Indeed, Mečiarism would not be Mečiarism without SIS, for the service added a coercive, menacing dimension to a regime that otherwise would be only venal and ethnicized. Whereas the other post-communist services reviewed in this book approximate, with varying degrees of deviation, the ideal type of a bureau of domestic intelligence, SIS in the time of Mečiar drifted steadily toward the medium degree of autonomy and social penetration associated with a political police. Since the general election of September

1998, the post-Mečiar coalition has battled to overhaul and salvage the country's fledgeling security intelligence community, but repeatedly encounters the residue of Mečiarism.

### **The Mečiar factor**

The misuse of security intelligence in Slovakia can be blamed in part on a permissive institutional setting inherited from the federation. The new state was born not out of violent secession, but through a host of constitutional amendments and interrepublic treaties that made Slovakia, like the Czech Republic, the legal successor to the federation. With that succession came continuity in policy, law and institutions, including the security intelligence sector. The flawed purge of StB officers, and the shortcomings of the 1991 FBIS law, such as the legislature's limited oversight power, the absence of guarantees for opposition input, and the confused chain of command, prepared the way for an easily manipulated SIS.

The main responsibility for the abuse of security intelligence, however, clearly lies in the choices of the new state's political élite, especially of Mečiar and his closest confederates. The premier's personal experiences and convictions greatly affected security policy and practice. The first factor was his ambiguous relationship with the StB. His pro-liberalization views in 1968–9 earned him the suspicion of the StB such that they opened a file on him as a possible opponent of the 'normalization' regime. The observation file was closed in 1973, reopened a few months later, and shut in 1976.<sup>3</sup> Then, from 1 March 1985 to 1 September 1986, Mečiar was listed as a candidate informer, that is, as a potential recruit. The outcome of the candidacy is unknown: in 1992 Mečiar was accused in the Czech press of having been the agent Doktor who spied on Alexander Dubček, but this could not be verified since the relevant files and pages from the StB's regional registers of informers vanished in January 1990. The StB officer who considered recruiting Mečiar refused to discuss the case.<sup>4</sup>

The next factor was Mečiar's spell as Slovak interior minister in January to June 1990, before he first became Slovak premier. As at the federal level, so in Slovakia the appointment of a new interior minister was the most difficult moment in the formation of a new government. Mečiar, an unknown factory lawyer, was given the important portfolio through – perhaps ironically – the patronage of Alexander Dubček, whose brother-in-law remembered Mečiar as a devout reformer in 1968. Conditions in Mečiar's ministry resembled those in Sacher's, but with a Slovak twist due to the more limited pool of people available to run the state and the

less attentive Slovak parliament, which did not start to probe until 1991. As interior minister, Mečiar relied on three types of people:

- veterans of the communist youth union in the 1960s, in which Mečiar himself had been active until the 1970 purge;
- officers of the StB who had been purged after 1968 but often reclaimed as informers during the 1970s;
- StB officers of high rank in 1989, whom Mečiar allowed to remain deputy commanders of district-level police and security bureaux.

The first two groups were linked through associations founded by reform communists purged after 1968: the *Obroda* (Renewal) initiative begun in December 1988, and the Party of Democratic Socialism, founded one year later as a vehicle for Dubček's return to politics. Once it became clear that the public did not want to relive the Prague Spring, these figures followed Dubček into Public Against Violence (VPN), the umbrella movement akin to Civil Forum in the Czech lands.<sup>5</sup>

From within these networks came three men who would have enormous influence on Slovak security policy, especially after 1993. The first was Igor Cibula, a journalist recruited by Czechoslovak intelligence in 1968 and expelled in 1970 for his reformist views. Cibula and Mečiar first met in 1967 and were reunited in November 1989 through the Party of Democratic Socialism, which Cibula founded and in which Mečiar played an active part until it became clear that he would prosper more in VPN. The two men continued to meet regularly after Cibula returned to both of his earlier professions, writing newspaper articles in praise of Mečiar while working for the new intelligence service, ÚSZI.<sup>6</sup>

The second was Colonel Dezider Kóňa, a KGB-trained lecturer at the StB's university, to whom Mečiar entrusted the interior ministry's personnel department. He is described by experts as an opportunist of the first order, willing to serve any administration. When he left his place in the interior ministry in April 1990, he was succeeded by a man who had been an StB agent from 1973 to 1989.<sup>7</sup>

The third was the chief of the Slovak branch of the new counter-intelligence bureau ÚOÚD, Jaroslav Svěchota. An StB officer in the 1960s, an agent from March 1977 to January 1989, and the last chief of the StB's Slovak counter-intelligence directorate from 27 November 1989 to 9 February 1990, it was almost certainly Svěchota who purloined the StB's candidate file on Mečiar and provided him with damaging information on rivals out of 127 other lifted dossiers.<sup>8</sup> Together with the head of the ÚOÚD personnel division, who only weeks before had been chief of



personnel for the StB in Slovakia, he bullied the citizens' committees into letting almost all StB officers remain in public service, or tried to circumvent the vetting procedures altogether. Svěchota later admitted that in certain instances he was acting on instructions from the KGB's Bratislava resident. (Mečiar is known to have had particularly warm relations with the last KGB chief in Prague, Vladimir Voskoboinikov.<sup>9</sup>) For this misconduct Svěchota was suspended by Deputy Interior Minister Jan Ruml, but he quickly became Slovak deputy interior minister.<sup>10</sup> Once the lustration law took effect, Svěchota had to resign from this post.

Mečiar was unseated as Slovak prime minister in April 1991, and in the wilderness lodged many complaints against FIS and FBIS in order to evoke sympathy and to divert attention from allegations that he had misused his ministerial access to information. Already in January 1991, while still prime minister, he complained of unspecified actions against him by the FBIS branch in Košice, which was famed for its lack of StB holdovers.<sup>11</sup> As the 1992 general election approached, Mečiar asserted that FBIS was conniving to discredit his new party, the Movement for a Democratic Slovakia (HZDS), and even to assassinate him lest his victory jeopardize the federation. This claim, which was shown to be groundless, was simply one of seven occasions on which Mečiar has publicly alleged that someone was out to kill him.

### **The legislative framework**

Once it became clear that the federation would end on 1 January 1993, the Slovak interior ministry hurriedly prepared a bill to create the 'Information Service of the Slovak Republic'. Although it was approved by the Slovak government on 17 November 1992, it was not passed by parliament until 20 January 1993. The legislature, exhausted from its discussion of the previous twelve items on its agenda, expended little energy on a bill that, while purportedly inspired by the experience of various Western democracies, closely resembled the FBIS and BIS (1992) laws. Only a few differences are noteworthy:

- Like FBIS and BIS, the new agency was to be called an 'information service' (*informačná služba*) rather than an 'intelligence service' (*zpravodajská služba*) to stress that its role was strictly analytical and not law-enforcing. Parliament's security committee suggested, however, that the agency be named the 'Slovak Information Service'. The intention was purportedly not to ethnicize it, but to distinguish it from higher-order government departments, which were 'Ministries of the Slovak Republic'.<sup>12</sup>

- The SIS director was appointed by the president on the government's recommendation, and answered to the State Defence Council, the supreme decision-making body for security issues, which the premier chaired. The SIS director could be removed by the president at the behest of the government or parliament.
- SIS would house the intelligence and counter-intelligence services under one roof, which would thus both be under the purview of parliament's special oversight organ (OKO). Only one deputy of the ex-communist Party of the Democratic Left (SDĽ) protested the concentration of security power in one organization.<sup>13</sup>
- The speaker of parliament shared with the premier and president the right to task SIS. As the incumbent speaker also became the first chairman of the OKO, there was thus a blurring of control and oversight.

The poorly-attended session passed the SIS law with only 78 (of a possible 150) votes in favour.

### **SIS's false start**

With moderate delay, SIS could now begin work on a statutory footing simply by taking on the Slovak employees of FBIS and federal intelligence. Several factors, however, conspired to postpone the start of operations. The first was the lack of a president until 2 March 1993, without whom an SIS director could not be appointed. The second, and more grave, was the evident distaste of Mečiar and his security counsellors for the FBIS alumni. In early 1991, after ÚOÚD had been replaced by FIS, the powerful StB presence that Mečiar and Svěchota had favoured quickly vanished. Within days, reportedly only five former StB officers were working in the Slovak divisions of FIS.<sup>14</sup> As FIS's heirs, FBIS personnel were regarded as too sympathetic to the defunct federation, and to the Christian Democrats, who were now the most vocal opposition to Mečiar.<sup>15</sup>

As a result, the man who returned to power on a pledge to protect the Slovak nation against external and internal enemies was content to leave the new state without a functioning agency of security intelligence. The vacant offices of FBIS were periodically visited by an embryonic SIS command under Anton Kerti, a former HZDS deputy and Mečiar's plenipotentiary for negotiations with Prague on the division of security assets.<sup>16</sup> It was reported that a former StB officer had been hired to start schooling recruits in old methods rather than keep on FBIS personnel, several of whom had been trained in the West.<sup>17</sup>

Shortly after a president was finally elected, Mečiar announced his candidate for the SIS director: Ivan Lexa, the 31-year-old head of the cabinet office, son of a former communist minister and an StB confidant like his father. The well-connected and well-informed Lexa was, along with the premier's companion Anna Nagyová, at the epicentre of power in Slovakia. President Michal Kováč, hitherto one of Mečiar's closest allies, already sensed that Lexa was reckless and unqualified, and to general surprise rejected his candidacy on 7 April 1993. As Mečiar was in the midst of suppressing an unrelated rebellion in HZDS, he quickly found a less problematic, but still loyal, nominee: Vladimír Mitro, a career police detective who had advised the Slovak interior minister in 1987–90 and managed the minister's office in 1990 when it was occupied by Mečiar. It was alleged that Mečiar had known him before then, as a go-between in Mečiar's efforts to gain readmission to the Communist Party. In 1990–1, Mitro ran the Slovak police's bureau of investigations, which was heavily staffed with dismissed StB detectives.<sup>18</sup> The president immediately approved the nomination.

After his appointment on 19 April 1993, Mitro installed Igor Cibula as his deputy with responsibility for the intelligence section, which was staffed at only one-tenth of its budgeted size, while Kerti ran counter-intelligence. In contact with Lexa via their common membership in HZDS,<sup>19</sup> Kerti allegedly tracked the mobile phones of Cibula and possibly Mitro, to keep Mečiar informed of his own clients' deeds. Before long, Mitro replaced Kerti with Štefan Straka, who had been Mitro's deputy in the police investigations bureau. Straka allegedly accelerated the influx of former StB officers, which drove out the few survivors from FBIS.<sup>20</sup> Mitro assured the public that these StB returnees had worked in foreign intelligence, economic security or technical divisions, not in political surveillance. Each applicant was allegedly undergoing a battery of psychological tests and assessed on his individual merits. Mitro also noted that SIS had already received 'hundreds' of offers of information from ordinary citizens, including former priests. The director begged the public to resist the impulse to inform, since a modern security intelligence service had no interest in neighbours' tiffs.<sup>21</sup>

Mitro quickly commissioned an internal statute to guide the organization's structure and work, but Mečiar's cabinet did not approve it until 23 November 1993, when it also endorsed the number of SIS employees. It did not approve SIS's organizational structure until 1 January 1994. For all intents and purposes, the new state had been without a security service for its entire first year.<sup>22</sup>

SIS was thus only finding its feet when the political tectonic plates began to shift. In late autumn 1993, the leader of the Christian Democrats, Ján Čarnogurský, had met in Rome with the Slovak foreign minister, Jozef Moravčík, long a close associate of Mečiar. It was agreed that Mečiar's heavy-handed populism was polarizing the country and preventing essential economic reforms. The meeting set in motion the formation of a broad anti-Mečiar alliance that included many founding members of his HZDS, among them President Kováč.

The premier fought back, and turned to his clients in SIS via parliament's oversight organ (OKO), chaired by Ivan Gašparovič, the speaker of the legislature. A loyal Mečiar accomplice, Gašparovič as federal prosecutor general had sabotaged the investigation of the disappearance of Mečiar's StB records. Gašparovič asked Mitro to find the StB's 'Scarabeus' file on a pro-perestroika club within the Slovak Communist Party in 1987–9 called *Leninská iskra* (Lenin's spark). It was hoped that the file would provide compromising material on Moravčík, who had been a key member of the club. Although the file turned out to be 'missing' most of its contents, Gašparovič's questionable use of his OKO authority must have pained Intelligence Director Cibula, who had also been in *Leninská iskra* and was close to Moravčík.<sup>23</sup> It later emerged that HZDS had pressured SIS counter-intelligence to follow the leaders of other political parties during this period.<sup>24</sup>

Mečiar was felled in March 1994 by a parliamentary vote of no-confidence, and Moravčík was charged with a caretaker cabinet until elections at the end of September. Whatever their original loyalties to Mečiar, the SIS commanders transferred their allegiance to the new cabinet – Cibula occasionally met directly with the new premier – and SIS finally started to function.

Very soon, however, Mečiar returned to power, and was determined not to be unseated a third time. One defence mechanism was his attempt to rewrite contemporary history in the style of the *Lessons of the Crisis Development in the Party and Society after the XIII Party Congress*, the refutation of the Prague Spring adopted by the Communist Party in 1970 and overturned only in 1989.<sup>25</sup> Since he could not accept that many of his closest allies had abandoned him in 1993–4 for his illiberalism, his removal by a legitimate vote of confidence had to be recast as a constitutional crisis and *coup d'état*. Like most conspiracy theories, this one projected onto Mečiar's critics the sins of which he himself was accused and probably guilty. The first pillar was lustration. Already in late 1993 he had been told by Kerti, who had obtained a copy of the StB's register and double-checked the lustration of many prominent Slovaks, that 235

recipients of clean certificates from the federal interior ministry had in fact had been agents or informants. Mečiar was convinced that he had found his 'cuckoo's eggs': those who had joined him in creating HZDS and then betrayed him were indentured servants of Pragofederalism, their services bought by false attestations.<sup>26</sup>

The second pillar was misuse of security intelligence. Dressing up its witch hunt as oversight, HZDS used its domination of the oversight committee to seek evidence of SIS involvement in the fabled anti-Mečiar coup. The OKO's secret report, which was dutifully leaked to the press,<sup>27</sup> simply elaborated allegations made publicly by Mečiar on 5 April 1995,<sup>28</sup> and relied on testimony acquired unlawfully from SIS officers who had not been relieved of their oath of silence. Mitro was accused both of bureaucratic malfeasance (petty accounting errors, use of unvetted private firms to construct or repair SIS facilities) and of systematic surveillance of HZDS via one informer in the party's headquarters, one in the cabinet office and two close to the party leadership. Mitro denied the accusations, and countered that SIS had employed three former HZDS parliamentarians and several members of the HZDS apparatus, which if anything was to that party's advantage.<sup>29</sup>

OKO accused Cibula of instructing the SIS liaison officer in London, Pavol Šiša, to keep Gašparovič under surveillance during the parliamentary speaker's visit to Britain. In reality Šiša had only conducted a routine survey of British media coverage of Gašparovič's visit. He was convenient for the OKO's version of events because he had been a member of *Leninská iskra* and the Party of Democratic Socialism, and thus could be portrayed as a pawn in Cibula's purported conspiracy against HZDS. He was recalled to Slovakia in late 1994 and his career ruined.

The baselessness of these accusations was indirectly proven by the prosecutor general, an otherwise supine vassal of the premier, who investigated them but never charged anyone with wrongdoing. They were clearly part of a larger campaign to discredit President Kováč and other defectors from HZDS. Mitro, Cibula and Straka knew, however, that they could not serve a hostile government. Even before the OKO probe was completed, they resigned from their posts.<sup>30</sup>

### **Lexa's unsecret service**

Another reason for their departure was an impending amendment to section 3(2) of the SIS law that would transfer from the president to the government the power to appoint the SIS director. It also deprived parliament of its right to initiate the recall of a director. Few believed the argument of the HZDS deputy sponsoring the bill that it was simply

intended to harmonize this clause with West European practice and with section 3(1), whereby the director answered to the State Defence Council chaired by the premier; on returning the amendment to parliament, President Kováč pointed out that it was his prerogative to choose the council's chairman, and the prime minister was not invested *ex officio*.<sup>31</sup> Even though the alteration formally brought Slovak practice into line with the Czech, it was interpreted as paving the way for Mečiar to install and control an impeccable client.<sup>32</sup>

On 18 April 1995, eleven days after parliament reratified the amendment, the government appointed Ivan Lexa as the new SIS director. At the time Lexa was chairman of the OKO, and did not resign this position for a fortnight, thus briefly becoming probably the first ever director of a security intelligence service who was simultaneously responsible for its oversight. He did not surrender his parliamentary seat until November 1995.<sup>33</sup> His persistence in the highly public legislature, and the frequent appearance of his pudgy figure on Bratislava's tennis courts, immediately signalled that his SIS would be not a secret service but a very conspicuous political force.

While reportedly dismissing many officers deemed disloyal, Lexa quickly installed Jaroslav Svěchota as head of counter-intelligence. While holding no security position since leaving the interior ministry in 1991, Svěchota had been an informal consultant to Mitro while running his own shadow agency out of the HZDS central office. He provided Mečiar and his right-hand woman Anna Nagyová with intelligence on other parties, and possibly staged provocations such as the 'stamp affair' of October 1993, when citizens were trading in their specially marked federal currency for new Slovak bank notes. A group of forgers tried to amass unmarked, and therefore worthless, federal notes in Hungary, mark them with fake stamps, and exchange them. That the forgers were 'caught' bringing in old notes from abroad well after the deadline for exchange could be used by Mečiar to attribute the country's economic difficulties to foreign subversion.<sup>34</sup>

Immediately, Lexa and Svěchota began devising measures to put SIS at the disposal of plans being hatched in HZDS since the previous summer to take revenge on President Kováč for his role in Mečiar's downfall in March 1994. On 26 May 1995, in a memo to Mečiar drafted by the SIS analytical department, Lexa outlined the situation. As the ruling coalition was several votes short of the supermajority required to impeach the head of state, extra-constitutional measures would be required. Three options presented themselves:

1. The president would be subjected to a relentless media campaign exposing alleged mismanagement of presidential offices and misrepresentation of Slovakia abroad. Rallies calling for his resignation would be orchestrated, and allies (such as members of the Church hierarchy) would be harassed.
2. Kováč would be offered a graceful way out, even with some sort of compensation for the injuries that the measures listed above would inflict. This route could be used to win the support of elements in the opposition, who might be willing to lend a few votes to impeach Kováč in return for access to positions in public administration and privatization. SIS offered to coach members of parliament unversed in methods of self-enrichment.
3. If Kováč stood his ground, SIS recommended a policy of conciliation and compromise to secure at least his retreat from everyday politics, and thereby minimize his contribution to the coherence of the opposition.<sup>35</sup>

The SIS memo largely resembles the strategy that was adopted toward the president, beginning with the campaign of harassment. In July 1995, an operation was conducted to discredit the Conference of Bishops, which had recently declared its sympathy for Kováč. By using agents and electronic surveillance, SIS discovered that the office of the conference chairman, Bishop Rudolf Baláž of Banská Bystrica, was looking to sell a triptych to raise badly needed funds. It was on no list of protected treasures, and the bishop's secretary was authorized to dispose of it. An SIS officer impersonated an interested Swiss collector, and Svěchota ordered surveillance of the artisan brokering the sale, even after his request for a warrant had been refused by the district judge.<sup>36</sup> After police 'discovered' the artwork in the car of the bogus buyer, Bishop Baláž's living quarters were searched for ten hours by detectives alleging illegal trafficking. In March 1996, the investigation of Baláž's office (including charges filed against one of its employees) was quietly dropped but the authorities did not return the seized artwork.<sup>37</sup> SIS, however, never managed to retrieve the \$200 000 which it had given its officer to buy the triptych and which the police had seized from the middleman.

The next opportunity to badger Kováč was found in his son's business activities. In November 1994, a Slovak émigré (and informer for communist intelligence and SIS) detained in a German prison for fraud had suddenly recollected – two years after being arrested – that the president's son, Michal Kováč Jr, had been an accomplice. On this sole testimony, the Munich police issued an international warrant to question

Kováč Jr.<sup>38</sup> Shortly before the Slovak witness, Peter Krylov, made his statement, Anna Nagyová, Mečiar's closest aide, was in Munich for two weeks and may have passed word to him. Links have also been identified between Krylov and the deputy head of the SIS intelligence section.<sup>39</sup>

Since Slovak law contained no mechanism for Kováč Jr's extradition, it was agreed that he could answer questions in the German embassy in Bratislava in mid-September 1995. From the government's perspective this arrangement was not sufficiently embarrassing to the president, so SIS concocted a scheme – originally devised by Mečiar himself, according to Svěchota – to get the president's son into Austria, whence he could be handed over to German authorities.<sup>40</sup>

Lexa oversaw the abduction of the president's son but delegated much of the planning to Svěchota, to the head of the SIS special operations department, and to the head of the tailing department. The original plan appears to have involved the cousin of Peter Krylov, the Munich prisoner who had named Kováč Jr as an accomplice. The cousin was living in the Czech Republic to avoid prosecution in Slovakia for arms trafficking, and returned only because Svěchota could shelter him in four safe houses. Krylov's cousin was to lure Kováč Jr to a location, such as a sex club, from which he could easily be abducted.<sup>41</sup>

As this plan began to unfold in the middle of August 1995, at least a dozen SIS officers staked out Kováč Jr's residence in the affluent Bratislava suburb of Svätý Jur. For their comfort they used a white Mercedes 208D van, which had been specially fitted by a Czech contractor with a bed, kitchen, surveillance equipment and air conditioning that was supposed to run for 48 hours with the car's engine off. The van, and several of the officers, had been involved in the operation against Bishop Baláž only a month before.<sup>42</sup>

Though unaware of the sustained surveillance, Kováč Jr did resist the attempts by Krylov's cousin to tempt him into a vulnerable location. SIS therefore had to nab him as he was leaving home. On the morning of 31 August, Kováč Jr was pulled from his Mercedes, shoved into a SIS car, beaten and blindfolded. At least six SIS officers were involved. An attempt to escape was punished with electric shocks to the genitals. As they drove he was forced to drink a bottle of whisky, whereupon he passed out. Later that afternoon he was left, bruised and unconscious, on the back seat of his own car, near a police station in Hainburg, Austria. The police were alerted to his presence by an anonymous caller who spoke German with a distinctly foreign accent; this was the same SIS officer who had posed as the Swiss purchaser in the triptych affair. The



whole operation was coordinated by Svěchota and monitored by Lexa, who spent the day at an SIS building near the Austrian border.

There immediately began a police investigation in Slovakia, which Lexa actively obstructed with the help of the prosecutor general, the deputy chief of police, and a high-ranking SIS officer who infiltrated the investigating team. On 7 September 1995, one week after the incident, the presiding detective announced that he suspected SIS involvement; on that very day, he was taken off the case. Lexa repeatedly rejected requests from the second detective, Peter Vačok, that he lift the oath of silence on SIS officers to permit questioning. Vačok persisted in pursuing leads suggesting SIS involvement. On 16 October, Lexa called the interior minister, Ľudovít Hudek (once an instructor at the StB university), and the following exchange was intercepted and recorded:

*Lexa:* And let's get that investigator, huh?

*Hudek:* Oh, that guy, we'll kick him in the balls.

*Lexa:* So tomorrow you'll kick him in the balls? If you kick him in the balls, I'll give you a kiss on the forehead. [Both laugh.]

The following day Vačok was taken off the case.<sup>43</sup>

Only when a trusted detective from central Slovakia (Mečiar's heartland) was put in charge did Lexa allow SIS officers to give depositions, without answering questions.<sup>44</sup> In May 1996, the presiding detective suspended the case 'for lack of evidence', and in 1998, Mečiar, having assumed certain presidential powers, pre-emptively amnestied anyone (without naming any names, since there had been no convictions) who might have been involved in the kidnapping and forbade the very investigation of the crime. Everyone who had tried to enquire seriously – the first two detectives, the chief of the Bratislava bureau of investigations, the director of the interior ministry's investigations section and his deputy – was discharged from the police or quit in disgust.<sup>45</sup>

The abduction failed to achieve its goal of demoralizing the president to the point of abdication, and only convinced the Austrian authorities that Kováč Jr should not be handed over to the Bavarian prosecutors. The Slovak government, police and state television tried to rescue the operation by concocting a theory that Kováč Jr staged his own kidnapping in order to win sympathy. Through a separate operation, codenamed HOMO, SIS coerced two men into appearing on television four times as 'hidden witnesses' to the purported self-abduction.<sup>46</sup> During 1996, the SIS story was guaranteed sympathetic coverage by Miroslav

Šášky, an editor of the Mečiarite daily *Slovenská republika*, who became the *de facto* SIS spokesman. Igor Kubiš, the director of state television appointed in late 1996, was seen visiting SIS headquarters on Bratislava's Vajnorská street, as was prominent commentator and HZDS parliamentarian Eva Zelenayová.<sup>47</sup>

Meanwhile, Lexa was attempting a massive clean-up within SIS. The officers involved in the kidnapping were given new code names and altered their appearances. The cars used in the operation were repainted, issued different licence plates, and moved to other cities. In December 1995, the refitted Mercedes van was 'stolen' in eastern Slovakia, but the disappearance of the valuable vehicle was never reported to the police. Those who were unhappy with the way SIS was evolving either quit or were dismissed; by the end of 1995, sources were estimating that up to two-thirds of the counter-intelligence and tailing sections had been let go.<sup>48</sup> They were replaced with reactivated StB operatives, such as František Budavary, until 1989 the head of the anti-dissident department in Slovakia; by 1998, around 80 former StB officers occupied the majority of the commanding positions within SIS.<sup>49</sup> The service also tried to fill vacancies through discreet advertisements in the job listings of the Saturday edition of the newspaper *Práca*.

Lexa also curbed the powerful Svěchota, whose power the director resented, by promoting him from chief of the counter-intelligence division (renamed Unit 40) to deputy director of all SIS – a promotion that was actually a demotion. Kurajda, an officer described as capable and capable of anything, was brought in from Košice to run counter-intelligence. Two operations, codenamed DUNAJ (Danube) and ÚNIK (Leak) were launched to keep tabs on former SIS officers,<sup>50</sup> while another, LUX, was opened on former intelligence director Cibula.<sup>51</sup>

The greatest challenge to Lexa's salvage operation, however, came in the form of renegade officer Oskar Fegyveres. A new watcher in the tailing division, Fegyveres had tried repeatedly to join security intelligence after 1989 and failed. Taken on instead by the regular police, he became the lover of a young woman who worked in the police praesidium and turned out to be the daughter of Dezider Kóňa. This was the colonel who had controlled recruitment to the interior ministry in 1990 and now worked in the SIS intelligence archives. Kóňa periodically gathered information on domestic political figures in the opposition, sometimes on direct orders from Lexa, and may have reported informally to Mečiar as well.<sup>52</sup> As the involvement of an archivist in operations contravened the SIS law and internal guidelines, a fictional employee

was listed on the payroll, whose income of 533 065 crowns (\$17 769) Kóňa apparently pocketed.<sup>53</sup>

Under Kóňa's patronage, Fegyveres was accepted into SIS in June 1995 and quickly won the trust of its leading officials.<sup>54</sup> He was assigned to the tailing division, and was involved in the surveillance of Bishop Baláz. A month later, he was detailed to the stake-out of Kováč Jr's villa, and followed the kidnapping by radio. Three weeks after the deed, he decided to tell the police detective Peter Vačok – whom Fegyveres's own department was tailing – what he knew about the role of SIS.<sup>55</sup> He then fled to Hungary. The day after he testified, SIS officers (including Svěchota) immediately began trying to discover his whereabouts from Adriana Kóňová and Fegyveres's father.<sup>56</sup> (His family was put under permanent surveillance.) Under unrelenting pressure from her own father to confess all to Svěchota and to enlist in the 'self-kidnapping' campaign against Kováč Jr, Adriana joined Oskar in Hungary on 13 October 1995. After a spell in Poland and the Czech Republic, they found asylum in Switzerland.<sup>57</sup> They apparently evaded detection there until January 1997, when a team of five SIS officers followed to Geneva the politician Milan Kňažko and lawyer Ján Havlát, who had arranged a rendezvous with Fegyveres. After a week of surveillance, the SIS team found Fegyveres's residence. The officers were then told to await the arrival of a second team, presumably assassins.<sup>58</sup>

In a turn of events that has not yet been explained, the team that found Fegyveres then decided collectively to challenge their orders and return to Bratislava, pleading lack of funds. Whether a hit squad was ever dispatched is not known, as Fegyveres is still very much alive. The first team may have decided that it wanted nothing to do with what would result, their misgivings explainable by reference to the outcry that had followed the death of Róbert Remiáš, Fegyveres's closest friend and the son of devout Mečiar voters, in a car explosion on 29 April 1996. Remiáš had joined the police with Fegyveres and after September 1995 became his link to journalists, especially to Peter Tóth of *Sme* (Fegyveres, Remiáš and Tóth were all in their mid-twenties at the time.) It was through Remiáš that Fegyveres was able to publicize details about SIS that countered the government's tale of Kováč Jr's self-abduction. Not surprisingly, there is considerable evidence of SIS involvement in Remiáš's death. From November 1995, Remiáš noticed that he was being followed by cars that Fegyveres knew belonged to SIS, and his phone was tapped from the 14th of that month until the day he died. The explosion occurred close to the Riviéra café and Casey club, favourite haunts of SIS officers and mafiosi alike.<sup>59</sup> SIS officers, including at least one involved

in the Kováč Jr kidnapping, were sighted several times at the scene of the blast, travelling in a red Mercedes.<sup>60</sup>

Government officials rushed to link Remiáš's death to his purported involvement in the underworld. Since leaving the Slovak police in disgust at its sorry state, he had worked for a small legal firm (run by the first investigator of the Kováč Jr kidnapping) that advised businesses on lawful methods of calling in debts. Hudek's interior ministry and the police vice-president (Anton Maňák, an SIS informer close to Svěchota) insinuated that Remiáš consorted with rougher elements, which had an interest in his elimination. They also speculated that the explosion could have been caused by a fault in the car's propane-gas tank.<sup>61</sup> By contrast, the police's own forensic enquiry concluded that the car, a BMW 320 in apparently fine condition, was destroyed by 150–200 g of explosive, probably semtex, placed near the petrol tank. The resulting fireball reached temperatures of around 700 degrees Celsius.

Although scientists reached this finding within a fortnight of the incident, the interior ministry suppressed the report for almost five months, until details were leaked to the press.<sup>62</sup> Despite the clear proof of a bomb, the police closed the investigation 'for lack of evidence'. The detective handling the case quit the police shortly thereafter, while the forensic expert who discovered the traces of explosive was driven out of the criminological institute even though he was one of its two most highly qualified employees.<sup>63</sup>

The pursuit of Fegyveres and the murder of Remiáš took place amidst further changes within SIS and heightened, undisguised surveillance of opposition politicians and journalists. Seventeen per cent of the information stored in the central database of intelligence on possible threats to the country's constitutional order, territorial integrity and sovereignty gathered between April 1995 and October 1998, when Mečiar left office, is comprised of reports on political parties and their leaders.<sup>64</sup> Much of this intelligence concerns the opposition Christian Democrats and Party of the Democratic Left, but reports were also filed on truculent members and high-profile privatizers in Mečiar's party and on Ján Slota, the chairman of the Slovak National Party that sat in government with HZDS and who often bickered with Mečiar over the division of spoils. The chief of the army's general staff, Ján Tuchyňa, and the defence minister, Ján Sitek, were under observation with the connivance of the chief of military counter-intelligence, Milan Sikorai, in close contact with Svěchota.<sup>65</sup> In addition to Bishop Baláž and the conference he chaired, SIS monitored the views and private lives of Archbishop Ján Sokol, several lower church functionaries, and a nun in

a Bratislava convent. The service held files on the Association of Periodicals Publishers, the Slovak Syndicate of Journalists, the Slovak Foreign Policy Society (an independent think-tank), the Slovak Political Science Association (whose members tended to be openly anti-government), most major civil-society foundations, the private news agency SITA, the Union of Towns (associating mayors not sympathetic to the ruling coalition), and the Architects' Club. Informers in the Trade Union Confederation supplied reports on attitudes to government policy, the possibility of strikes, and staffing issues.<sup>66</sup>

This broad surveillance of political society was organized through a framework operation, codenamed UNO, which was opened around September 1996. In the style of StB operations such as ISOLATION and WEDGE, it contained numerous sub-files, devoted to particular parties, organizations, and trade unions. The operation was housed in the department of the counter-intelligence directorate (Unit 40) that was dedicated to the protection of the constitution and democracy. The chief of this department, Milan Lovich, had assisted the kidnapping of Kováč Jr.<sup>67</sup>

In addition to close observation, SIS mounted a campaign of provocations intended to discredit the opposition. Department 52, a special operations unit with a staff of 57, orchestrated the manufacture and distribution of posters calling for Mečiar's death, to lend credence to his claims that he was at risk of assassination; drugs were planted in a meeting of civil-society activists in Nitra; Christian Democrat offices in Prešov were broken into; lies were spread that a leading Christian Democrat was engaged in illegal art exports. The leader of the Christian Democrats, Čarnogurský, was the target of an elaborate hoax, whereby SIS set up the mysterious Ján Skošník, a self-proclaimed mercenary in Yugoslavia and agent of German intelligence, to claim publicly that Čarnogurský had asked him to stage a bomb scare during a Christian Democrat rally. The operation inflicted no harm on Čarnogurský, since the involvement of SIS was exposed almost immediately.<sup>68</sup>

These campaigns of provocations and extensive surveillance were made possible by a couple of years of generous budgets and with them the end of SIS's original dependence on police technology.<sup>69</sup> (As Lexa himself admitted, before his arrival SIS had rarely used electronic surveillance at all.<sup>70</sup>) Already in 1997, sources inside SIS were warning the press that electronic surveillance sometimes occurred without a judge's permission, or warrants were requested for phone numbers slightly different from the ones to be tapped.<sup>71</sup> Indeed, later analysis of 400 warrant applications submitted from 1995 to 1998 revealed that one-

quarter of the information listed (such as names and telephone numbers) was erroneous. In some cases, judges unwittingly authorized the tapping of the phones of party headquarters, foundations and churches because the applications gave the names not of the organizations in question, but only of the secretaries answering the phones.<sup>72</sup>

Among the other noteworthy pieces of equipment purchased by SIS was a voice modulator, allowing a few officers to pose as a wide range of ordinary citizens when calling into radio chat shows in order to defend the government against criticism, and polygraphs for screening unhappy SIS officers suspected of leaking information to the press. Around 40 per cent of the staff of the tailing department reportedly failed lie-detector tests in 1996, and employees were encouraged to inform on colleagues whom they suspected of talking to the press.<sup>73</sup>

The malaise in the tailing department resulted from the SIS leadership's policy in 1995 of instructing watchers deliberately to blow their covers so that politicians and journalists would be aware of their presence. While this 'deconspiracy' may have had certain pay-offs, it also bore tremendous costs. Journalists such as Peter Tóth regularly reported the colour, brands and licence plate numbers of SIS squad cars in order to expose the political misuse of the unsecret service and to underscore that if politicians and journalists could so easily detect surveillance, then so could foreign spies and the bosses of organized crime – the people SIS was supposed to be protecting the country against.<sup>74</sup> Whenever SIS did require deep-cover surveillance, such as of Remiáš's funeral and of his widow, it had to ask the police to second its watchers.<sup>75</sup>

As the 1998 general election approached, an increasingly nervous SIS stepped up its overt surveillance of all major opposition politicians, journalists and the chairman of the trade union confederation. Many of the watchers involved had been detailed to the Kováč Jr kidnapping,<sup>76</sup> and some of their videotaping was transmitted by state television's pro-Mečiar evening news.<sup>77</sup> The decisive victory of the opposition in September led to a replay of events at the end of 1989: while the defeated accepted the people's will, SIS officers immediately began wholesale destruction and pilfering of files. Computer diskettes and video tapes were incinerated, while the hard drives of service computers were erased. On one day alone, an estimated 1094 documents containing more than 20 000 pages were reportedly destroyed, many of them known to relate to the campaign against President Kováč. Between 20 October and 3 November 1998, the section for domestic intelligence destroyed at least 271 files, relating largely to organized crime, drug- and arms-trafficking,

and corruption, although there is reason to suspect that they were simply removed from SIS premises and, like old StB files, survive at large.<sup>78</sup> There is also evidence from these last weeks of faked losses of equipment, and of wholesale plundering of the SIS arsenal, much of which was recently acquired army surplus.<sup>79</sup> Finally, Lexa held onto a device purchased by SIS that allows him to eavesdrop mobile phones; worth more than \$7000, it has been in his personal possession since 20 September 1997.

### **Parliament's unseeing 'eye of the cyclops'**

The special oversight organ (OKO) of the Slovak legislature functioned modestly but properly in 1993–4. It had five members, of which three were from governing parties (two from Mečiar's HZDS and one from the Slovak National Party), one came from the opposition Christian democrats and one from the ex-communist Party of the Democratic Left (SDĽ), which flirted with the government and opposition alike. Since SIS was essentially non-functional in 1993, there was little to oversee. Once operations commenced fully in 1994, OKO under its chairman Gašparovič enjoyed the limited but sometimes meaningful powers of its federal antecedent.<sup>80</sup>

After the 1994 general election, a vindictive Mečiar abandoned one of the cardinal conventions of legislative practice, whereby ruling parties allow the opposition to choose whom they want to sit on particular committees, and sometimes to chair committees even if they are in the minority. During a now-infamous nocturnal session of parliament on 3–4 November 1994, which the opposition quit in fury, Mečiar's legislative coalition used its majority and flaws in the communist-era standing orders to reassign almost all of the opposition's nominees to one committee, for the environment. The remaining committees were then totally in the hands of the Mečiar coalition. The OKO was no exception: five members were elected, all from the three ruling parties. One of them, Lexa, became its chairman.

As shown above, the new OKO overlooked rather than oversaw the activities of SIS. Its party composition, its irregular meetings (it had no standing orders until 4 April 1995 and SIS Director Mitro was rarely invited), and its role in the anti-Kováč vendetta earned it the title 'the wary eye of the cyclops'.<sup>81</sup> (*Oko* is the Slovak word for eye.) After Lexa resigned his place on 4 May 1995, OKO had only four members and no chairman for almost two months. At the end of June, parliament elected another member of HZDS to the OKO and a new chairman, the ferociously ambitious privatizer Igor Urban (also HZDS), while rejecting opposition candidates. OKO was tasked by parliament with revisiting

the past deeds of FBIS in Slovakia and of the *Leninská iskra* club in the Slovak Communist Party rather than watching the current business of SIS. Although Urban told this author on 4 July 1996 that these investigations would be completed by the end of that year, with revelations devastating to the opposition, no findings were ever produced.

It can be assumed that the OKO took no interest in, among other things, how SIS was spending its skyrocketing budget – equivalent by 1998 to around \$27 million, greater than that of BIS, which serves a country twice the size of Slovakia (see Table 5.1). Since the number of employees did not surpass the ceiling set in 1993, and staffing levels as of September 1998 were at 97 per cent, the budget increases were clearly going elsewhere. It later emerged that the SIS élite treated the agency in the way that Mečiarites treated state property generally: as a public resource to be exploited crudely for the accumulation of private wealth. With Lexa's blessing, part of the budget was diverted by Svěchota, section heads and relatives of SIS functionaries into the acquisition of shares and the start-up of front companies. Numerous contracts were drawn up, whereby SIS would have to buy products from these firms at a mark-up of 15 per cent, while transactions in the opposite direction (such as the sale of SIS armaments) often involved only token sums. Up to the very last days of the Lexa administration, there appears to have been a considerable transfer of assets, including cars and arms, out of SIS into the private security firm IDeA.<sup>82</sup>

Table 5.1 SIS budgets, 1994–8\*

Year	Budget	Capital investment	Actual expenditure
1994	ca. 400,000,000	n/a	338,418,000
1995	ca. 550,000,000	n/a	under 550,000,000
1996	759,588,000	ca. 248,000,000	ca. 775,000,000
1997	990,427,000	342,673,000	n/a
1998	944,912,000	ca. 300,000,000	n/a

\* In Slovak crowns.

Sources: I. Podstupka, 'Informácie nad zlato?', *Národná obroda*, 7 December 1995; *Sme*, 14 November 1996; *Sme*, 9 December 1996; *Sme*, 11, 15 and 18 November 1997.

Instead, the story of OKO from 1995 to 1998 was of dogged efforts by the opposition to win representation. These attempts, which were supported by the EU, NATO and USA, are summarized in Table 5.2.



Table 5.2 Opposition attempts to enlarge OKO

Date	Put on agenda?	Nominee (DÚ)	Nominee (KDH)	Nominee (SDĽ)	Nominee (MK)	Elected
06.03.95	Rejected					
05.04.95	Rejected					
26.06.95	Accepted	R. Vavrík & A. Hrnko	Ladislav Pittner	Pavol Kanis	László Köteles	
09.10.95	Rejected					
22.05.96	Rejected					
21.06.96	Accepted		Ladislav Pittner	Viliam Sopko	Béla Bugár	Viliam Sopko
11.09.96	Rejected					
22.10.96	Rejected					
11.02.97	Accepted	Roman Vavrík	Ladislav Pittner		László Köteles	
13.02.97	Accepted	Roman Vavrík	Ladislav Pittner	Viliam Sopko	László Köteles	Viliam Sopko
04.07.97	Accepted	Roman Vavrík	Ladislav Pittner		[Protest boycott]	
09.07.97	Withdrawn					
08.10.97	Accepted	Roman Vavrík	Ladislav Pittner		[Protest boycott]	
19.11.97	Accepted	Roman Vavrík	Ján Langoš		[Protest boycott]	Roman Vavrík

Key: DÚ = Democratic Union; KDH = Christian Democratic Movement; SDĽ = Party of the Democratic Left; MK = Hungarian Coalition

Sources: Stenografická správa o 5. schôdzi Národnej rady Slovenskej republiky, 1. časť, p. 33; Stenografická správa o 6. schôdzi Národnej rady Slovenskej republiky, 1. časť, p. 133; Stenografická správa o 8. schôdzi Národnej rady Slovenskej republiky, 4. časť, pp. 582–601; Stenografická správa o 15. schôdzi Národnej rady Slovenskej republiky, 6. časť, p. 905; Stenografická správa o 16. schôdzi Národnej rady Slovenskej republiky, 1. časť, p. 239; Stenografická správa o 24. schôdzi Národnej rady Slovenskej republiky, pp. 690–1, 912; Stenografická správa o 30. schôdzi Národnej rady Slovenskej republiky, pp. 1220, 1227; *Sme*, 12 October 1995, 12 September 1996, and 20 November 1997; *Pravda*, 9 October 1997.

The governing parties repeatedly claimed that they were waiting only for the opposition to put forward candidates who could be elected by a majority; the opposition retorted that this precondition was alien to the spirit of democracy, given that anyone whom the opposition parties would entrust with such an important task would be unacceptable to the ruling coalition.<sup>83</sup> The obstruction of enlargement was also possible because the SIS law allowed each new parliament to decide how many members OKO would have, and did not stipulate an equitable representation of the opposition.

Two breakthroughs opened the way to enlargement. The first was a constitutional court ruling at the end of 1995, which found that parliament could operate only committees, not special organs or commissions.<sup>84</sup> This rather peculiar opinion was directed against the misuse of parliamentary inquiries by HZDS to settle scores with defectors. Consequently, OKO would have to be reconstituted as a 'special oversight committee' (OKV). This body then fell under the rules of committee formation set out in parliament's new standing orders, which took effect on 1 January 1997. Paragraph 60 clearly states that 'members of a special oversight committee are elected on the principle of the proportional representation of members of a deputies' club or deputies' clubs and with regard to the agreed number of members of the special oversight committee'.<sup>85</sup>

The remaining snag was the actual number of members to be elected. In June 1996, thanks to a rebellion by its junior parties, the coalition had conceded that the OKV would expand from five to seven members, with a government–opposition ratio of 5 : 2. Viliam Sopko, of the less confrontational ex-communist SDĽ, was elected as its sixth; other candidates were vetoed as 'anti-state'. In February 1997, when it came time to constitute the OKV under the new rules, HZDS argued for an eight-member body, with a government–opposition ratio of 5 : 3. Their defence was based on the following calculations:

- The division of the 150-member legislature by eight created a quota of 18.75.
- With 82 members, the coalition was entitled to 4.37 representatives.
- With 62 deputies, the opposition deserved 3.46.

As there were three independents in parliament at the time, one mandate remained unclaimed. HZDS insisted that, but did not demonstrate how, it fell to the government.<sup>86</sup>

The many mathematicians in the opposition, however, followed a different calculation:

- As in general elections, the outstanding mandate should be awarded on the principle of greatest remainder.
- Since the opposition had 0.46 remaining, compared to 0.37 for the government, the opposition should claim the seat.
- Rounding up put the ratio at 4 : 4.

If the government wanted a majority, it would have to accept a nine-member OKV divided 5 : 4.<sup>87</sup>

The coalition mobilized its majority to override such proposals and other opposition candidates. In the meantime, OKO was paralysed by feuds between Urban and František Gaulieder, an equally ambitious and ruthless member of HZDS. Gaulieder, once a leading contender for the SIS directorship,<sup>88</sup> quit the party in November 1996, was unconstitutionally expelled from parliament, and quickly became an object of SIS interest and intimidation. SDĽ withdrew Sopko until another representative of the opposition was elected in November 1997.<sup>89</sup>

It can be assumed that after January 1997, SIS, which hitherto was hardly under rigorous scrutiny, was not under even formal oversight. The OKV remained one member short of a full contingent up to the 1998 general election, and its chairman, Urban again, was elected only in November 1997, nine months after the OKV was supposed to come into being. Even with two opposition representatives, it was the pale shadow of an oversight committee: the agendas for its meetings in April, May and June 1998 were dominated by the irrelevant evergreens of *Leninská iskra* in 1987–9 and FBIS in 1991–2.<sup>90</sup>

One of the paradoxes of Mečiarism is that it forced civil society to organize itself more aggressively than in the Czech Republic, and the kidnapping of Kováč Jr prompted the formation of an independent oversight team that has had no equivalent in Prague. Led by the former interior minister, Ladislav Pittner, a team of journalists, police detectives, opposition politicians and former SIS officers presented their findings in March 1996, in which the involvement of SIS in the affair was proven conclusively. More routinely, daily newspapers, in particular *Sme*, as well as Radio Free Europe and Rádio Twist, were Slovakia's real watchdogs, and they paid a price for it. Pittner received death threats and at one point was doused in urine by an attacker hired by SIS.<sup>91</sup> *Sme's* Tóth was physically assaulted by a SIS officer, his car firebombed by SIS's Department 52, and his newspaper heavily sued for having inflicted 'psychic trauma' on the delicate Mečiar cabinet when he allegedly described Róbert Remiáš as the first victim of a cold war waged by the government against its own people.<sup>92</sup> Radio Free Europe's Ľuba Lesná, the author of a book on the Kováč Jr kidnapping, was openly tailed, and the Slovak correspondent of the Czech TV company Nova was followed and his car demolished, again by SIS's Department 52.<sup>93</sup> The police made no attempt to investigate these attacks.

Only once between 1993 and September 1998 did the SIS director meet his legal obligation to present an annual report to parliament.

When Lexa did so in May 1996, on what should have been Róbert Remiáš's 26th birthday, he was surrounded at the podium by opposition deputies brandishing signs demanding his resignation. When he rebuked one, Milan Kňažko, for his bad breath, Kňažko replied, 'Perhaps my mouth stinks, but you smell all over, Mr Lexa, you reek of fear.'<sup>94</sup>

### Foreign relations

Once SIS finally began to function in 1994, it briefly developed extensive and meaningful foreign contacts. Then, from late 1994 and especially after Lexa took office, cooperation between SIS and NATO states evaporated. Relations with the UK deteriorated after the SIS liaison officer at the London embassy was accused of spying on Gašparovič and recalled. Britain reportedly grew so displeased that it withdrew its liaison officer from Bratislava in the spring of 1995.<sup>95</sup>

Although Lexa claimed in 1996 that SIS had working relations with 23 foreign services,<sup>96</sup> its isolation even from neighbouring states is clear from reports that already in 1995 Lexa did not attend the annual summit of Visegrád service directors, held since the previous year under NATO's patronage. He was not invited to the June 1996 gathering in Ljubljana despite a plea from the head of the SIS intelligence section, Rudolf Žiak, to the chief of the Slovenian intelligence and security service.<sup>97</sup> Invitations did not arrive for the 1997 gathering in Prague or the 1998 summit in Budapest.<sup>98</sup> The Czech BIS later claimed that its official contacts with SIS under Mečiar were 'practically nil'.<sup>99</sup> SIS had only three liaison officers abroad, and their reputation was poor. The representative in Vienna was regarded as unfit for the task, allegedly owing her appointment to personal connections to the intelligence director, Žiak.<sup>100</sup> Repeated complaints from the staff of the Slovak embassy in Warsaw about the arrogance of the SIS liaison officer there, a communist-era intelligence operative, led to her recall.<sup>101</sup>

The third officer was stationed in Moscow, which raises the thorny issue of Slovakia's relations with Russia. There is considerable evidence that Russia was the only major state with which SIS enjoyed cordial relations. Lexa is known to have visited Russia thrice, in January 1996, September 1997 (accompanied by Žiak), and December 1997 (with Mečiar). On the second occasion he joined his hosts on a hunt, one of the highest honours in post-Soviet protocol.<sup>102</sup> By formal agreement, SIS officers were sent to Russia for training, and Russian instructors ran programmes in Slovakia in July 1996. In 1997, the unremarkable Russian liaison officer in Bratislava, V. Zarubin, was replaced by a more dynamic, capable officer who had been stationed in Czechoslovakia and was said

to know the terrain extremely well. Out of these close contacts grew a set of SIS operations, revealed in early 1999, that reportedly constituted Mečiar's real foreign policy:

- Operation VÝCHOD (East), to persuade the Slovak public to seek a place in the Russian sphere of influence;
- Operation OMEGA, to spread the idea through Central Europe that Hungary enjoyed undeservedly favourable treatment by the USA;
- Operation MOST (Bridge), to drive a wedge between Austria and Germany;
- Operation NEUTRÓN, to inflame anti-NATO sentiments in the Czech Republic, and Operation DELO (Cannon), to encourage racist attacks on the Czech Roma minority, both in order to hinder that country's attempt to join NATO and the EU.<sup>103</sup>

As yet, very little is known about these operations, in particular to what extent they were commissioned in Moscow or were a more local, spiteful response to the growing realization in 1996 that Slovakia was going to be omitted from the first wave of invitations to NATO and the EU. The operations varied in their degree of elaboration, resourcing, and effect; DELO was still only in the planning stage, while the Hungarians were apparently soon aware of, and took steps to counteract OMEGA, as reported to their parliament's security committee in spring 1998.<sup>104</sup> Diplomatic sources suggest that Russia's interest in Slovakia was mainly a spoiling one: it wished to prevent SIS from cooperating with Western competitors, and to use it as an instrument of mischief. SIS itself, as a new service, was allergic to outright domination by a foreign agency. In keeping with Mečiar's foreign-policy acrobatics, SIS apparently tried to balance its closeness to the Russians with good relations with Ukrainian counterparts; French and Spanish secret services reportedly maintained contacts with SIS precisely because they considered it a window onto Russian and Ukrainian services alike and the tensions between them.<sup>105</sup>

### **SIS and organized crime**

The principal area of international cooperation, and the greatest threat to Slovakia's security, is organized crime. It is also the realm in which the Mečiar regime's dereliction of the new state's safety is most evident. While up to seven major syndicates were operating in the country, along with 45–50 smaller gangs of Slovak and foreign provenance, SIS could take credit only for preventing the escape of a Calabrian mafioso from custody, and for exposing illegal-migration operations.<sup>106</sup> A formal

reason for this record of delinquency is that the SIS law did not explicitly include organized crime as a concern of the agency; the real reason may be that the line between SIS and the crime syndicates began to blur.

The evidence is still patchy, due to the disappearance of SIS's files on organized crime. On several occasions Lexa, like Mečiar and interior ministers Hudek and Gustáv Krajčí, was spotted in the company of gangsters; the SIS director was said to be very fond of the Tropicana Club run by Eduard and Róbert Dinič, the Bratislava-based bosses of one of the national crime syndicates until their deaths in 1998.<sup>107</sup> These encounters aroused suspicion that a privatization triangle was evolving between HZDS, SIS and crime syndicates, made possible by the National Property Fund's concealment of the identity of enterprises' new owners. Police sources suspected that Lexa and his father Vladimír, both avid privatizers, were themselves entangled in the syndicates. Their wealth was unquestionably great. Ivan Lexa has had a pivotal place in the redistribution of property since working as state secretary at the privatization ministry in 1993–4. That the Lexas had come into money was clear from the lavish residences they built in Bratislava and in the countryside, and a recreational ranch in the suburb of Pezinok.<sup>108</sup>

Moreover, having learned lessons from the Kováč Jr affair, SIS may have started to hire crime gangs to do its dirty jobs, or to silence other gangs that had already been used by SIS or knew too much about privatization intrigues.<sup>109</sup> In 1996, for example, Ivan Lexa was frequently seen with Miroslav Sýkora, then the most powerful figure in the Slovak underworld.<sup>110</sup> Police files leaked to the press included testimony that Sýkora had been hired by SIS to follow and interrogate Remiáš in order to find out Fegyveres's whereabouts; at some point the contract was revised, to arrange for Remiáš's murder.<sup>111</sup> Later, a cooperating mafioso told investigators the names of two of the four men linked to Sýkora who had allegedly carried out the bombing.<sup>112</sup> In February 1997, Sýkora, who had begun to demand entrée into the HZDS-controlled privatization process and had fallen out with his closest partner in crime, was executed gangland-style in front of the Bratislava Holiday Inn.<sup>113</sup> His killer was never caught.

Among the dozens of victims in Slovakia's ensuing gang war were Eduard Dinič, blown to pieces on leaving the Bratislava tennis courts where mafiosi often mixed with ministers; shortly before his death he had been trying to muscle into the privatization of water and sewage works.<sup>114</sup> Another was Róbert Holub, the 28-year-old godfather of Košice, murdered in the Bratislava hospital where he was recovering from an earlier attack in a mafia-controlled hotel. Through privatization Holub

had become acquainted with Košice's HZDS grandees and the SIS agent Ján Dopirjak, who posed as another 'hidden witness' alleging that Kováč Jr faked his abduction.<sup>115</sup> Holub's private security firm – one of 2600 at work in Slovakia – was co-owned by a close relative of an SIS officer and infiltrated its people into the Košice police command.<sup>116</sup> Holub also gathered compromising information on SIS officers by luring them to his sex club.<sup>117</sup>

If not an active party to all this, the government was guilty at least of sins of omission. When the third Mečiar cabinet presented its programme in early 1995, it promised a Clean Hands campaign against crime and corruption. Unlike its Milanese namesake, little came of it. The only significant legislative measure, an amendment to the law on the police that facilitated exposure of tax fraud and money-laundering, was ratified, after major delays, on 21 November 1997, almost three full years after the government took office.<sup>118</sup> Nothing was done to take advantage of the means introduced by the short-lived Moravčík cabinet in 1994, such as the use of undercover agents and witness protection programmes.<sup>119</sup>

The strategy appears instead to have been one of sabotage. In April 1998, Mečiar invited mafiosi to launder their dirty money through state bonds for the government's massive road-building project.<sup>120</sup> Instead of being reinforced, the police's central bureau for organized crime, which used to employ 300 experts, was liquidated and replaced by a skeleton team of 20.<sup>121</sup> Their colleagues were dispatched to local police branches, a decentralization that left them at greater risk of exposure and impeded a coordinated struggle against highly structured, transnational criminal networks. Evidence has emerged of police complicity in organized crime in various locations; around 80 officers fell under suspicion for their connections, which in areas such as Trnava and Trenčín went to the highest levels of the force, and in Žilina an ex-cop set up his own mafia.<sup>122</sup>

The police as a whole was deprived of its corporate autonomy and subject to the veto of SIS, via legalized agents, in matters of promotions and investigations.<sup>123</sup> For example, Michal Hrbáček, an SIS officer who participated in the Kováč Jr kidnapping, was installed as commander of the Bratislava police force's unit for crowd control and drug raids.<sup>124</sup> (Hrbáček has been frequently mentioned in connection with the purchase, at token prices, of large amounts of SIS weaponry; his contact with organized crime has also been noted.<sup>125</sup>) Finally, the 1997 law that partly empowered the police to fight organized crime also guaranteed SIS access to all police databases and files.

## Demečiarizing SIS

In October 1998, as the victorious opposition haggled over the composition of a new governing coalition, the SIS command tried best to position itself for the upheaval that lay ahead. Given that so many of them had once been in the StB, it is not surprising that their strategy so resembled that of the outgoing communist secret police almost a decade before. Rather than resist the changes, officers pushed to get themselves promoted to the highest possible rank in the closing days of Lexa's directorship in order to qualify for generous severance pay and pensions. The eventual severance bill was enormous, around 20 million crowns (\$558 659), with some of the 128 outgoing officers entitled to an 800 000-crown (\$22 346) handshake. In addition, these officers receive ongoing benefits in recognition of years of service, which total around 800 000 crowns each month, of which 500 000 (\$13 966) probably go to former StB personnel. The sums would be even higher had Lexa not refused a number of requests for bonuses in a fit of jealousy – he reportedly felt that section heads had shown greater attachment to Svěchota than to himself.<sup>126</sup>

As one of the final acts of the Mečiar cabinet, Lexa was removed from office on 27 October 1998, and by the following day the entire SIS command had resigned. As one of the first acts of Mikuláš Dzurinda's incoming government, Vladimír Mitro, who first headed SIS in 1993–5, was reinstated as director on 3 November. All remaining incumbent section chiefs were fired and an entire new command installed.<sup>127</sup> In doing so, Mitro drew heavily on contacts with experience in FBIS or the early days of SIS, who had been trained in the West, such as Juraj Kohutiar, who took over the intelligence section (his predecessor, Žiak, became deputy chairman of Mečiar's party for foreign relations and media policy).<sup>128</sup> Kohutiar had previously been a high functionary of the Christian Democrats, as was Ján Mojžiš, the new head of the SIS analytical department.<sup>129</sup> They were thus closely linked to other Christian Democrats moving into leading security positions: Pittner in the interior ministry, Čarnogurský in the justice ministry, and Vladimír Palko, the former deputy director of FBIS, who now chaired parliament's defence and security committee.

Also returning was Štefan Straka, who had run counter-intelligence for Mitro in 1993–5, and was immediately tasked with heading a special commission of enquiry into SIS activities under Lexa. Starting on 10 November 1998, the eleven-man commission drew up a questionnaire for every officer. It requested all basic service data (codenames, sections



assigned to in 1995–8, personal file numbers, car details), and asked respondents to disclose any illegal activities that had come to their attention.<sup>130</sup> The commission used the replies, along with their own explorations in the SIS database, to reconstruct the management and political misuse of the agency, and to decide which officers could be trusted to remain. That some officers refused to complete the form, and the details of the questionnaire were immediately leaked to the pro-Mečiar press, suggested that even after the departure of Lexa's élite the new opposition had its sympathizers inside SIS. To get rid of some of them, Mitro briefly disbanded the counter-intelligence section on 15 December 1998.<sup>131</sup> While the complete dissolution and refoundation of the service would have been the best way to cure the Lexa hangover, the start-up costs of a whole new agency – an estimated 5 billion crowns, more than six times the projected 1999 SIS budget – were considered prohibitive during the fiscal crisis bequeathed by Mečiar.<sup>132</sup>

Three weeks after taking office, Mitro was ready to start recommending to the interior minister, Ladislav Pittner, charges to be filed against Lexa and other former SIS commanders. In early December, Prime Minister Dzurinda overturned Mečiar's pre-emptive amnesty that had obstructed investigation of the Kováč Jr kidnapping, and thereby opened the way for indictments. On the morning of 1 February 1999, police arrested Svěchota and Róbert Beňo, the former deputy head of the tailing division, for abusing their authority in the triptych affair involving Bishop Baláž, the Kováč Jr abduction, and, in Svěchota's case, for the illegal sale of SIS property. On 9 April, police similarly charged (but did not arrest) Beňo's superior, Gejza Valient, a KGB-trained veteran of the StB who had held high office in the FBIS and police surveillance departments. Valient was accused of having ordered a construction firm to perform almost 1 million crowns' worth of work on his country house, with SIS picking up the bill.<sup>133</sup> Several lower-ranking tailers were also indicted and taken into custody for their role in the abduction, as was Michal Hrbáček, a participant in many politically motivated operations, in June.<sup>134</sup> By the end of 1999, a total of 27 former SIS officers were under investigation for involvement in the Kováč Jr kidnapping, misappropriation of funds and theft of SIS property.

Lexa, however, was in a special position as a member of the parliament: not originally elected to the assembly, after leaving SIS he assumed the mandate surrendered by Mečiar, who has never taken an interest in parliamentary matters. The legislature first had to vote to lift his immunity, and then to allow him to be taken into custody to prevent him from influencing or intimidating witnesses. On the first motion, a

majority voted to allow Lexa to face charges for involvement in the triptych affair and the Kováč Jr kidnapping, for not reporting the 'theft' of the special Mercedes van, for staging a bomb attack on a Christian Democrat rally, and for not returning the mobile-phone monitor. Hours after the second motion passed, on 15 April 1999, Lexa turned himself in and was removed to a prison in Nitra.

The prosecution of the former SIS command was greatly assisted by confessions from Svěchota and Beňo, who apparently supplied full details of the abduction's planning, execution and cover-up. However, like the occasional attempted prosecution of communist-era officials, proceedings ground to a halt in a development typical of post-communism's legal culture. In February 1999, a group of HZDS parliamentarians asked the Constitutional Court to review the legality of Dzurinda's overturning of the blanket amnesty. The verdict, handed down at the end of June, was truly Solomonic: while Dzurinda was found not to have had the authority to reverse his predecessor's pardon, the newly elected president, Rudolf Schuster, likewise could not invalidate Dzurinda's action. Each party had its own view of the consequences of this finding. The Mečiarites argued that it compelled Schuster to announce a new amnesty; the government felt that the court's finding was not retroactive and thus permitted the prosecutions to proceed.<sup>135</sup> In December 1999, a trio of judges, sitting as one of the constitutional court's two senates, ruled that Svěchota's rights had been violated and that the investigation of his role in the kidnapping must cease at once. Their finding was deeply controversial: the senate contained a former HZDS member, its decision was postponed five times, some of the best lawyers in the country quickly found major jurisprudential flaws in their ruling, and the other senate had earlier refused to consider a similar plea in Lexa's case, arguing that he had not yet exhausted the various opportunities of the lower courts. As of early 2000, no one knows for certain whether Mečiar's amnesty still applies, whether it can be overruled (for example, by a special constitutional law), and whether it really did foreclose the prosecution of Lexa and Svěchota. In any event, they and other SIS officials can still be tried on numerous counts not covered by the amnesty; whether they will be is largely a question of political and judicial will.

From the outset, SIS began rebuilding its links to the wider world, a process facilitated by Mitro's insistence that his service would employ no veteran of the StB's operational sections. Already in late February 1999, the director claimed to have established contact with 20 services; he dined with the British ambassador in late March and planned to visit

the CIA in May 1999.<sup>136</sup> Special priority has gone to cooperation with Central European partners, in connection with the Dzurinda government's resolve to combat organized crime.

Compared to these developments, there has been a disappointing lack of attention to the institutions of executive control and especially of legislative oversight. In September 1999, the legislature passed a government-sponsored amendment to the law on SIS, which returned to the president the power to appoint the director, required the service to keep better records of warrant applications and surveillance operations, and tasked it with combating organized crime.<sup>137</sup> There is as yet, however, no direct ministerial responsibility for SIS, and no sign of a system in the cabinet office for coordinating SIS with army and police intelligence forces.

The parliament's oversight committee, the OKV, was duly constituted at the end of October 1998, with ten members, of which seven were drawn from the governing coalition and three from the opposition (a more proportional division would have been six to four). The chairmanship went to a member of the opposition, Ján Slota, the leader of the ultra-nationalist Slovak National Party (SNS) that had sat in power with Mečiar, and who had been an object of SIS interest himself. He vowed accordingly to present a full report on the service's past surveillance of politicians, and its spending in 1994–8.<sup>138</sup> Promised by the end of February 1999, the report never appeared, because week after week Slota did not convene the OKV. Mitro, by contrast, did meet his own obligation as director to present an account of SIS activities to parliament, which he read to a closed session on 12 February 1999. A damning summary of the mismanagement and misuse of the service under Lexa, it was probably timed to inspire parliament to lift his immunity.

Slota, however, was not present to hear it, as he was frequently absent from parliamentary sessions; shortly thereafter he disgraced himself further in a drunken speech calling on Slovaks to man their tanks and flatten Budapest.<sup>139</sup> The governing parties quickly resolved to unseat Slota from the OKV chair, but did not get around to it for seven months. As the SNS is regarded as having a claim on the chair of that committee as part of the general allocation of positions in the new parliament, the governing coalition left it to the SNS to decide who should replace Slota. Redefining itself under a new leadership, however, the SNS opted for a new policy of 'hard opposition', withdrawing from responsibility for any parliamentary committees. The OKV remained unchaired and completely dormant.

The outcome of more than a year of de-Mečiarizing SIS, therefore, is not entirely positive. While enormous energy has been invested in the overhaul of the service's staff and profile, including its reintegration into international relations, the Dzurinda coalition has so far squandered the chance to establish a viable set of institutions of executive control and legislative oversight, which could survive beyond the existence of the current government. Ten years after the end of communist rule and the StB, Slovakia still does not have something approximating a bureau of domestic intelligence, on tight reins and under rigorous scrutiny. Were Mečiar ever to return to power, little effort would be required to push SIS back to where it was in 1998, verging on a political police.

## Notes

1. These terms are taken from P. Nikiforos Diamandouros, 'Politics and Culture in Greece, 1974–91: An Interpretation', in Richard Clogg, ed., *Greece 1981–89: the Populist Decade* (London: Macmillan, 1993), pp. 3–7; Judy Batt, *The New Slovakia: National Identity, Political Integration and the Return to Europe* (London: Royal Institute of International Affairs, 1996), pp. 4–6; and Clifford Geertz, *The Interpretation of Cultures* (New York: Basic Books, 1973), pp. 238–49.
2. Fareed Zakaria, 'The Rise of Illiberal Democracy', *Foreign Affairs*, vol. 76 (1997), no. 6, pp. 22–43, and Kieran Williams, 'Summing up Mečiarism: The passing of an illiberal democracy', *The New Presence*, November 1998, pp. 8–9.
3. Marián Leško, *Mečiar a mečiarizmus (Politik bez škrupúl', politika bez zábran)* (Bratislava: VMV, n.d.), p. 18.
4. *Ibid.*, pp. 69–70; Milan J. Žitný, 'Pozadí případu Doktor', *Respekt*, no. 9, 2 March 1992.
5. Miloš Žiak, *Slovensko: Od komunismu kam?* (Bratislava: Archa, 1996), p. 102.
6. *Sme*, 8 April 1995; Karel Hirman, 'Na život a na smrt', *Domino efekt*, 14–20 April 1995.
7. *Respekt*, no. 45, 11 November 1991.
8. Štefan Hríb and Martin M. Šimečka, 'Nechcel by som byť jedným z tých, o ktorých píše Paul Johnson', *Domino fórum*, no. 3, 22 January 1998; Peter Tóth, 'Ako a prečo slúžil spravodajský dôstojník Jaroslav S. svojim vládam po novembri '89', *Sme*, 3 February 1999.
9. Igor Cibula, 'Československý bezpečnostný aparát pod taktovkou KGB', *Týždenník SME plus*, no. 34, 21 August 1997.
10. *Respekt*, no. 45, 11 November 1991; Jaroslav Spurný, 'V. Mečiar buduje tajnou službu', *Respekt*, no. 28, 13 July 1992; Peter Tóth, "'Šéf kontrarozvedky by mal byť zárukou demokracie'", *Sme*, 11 May 1995.
11. *Národná obroda*, 1 October 1991.
12. Stenografická správa o 12. schôdzi Národnej rady Slovenskej republiky, X. volebné obdobie, 19., 20., 21., januára 1993, p. 297.
13. *Ibid.*, pp. 304–5.
14. Pavol Katreniak, 'Od ŠtB až k SIS', *Slovenský denník*, 3 May 1993.

15. Peter Tóth, 'Tajná služba: Nové štruktúry von!', *Slovenský denník*, 26 March 1993; Ferdinand Tisovič, 'Úlohy, o ktorých se nehovorí', *Práca*, 26 March 1993.
16. Milan J. Žitný, 'Prichádza čas zúčtovania', *Domino efekt*, 28 April – 4 May 1995.
17. *Slovenský denník*, 9 April 1993.
18. *Národná obroda*, 20 April 1993; Ivan Vilček, 'Další post pro HZDS', *Český deník*, 22 April 1993; Peter Schutz, 'Poradce totalitního ministra šéfem SIS', *Denní Telegraph*, 23 April 1993.
19. *Sme*, 23 May 1995.
20. J. Marhul'a, 'Normalizácia v SIS', *Domino efekt*, 1994, no. 49.
21. Katarína Fornerová, 'Šiestý dan nerozhodne', *Smena*, 24 September 1993.
22. Stenografická správa o 7. schôdzi Národnej rady Slovenskej republiky, V. časť, p. 715.
23. J. Marhul'a, 'Normalizácia v SIS', *Domino efekt*, 1994, no. 49; *Sme*, 25 February 1995.
24. Peter Tóth, "'Ivan Gašparovič žiadal SIS o informácie'", *Sme*, 2 March 1995.
25. Mečiar expressly used the term lessons (*poučenia*) when revisiting the March 1994 events. See Stenografická správa o 6. schôdzi Národnej rady Slovenskej republiky, 1. časť, p. 65.
26. Róbert Kotian and Ivan Štulajter, 'Lustrácie – divadlo, v ktorom sa hrá za scénou', *Sme*, 16 January 1995.
27. Published in *Sme*, 9, 10, 12, and 13 May 1995.
28. Stenografická správa o 6. schôdzi Národnej rady Slovenskej republiky, 1. časť, pp. 63–9.
29. Peter Šporer, Štefan Šugár, and Alojz Ivančík, 'Vladimír Mitro: Správa OKO je zavádzajúca', *Sme*, 15 May 1995; *Sme*, 22 May 1995.
30. *Sme*, 7 March 1995. Mitro asked to be relieved of his duties on 22 February 1995, and Cibula and Straka followed suit the next day.
31. Stenografická správa o 5. schôdzi Národnej rady Slovenskej republiky, 1. časť, pp. 18–19; Stenografická správa o 6. schôdzi Národnej rady Slovenskej republiky, 1. časť, p. 54.
32. Stenografická správa o 6. schôdzi Národnej rady Slovenskej republiky, 1. časť, p. 102, 104 [remarks by Anton Hrnko and Ján Langoš].
33. Sharon Fisher, 'Unraveling the Engima of SIS Director Ivan Lexa', *Transition*, vol. 2, no.13, 28 June 1996, pp. 44–7, 63.
34. Táňa Veselá, 'Kolková aféra? Zabudnite!', *Plus 7 dní*, no. 27, 30 June 1997.
35. 'Správa V. Mitra o plnení úloh SIS', *Sme*, 18 February 1999.
36. Ľuba Lesná, 'SIS a banskobystrický Biskupský úrad', *Sme*, 20 May 1998; 'Správa V. Mitra o plnení úloh Slovenskej informačnej služby', *Sme*, 25 February 1999.
37. Jana Pankovčinová and Juraj Hrabko, 'Jaroslav Svěchota: "Ide o dôležitý štátny záujem"', *Sme*, 18 March 1996; Miroslav Kollár, 'Cirkvi', and Michal Ivantyšin and Peter Tóth, 'Bezpečnostná situácia', in Martin Bútora, ed., *Slovensko 1996: Súhrnná správa o stave spoločnosti a trendoch na rok 1997* (Bratislava: Inštitút pre verejné otázky, 1997), pp. 275, 312.
38. For a summary of Krylov's subterfuge and allegations, see *Slovenská republika*, 14 February 1998.
39. Július Gembický, 'Akcie SIS v réžii Moskvy', *Sme*, 16 February 1999.

40. Juraj Handzo, 'Nepohodlná výpoveď', *Pravda*, 18 May 1999, and Ľuba Lesná, 'Svýchota prehovoril!', *Plus 7 dní*, no. 30, 20 July 1999.
41. Stenografická správa o 15. schôdzi Národnej rady Slovenskej republiky, 5. časť [22 May 1996], p. 760; Ľuba Lesná, 'Svetelný displej', *Sme*, 10 December 1997; 'Správa V. Mitra o plnení úloh SIS', *Sme*, 18 February 1999.
42. My account of the kidnapping is based on the report of an independent citizens' inquiry, which was published in *Sme* on 16 May 1996, and on an official report on SIS activity, published in *Sme* on 18 February 1999. See also Ľuba Lesná, *Únos prezidentovho syna alebo krátke dejiny tajnej služby* (n.p.: GMT, 1998), pp. 47–68.
43. The full transcript of this phone conversation was printed in *Sme*, 14 May 1996. An audio recording can be downloaded from <http://www.geocities.com/Area51/6199/telefon/telefon.html>, as of July 1999. The authenticity of the recording was indirectly confirmed by Hudek and definitively by Western intelligence services. Mečiar's government never tried to present evidence of forgery, and the Slovak police's criminological institute concluded that it was genuine. See *Sme*, 11 July, 14 September and 26 October 1996.
44. Ján Füle, 'SIS-ka, čulý, mr'ťvý chrobák', *Národná obroda*, 16 February 1996.
45. *Sme*, 2 September 1996.
46. *Ibid.*, 27 December 1996, 3 January 1997 and 9 January 1999.
47. Alojz Ivančík, 'SIS filmuje, poverený stýkom se ukazuje', *Sme*, 20 June 1996; *Sme*, 13 December 1996 and 11 February 1997.
48. Peter Tóth, 'O práci sledovačky SIS', *Sme*, 9 January 1996; *Národná obroda*, 17 January 1996; Karol Wolf, 'Slovenský exministr útočí na SIS', *Mladá fronta Dnes*, 18 January 1996; Boris Kalnoky, 'Mečiar's makabre Machtspiele', *Die Welt*, 13 February 1996; Zita Sujová, 'Palko o Mečiarových vyjadreniach: To všetko je nezmysel', *Národná obroda*, 27 February 1996.
49. *Lidové noviny*, 26 April 1996; 'Správa V. Mitra o plnení úloh Slovenskej informačnej služby', *Sme*, 26 February 1999.
50. *Sme*, 28 December 1996.
51. *Ibid.*, 16 September 1997.
52. Peter Tóth, "'I. Lexa podozrieva Dezidera K., že informuje premiéra'", *Sme*, 17 January 1996.
53. 'Správa V. Mitra o plnení úloh Slovenskej informačnej služby', *Sme*, 26 February 1999.
54. Ľuba Sonnenfeldová, 'Kl'učom je strach', *Domino efekt*, no. 28, 27 August 1996.
55. Peter Tóth, 'Bývalý pracovník SIS tvrdí, že akciu súvisiacu s Michalom Kováčom ml. "osobne riadil I. Lexa"', *Sme*, 12 October 1995.
56. *Sme*, 17 February 1996.
57. *Ibid.*, 2 August 1996; Lesná, *Únos prezidentovho syna*, pp. 101–9, 192.
58. 'Správa V. Mitra o plnení úloh Slovenskej informačnej služby', *Sme*, 26 February 1999.
59. *Sme*, 20 August 1997; Lesná, *Únos prezidentovho syna*, p. 103.
60. *Sme*, 16 October 1996.
61. Sharon Fisher, 'Slovak police on death of former colleague,' *OMRI Daily Digest*, pt. II, no.112, 10 June 1996.
62. *Sme*, 27 September 1996.

63. *Ibid.*, 6 March 1997.
64. 'Správa V. Mitra o plnení úloh SIS', *Sme*, 18 February 1999.
65. *Sme*, 1 February 1999.
66. 'Správa V. Mitra o plnení úloh SIS', *Sme*, 18 February 1999.
67. *Sme*, 28 September 1996.
68. 'Správa V. Mitra o plnení úloh Slovenskej informačnej služby', *Sme*, 25 February 1999.
69. Július Gembický, 'L. Pittner: Pozícia SIS ako mr'tvého chrobáka je neudržateľ'ná – premiér Mečiar by mal siahnuť k politickému rozhodnutiu', *Národná obroda*, 28 February 1996.
70. Stenografická správa o 15. schôdzi Národnej rady Slovenskej republiky, 5. časť [22 May 1996], p. 721.
71. *Sme*, 14 April 1997.
72. 'Správa V. Mitra o plnení úloh Slovenskej informačnej služby', *Sme*, 25 February 1999.
73. *Sme*, 4 November 1996.
74. Peter Tóth, 'O práci sledovačky SIS', *Sme*, 9 January 1996.
75. *Sme*, 10 August 1996.
76. *Ibid.*, 31 March, 18 May and 18 September 1998.
77. Zolo Mikeš, 'Šéfka spravodajstva nechce rozptýliť pochybnosti, že STV spolupracuje so SIS', *Sme*, 15 April 1998.
78. 'Správa V. Mitra o plnení úloh SIS', *Sme*, 18 February 1999. See also *Sme*, 28 September 1998.
79. 'Správa V. Mitra o plnení úloh Slovenskej informačnej služby', *Sme*, 26 February 1999.
80. František Meliš, 'Len "styční dôstojníci"', *Práca*, 4 March 1994.
81. Milan J. Žitný, 'Bdele oko kyklopa', *Domino efekt*, 12–18 May 1995.
82. 'Správa V. Mitra o plnení úloh Slovenskej informačnej služby', *Sme*, 26 February 1999.
83. See, for example, the exchange between government and opposition deputies in Stenografická správa o 15. schôdzi Národnej rady Slovenskej republiky, 5. časť [22 May 1996], pp. 838–60.
84. Zbierka nálezov a uznesení – rok 1995, Nález č. 8, posted at <http://www.sanet.sk/court/ZBIERKA/1995/n008-95s.html>.
85. *Nový rokovací poriadok a Legislatívne pravidlá Národnej rady SR; Ústava a Ústavný súd SR; Zbierka zákonov SR; Referendum* (Bratislava: EPOS, 1997), p. 31.
86. Stenografická správa o 24. schôdzi Národnej rady Slovenskej republiky [7 February 1997], p. 603 [remarks by Igor Urban].
87. *Ibid.*, pp. 601, 604 [remarks by František Mikloško and Milan Ftáčnik]. See also Ondrej Dostál, 'Parlamentná matematika a osobitné výbory na kontrolu SIS a Vojenského spravodajstva', *Sme*, 10 October 1997.
88. František Meliš, 'Hľ'adanie východísk', *Práca*, 19 April 1993.
89. *Sme*, 30 September 1996.
90. Peter Tóth, 'Ako nekontrolovať SIS', *Sme*, 18 April 1998; *Sme*, 4 May 1998; *Slovenská republika*, 11 June 1998.
91. Daša Matejčíková, 'Podľa Pittnera môžu byť informácie o jeho likvidácii pravdivé', *Sme*, 22 April 1998.

92. Tóth actually referred to employees of public administration and enterprises who had been purged for their party (dis)loyalties as the victims of this cold war; he referred to Remiáš as 'a victim of the struggle for democracy in Slovakia'. See *Sme*, 13 November 1996.
93. *Sme*, 13 September 1996, 20 September 1997, 25 March 1998, 31 March 1998, 8 April 1998.
94. Stenografická správa o 15. schôdzi Národnej rady Slovenskej republiky, 5. časť [22 May 1996], p. 725, 728.
95. Lesná, *Únos prezidentovho syna*, p. 31.
96. Stenografická správa o 15. schôdzi Národnej rady Slovenskej republiky, 5. časť [22 May 1996], p. 723.
97. *Sme*, 11 July 1996.
98. *Ibid.*, 8 July 1998.
99. According to a BIS press release, posted at <http://www.bis.cz/tiskovezpravy/990216.htm>.
100. *Sme*, 20 January 1997.
101. *Ibid.*, 25 November 1997.
102. *Ibid.*, 9 September 1997.
103. 'Správa V. Mitra o plnení úloh SIS', *Sme*, 18 February 1999.
104. *Lidové noviny*, 19 March 1999, and *Sme*, 24 February 1999, citing *Népszava*, 23 February 1999.
105. Ivantyšyn and Tóth, 'Bezpečnostná situácia', in Bútorá, ed., *Slovensko 1996*, p. 311.
106. Stenografická správa o 15. schôdzi Národnej rady Slovenskej republiky, 5. časť [22 May 1996], p. 725.
107. Peter Tóth, 'Prerastanie zločinu cez hlavu a do kruhov', *Sme*, 10 February 1997; *Sme*, 28 November 1997, 11, 15 and 27 May 1998. Krajčí's very relaxed attitude to organized crime emerges in Peter Šporer, 'Gustáv Krajčí je presvedčený, že závisí predovšetkým od morálky spoločnosti, ako sa vyrovná s organizovaným zločinom', *Trend*, no. 48, 26 November 1997.
108. Zita Sujová, 'Mečiarov tieň', *Plus 7 dní*, no.4, 26 January 1998; Daša Matejčíková, 'Vynaliezovosť štátného tajomníka ministerstva privatizácie', *Sme*, 9, 15 and 21 January 1998.
109. Peter Tóth, 'Vláda spôsobila nárast organizovaného zločinu', *Sme*, 3 December 1997.
110. Ivantyšyn and Tóth, 'Bezpečnostná situácia', in Bútorá, ed., *Slovensko 1996*, p. 311. See also Peter Tóth, 'Výbuch ako pracovná metóda podsvetia', *Sme*, 13 February 1997.
111. *Sme*, 5 May 1998.
112. *Ibid.*, 30 November, 1 and 3 December 1999; Juraj Handzo, 'Výbušnica od Potkana', *Pravda*, 30 November 1999.
113. Renata Junasová, 'Živý terč Petr K.', *Plus 7 dní*, no. 19, 5 May 1997.
114. *Sme*, 28 May 1998.
115. *Ibid.*, 6 and 8 October 1997.
116. *Ibid.*, 17 October 1997.
117. *Ibid.*, 19 June 1998.
118. Peter Šporer, 'R. Fico: Neexistujú údaje ani o mechanickom súčte odhalených trestných činov organizovaných skupín', *Trend*, no. 48, 26 November 1997. For the Mečiar government's own account of its inactivity,



- see 'Informácia o plnení Programu Čisté ruky v pôsobnosti Ministerstva vnútra SR', posted at <http://www.minv.sk>, as of July 1999.
119. Peter Šporer, 'Legislatíva nenahráva odhal'ovaniu ekonomickej kriminality', *Trend*, no. 32, 6 August 1997.
  120. *Sme*, 21 April 1998.
  121. Peter Tóth, 'Policiu demoralizuje odvolávanie z prípadov a politické zásahy', *Sme*, 2 May 1997.
  122. *Pravda*, 13 May 1999 and 30 August 1999, and *Sme*, 24 and 25 June 1999.
  123. *Sme*, 29 September 1997. Ladislav Pittner, after becoming interior minister for the third time, confirmed that under Mečiar the department had been fully under the direction of SIS. See Zita Sujová and Vladimír Hudák, 'Mečiarovi amnestiu?', *Plus 7 dní*, no. 47, 17 November 1998.
  124. *Sme*, 9 and 10 January 1998.
  125. Ivan Vilček, 'Exšéf SIS Lexa nepriamo potvrdil existenci stínové tajné služby', *Právo*, 16 February 1999, and 'Správa V. Mitra o plnení úloh Slovenskej informačnej služby', *Sme*, 26 February 1999.
  126. 'Správa V. Mitra o plnení úloh Slovenskej informačnej služby', *Sme*, 26 February 1999. See also *Sme*, 26 October 1998 and 15 February 1999.
  127. *Sme*, 5 November 1998.
  128. *Slovenská republika*, 13 November 1998. For Žiak's c.v., see *Slovenská republika*, 7 May 1999.
  129. *Ibid.*, 16 February 1999.
  130. *Ibid.*, 16 November 1998.
  131. *Ibid.*, 19 December 1998.
  132. Nora Slišková and Juraj Handzo, 'Utajit' iba nevyhnutné', *Pravda*, 27 February 1999.
  133. *Sme*, 29 June 1999.
  134. *Ibid.*, 7 June 1999.
  135. Maroš Smolec, 'Politické aj právne víťazstvo', *Slovenská republika*, 30 June 1999, and Igor Stupňan, 'Trestné stíhanie Lexu v kauze únos a Krajčího v kauze referendum by vraj malo pokračovať', *Sme*, 9 July 1999.
  136. Nora Slišková and Juraj Handzo, 'Utajit' iba nevyhnutné', *Pravda*, 27 February 1999.
  137. For excerpts of the parliamentary debate, see *Parlamentný kuriér*, no. 67 (November 1999), pp. 16–19.
  138. *Pravda*, 16 February 1999.
  139. Zita Sujová, 'Tajná správa o tajnej službe', *Plus 7 dní*, no. 8, 16 February 1999, and *Trend*, 17 March 1999.

# 6

## The *Securitate* Legacy in Romania\*

*Dennis Deletant*

### **The origins, structure and size of Ceaușescu's *Securitate***

Initially, Romania shared with all the communist regimes of Eastern Europe a total reliance upon terror as an instrument of political power. This terror was wielded in two stages: first to eliminate opponents in the drive to consolidate power, and second to ensure compliancy once revolutionary change had been effected. In Romania's case the first stage, broadly speaking, encompassed the period 1945 until 1964, the year in which an amnesty of political prisoners was completed, and the second ran from 1964 to 1989. There was a perceptible change in the degree of repression exercised by the regime in 1964. Until this penultimate year of Gheorghe Gheorghiu-Dej's rule as General Secretary of the Romanian Workers' Party, terror embraced the whole of Romanian society. After 1964, Romanians were marked by fear, rather than terror of the *Securitate* and the Ceaușescu regime, for all its appalling abuses of human dignity and contempt for human rights, never used the tactics of mass arrests and internal deportations that were a feature of most of the Dej era.

After the coup of 23 August 1944, in which King Michael ordered the arrest of Romania's pro-German dictator, Ion Antonescu, Romania's external position became that of an independent state waging war against its former allies on the side of its former enemies. When Soviet troops entered Bucharest on 30 August, they found an interim Romanian government ready to negotiate an armistice. Stalin used the armistice to subvert the effects of the 23 August coup which had threatened to wrest the initiative in Romanian affairs from him. In order to regain that

initiative the Soviet leader fashioned from the armistice a legal framework for securing a dominant political and economic interest in Romania.

The security police was the blunt instrument of repression of the Communist Party. It was set up according to a Soviet blueprint and under Soviet direction. Broadly speaking, the role assigned by the Soviet authorities to the *Siguranța* (the political police) after the 23 August coup was similar to that played by the *Siguranța* under King Carol's dictatorship and that of Antonescu, but with one major difference. Whereas the coercion between 1938 and 1944 was directed against one particular group in society, the Jews, and against the small number of individual opponents of the Antonescu regime, it was after the coup extended to the whole of Romanian society. In the building of the People's Democracy, the security police were called upon to eradicate existing political institutions and social structures. Police coercion and intrusion became part of everyday life and a feature of existence which generated a pervasive fear, a state of mind which revolutionized not just society's structures, but also personal behaviour.

Soviet penetration of the secret service, the SSI, and the security police, the *Siguranța*, was undertaken by infiltrating them in autumn 1944 with Emil Bodnăraș's 'Patriotic Guards' and with NKVD/NKGB agents.<sup>1</sup> Control of both organizations was secured after the installation of the government of Petre Groza in March 1945. On 27 April, Groza signed an order giving the secretary general control of the SSI. The order stated that the SSI was constituted 'from its own civilian personnel and from military personnel seconded from the Ministry of War on the recommendation of the secretary general'. Another Soviet agent, Serghei Nikonov, was appointed to be the actual director of the SSI, under the supervision of Bodnăraș. Nikonov's career is illustrative of the methods used by the NKGB to infiltrate their agents.

The SSI's remit covered 'the gathering of general intelligence which met the higher interests of the state'. It was organized in four sections, later renamed directorates, and a secretariat. The first section was charged with 'obtaining intelligence from abroad of a political, economic, social and military nature' and 'control of all diplomatic offices abroad', and was sub-divided into three departments, organized on a geographical basis, 'South', 'West' and 'North'. Section one also included the Office for Issuing Entry-Exit Visas and Passports to Romanian Citizens which was to be used 'as an auxiliary means of recruiting part-time informers'.<sup>2</sup> (For details about the informer network see the annex to this chapter.) Here, for the first time, we find a policy statement of a government agency in

Romania making the issue of a passport conditional on collaboration with the an organ of state security. It was a tactic that remained an integral part of the communist regime's armoury of coercion until the overthrow of Ceaușescu.

Other sections of the SSI were responsible for obtaining intelligence from within the country and for mounting counter-espionage operations, both civilian and military. A Bessarabian-born Russian, Pyotr Gonciaruc, was named head of the counter-espionage section. According to Eduard Mezincescu who met Gonciaruc on several occasions in a professional capacity – Mezincescu was a senior Foreign Ministry official – the latter was a 'cunning brute' who proved himself 'very efficient' with his interrogation methods.<sup>3</sup>

Eavesdropping and shadowing of targets was carried out by section four of the SSI in collaboration with a parallel directorate in the *Siguranța*. Military intelligence remained the task of the Second Bureau of the Army General Staff but this was also subordinated to a Soviet master, the GRU. The subservience of the Romanian security and intelligence services to the interests of the Soviet Union was completed by making the security police, still known by its pre-war title of  *Direcția Poliției de Siguranță*, responsible in 1945 to Pantelimon Bodnarenko, a Ukrainian-born Soviet agent also known as Pantiusa who had been imprisoned for spying in Romania in the late 1930s. Bodnarenko assumed a Romanian name, Gheorghe Pintilie, as did Serghei Nikonov of the SSI (Serghei Nicolau) and a number of Soviet trained agents who later joined Bodnarenko at the apex of the *Siguranța*, among them Boris Grunberg (who took the name of Alexandru Nicolski). Among the Soviet intelligence chiefs from whom instructions were channelled to Bodnăraș and Pintilie was Dmitri Georgievich Fedichkin, the chief Soviet advisor in Romania from 1944 to 1947 and principal representative of the External Intelligence Division (INU) of the NKGB.<sup>4</sup>

After the imposition of the Groza government the security police  *Direcția Poliției de Siguranță*, which remained subordinated to the General Directorate of Police within the Ministry of the Interior, was organized in four departments known as *servicii*. The first department followed the movements and activities of foreigners, the second covered suspected subversive figures, the third intercepted correspondence, and the fourth assured radio contact throughout the organization. In 1946, a new 'special mobile brigade' was added to the DPS to carry out arrests and organize the transport of prisoners whose numbers had grown rapidly in the purge of 'fascists' from public life which Prime Minister Groza announced on 7 March 1945.

In August 1948, Pintilie was moved from his post as head of the political and administrative section of the Central Committee to head the newly reorganized *Siguranța*. It was renamed *Direcția Generală Securității Poporului* (DGSP), or *Securitate* for short. The new name signalled a new mission for the security police. Formally, it remained a branch of the Ministry of the Interior. Its role, defined under its founding decree no. 221 of 30 August 1948, was 'to defend the democratic conquests and to ensure the security of the Romanian People's Republic against the plotting of internal and external enemies'.<sup>5</sup> Defence of the 'democratic conquests' meant the maintenance of the RWP in power and thus the new Romanian People's Republic officially certified itself a police state. Of the *Securitate* officers, 90 per cent were Party members and Pintilie's membership of the Central Committee was an implicit indication of nominal Party control of the organization.

Two weeks earlier, on 15 August, Lieutenant-General Gheorghe Pintilie was appointed by decree the DGSP's Director. Two assistant directors, with the rank of Major-General, were appointed on 1 September; they were Alexandru Nicolski, a Russian-speaking Bessarabian Jew, and Vladimir Mazuru, a Ukrainian from Bessarabia (later Romanian ambassador to Poland).<sup>6</sup> All three were agents of the Soviet Security Service, known at this time as the MGB.<sup>7</sup>

A body of Soviet counsellors from the MGB supervised the activity of the young DGSP. The MGB chief advisor in Bucharest from 1949 to 1953 was Aleksandr Sakharovsky, who in 1956 became head of the First Chief Directorate of the KGB.<sup>8</sup>

Pintilie's deputy, Alexandru Nicolski, was born on 2 June 1915 in Chișinău, the principal town of Bessarabia which at that time was under Russian rule. In 1932, he joined the Union of Communist Youth in his native town and in the following year was detained for two weeks by the *Siguranța*. Between 1937 and 1939, he did his military service in a signals regiment in Iași and after being demobbed he obtained a job in the telephone exchange in Chișinău. In December 1940, six months after the Soviet annexation of Bessarabia, he was recruited by the NKVD and moved to Cernăuți where he underwent training as an agent of the foreign intelligence directorate (INU) of the NKVD. Supplied with false Romanian identity papers in the name of Vasile Ștefănescu, he was sent across the frontier on 26 May 1941 to gather information on Romanian troop movements. Within two hours he was arrested by Romanian frontier guards. According to the record of his interrogation, his rudimentary knowledge of Romanian betrayed his foreign identity and he passed himself off as an ethnic Russian with the name of Alexandru

Sergheevici Nicolski. He was tried for espionage in July 1941 and sentenced to forced labour for life. The first part of his sentence was served in Ploiești jail from where he was moved to Aiud to join other imprisoned Soviet spies, among them Vladimir Gribici, Simion Zeigner and Afanasie Șişman, all of whom stayed on after their release in August 1944 in Romania. After the imposition of the Groza government in March 1945, Nicolski was named deputy to the head of the Corps of Detectives of the police, Gheorghe (Guța Petrovici).<sup>9</sup> On 17 April 1947, he was appointed Inspector General of the *Siguranța (Poliția de Siguranță)* and when the DGSP was established in the following year, he was made one of Pintilie's deputies. In 1953, he was given the post of secretary general of the Ministry of the Interior.

Despite the veil of secrecy which was cast over the personnel of the *Securitate*, Nicolski's reputation for brutality earned him the dubious distinction of becoming the first senior officer to achieve notoriety outside Romania. In a statement made in Paris in January 1949, Adriana Georgescu Cosmovici, a 28-year-old woman arrested in Bucharest in July 1945 on the grounds of having belonged to a resistance movement, recounted how the 'communist secret police investigators' beat her repeatedly with a sand-filled leather hose, struck her head against a wall, and hit her face and chin until she was left with only six teeth in her lower jaw. She named three investigators as having threatened her with guns: Stroescu, Bulz and Nicolski.<sup>10</sup> Documents published after Nicolski's death on 16 April 1992 suggested that in July 1949 he ordered the murder of seven prisoners, allegedly leaders of an anti-communist resistance movement, in transit from Gherla jail.<sup>11</sup>

The DGSP was organized in ten national or central directorates as follows: Information (I); Counter-sabotage (II); Counter-espionage in the Prisons and Police (III); Counter-espionage in the Armed Forces (IV); Penal Investigation (V); Protection of Ministers (VI); Technical (VII); Cadres (VIII); Political (responsible for Party purity) (IX); Administration (X). Auxiliary departments dealt with interception of mail, surveillance and eavesdropping and further included a cipher section and a secretariat. Thirteen regional directorates, including that for the city of Bucharest, were established.

The SSI, which was responsible for foreign espionage and counter-espionage, worked in parallel with Directorates I and IV of the DGSP between 1948 and 1951 when it was absorbed. Regional directorates (*direcții regionale*) were established to cover the capital Bucharest and the regions of Brașov, Cluj, Constanța, Craiova, Galați, Iași, Oradea Mare, Pitești, Ploiești, Sibiu, Suceava and Timișoara, and each of these direc-

torates had its own organization corresponding to that of the ten national directorates to which they were subordinated. Each regional directorate was further sub-divided into county offices (*servicii județene*) which themselves encompassed town and communes bureaux (*birouri de securitate*).<sup>12</sup> Consultation of rudimentary figures surviving in the Ministry of Interior archives relating to the strength of the DGSP indicates that the number of officers serving in the ten national directorates shortly after its constitution was 1151, of whom 848 were listed as secretarial and manual staff (the latter all carried military rank, such as sergeant-major, even if they were typists, chauffeurs, plumbers or waitresses). The thirteen regional directorates employed 2822 officers, roughly two-thirds of whom were manual or ancillary staff.<sup>13</sup> (See Table 6.1.)

Table 6.1 Location of *Securitate* personnel, 1948

Central directorates	1151	29.8 %
Regional directorates	2822	70.2 %
Bucharest	305	7.6%
Braşov	197	4.9%
Cluj	263	6.6%
Constanţa	149	3.7%
Craiova	234	5.8%
Galaţi	253	6.3%
Iaşi	192	4.8%
Oradea Mare	228	5.7%
Piteşti	194	4.8%
Ploieşti	196	4.8%
Sibiu	226	5.6%
Suceava	172	4.3%
Timișoara	213	5.3%
Total	2822	70.2%

Source: Calculated by the author from *DGSP*, handwritten, no date, no call-mark, in the Archive of the Romanian Security Service.

These figures may appear abnormally low, given the popular conception of the *Securitate* as a ubiquitous and all-pervasive instrument of coercion. But they do not include the network of informers who enabled the *Securitate* to function as efficiently as it did.

Soviet advisors were attached to each of the national directorates to supervise the training of the Romanian recruits and to monitor their activity, and communication was carried out through interpreters, many of whom were from Bessarabia. Emphasis was placed on trustworthy cadres. In the eyes of the Soviet advisors many educated Romanians were

considered unreliable and compromised because of the Antonescu regime's alliance with Germany. A second reason for caution derived from the fact that very few Romanians had willingly shown any enthusiasm for the Romanian Communist Party before its propulsion to power, whereas conversely, some members of the ethnic minorities had. Against this background we should not be surprised to find several recruits for the senior positions in the *Securitate* drawn from two categories of person: from the ethnic minorities, and from unskilled manual workers.

Contrary to claims made by ultra-nationalists, the numbers drawn from ethnic minorities, although disproportionate, do not appear to be excessive. I stress 'appear' because it is clear from the *Securitate's* own listings of the ethnic identity of its senior officers that it wished to obscure the Russian provenance of its three principal commanders, Pintilie, Nicolski and Mazuru, by entering them as Romanians. However, there is no evidence to suggest the 'Romanianization' of officers of other ethnic origins. An examination of the ethnic and professional background of senior officers in the *Securitate* (that is, with the rank of major and above) shows that of a total of 60, 38 were Romanians, 14 were Jews, 3 were Hungarians, 3 were Russians (Pintilie, Nicolski and Mazuru), 1 was Czech and 1 was Armenian. Of the total number of 3973 employees listed in 1950, 247 were Hungarians and 338 were Jews. Most of the former were employed in those regional directorates which covered the major concentrations of Hungarian population such as Braşov (72 Hungarians), Cluj (51), Oradea (60), Sibiu (26) and Timişoara (27). This same observation is valid also for the Jews: of the 1151 personnel in the central directorates based in Bucharest, 148 were Jews. Regional directorates with the largest numbers of Jewish staff were Bucharest (16), Cluj (36), Iaşi (35), Oradea (34) and Suceava (34).<sup>14</sup> (See Table 6.2)

Table 6.2 Composition of the *Securitate* by ethnic background, 1948

Romanians	3334	84%
Jews	338	8.5%
Hungarians	247	6.2%
Russians	24	0.6%
Yugoslavs	13	0.3%
Others	17	0.4%

Source: Calculated by the author from *DGSP*, handwritten, no date, no call-mark, in the Archive of the Romanian Security Service.



As far as professional background is concerned, the information available limits us to the national directorates and the secretariat; among 25 persons appointed to senior officer rank, there were two electricians, two carpenters, a locksmith, a blacksmith, a lathe operator, a craftsman, a tailor, a chemist, a schoolteacher, a doctor, an accountant, a lawyer, one person without a higher education, five with degree studies, and five whose background was not given.<sup>15</sup> Compared to the population of some 17 million, the number of *Securitate* officers seems very small and the evidence provided by consultation of *Securitate* files shows that they relied heavily for information upon the 42 187 informers who were used in 1948 – the first year of the Republic. In the local bureaux, where there were often no more than a handful of staff, the officers were overworked. Their principal brief was to identify and monitor the activities of former members of outlawed opposition parties and organizations, such as the Iron Guard, and to provide monthly reports to the directorates responsible for information and counter-sabotage in Bucharest. These reports represent an invaluable survey of political allegiances and their relation to social background in Romania of the early 1950s.<sup>16</sup>

A major task of the *Securitate* was 'to unmask imperialist espionage activity'. Its main opponents in the Dej era, judging from the *Securitate's* archives, were the American, British, Yugoslav and Israeli intelligence agencies. At the beginning of 1949, the Central Intelligence Agency, through its Office of Political Coordination under the direction of Frank Wisner, began to recruit Romanians from refugee camps in southern Germany, Austria and Yugoslavia. Preference was shown for young men who knew those regions in which partisan activity had been reported. These men were trained for secret missions whose objectives were either to obtain information about Romania's defences, or to link up with the anti-communist resistance groups in the mountains. The Yugoslavs either infiltrated their agents across the border or used Romanian citizens of Serbian nationality. To combat border infiltration, a counter-intelligence section of the frontier troops was set up and subordinated to the Ministry of the Interior. Israeli intelligence activities focused on the situation of the Jews in Romania. According to *Securitate* files, 45 299 persons were suspected of espionage in Romania in 1951. They were monitored by networks made up of 904 agents, of whom 5 were resident *Securitate* officers, 306 qualified informers and 593 unqualified informers. As a result of the information gathered, 267 persons were arrested for spying.<sup>17</sup>

A second principal aim of the *Securitate* was to seek out and destroy any form of internal resistance to the regime. This was described in

*Securitate* jargon as 'subversive anti-democratic activity by enemies of the people'. The main targets were former factory owners and landowners, members of the outlawed democratic parties and of the Iron Guard, priests, students and teachers, and retired army officers and policemen. In 1951, 417 916 persons were kept under surveillance, of whom 5401 were arrested for 'hostile activity'.<sup>18</sup> Information on them, as in the case of those suspected of espionage, was gathered by informers working under the control of a *Securitate* officer. Details were collated at the local bureaux and a daily bulletin on the situation in each area was transmitted by telephone to the regional offices between 5 p.m. and 5.30 p.m.

*Securitate* files indicate that more than 70 000 people were arrested in the decade from 1948 to 1958, 60 428 of them between 1948 and 1953. These figures must be treated with caution since on Gheorghiu-Dej's own admission in 1961, 80 000 peasants alone had been arrested to enforce collectivization of agriculture.<sup>19</sup> Many of the arrests were illegal for they were carried out by *Securitate* officers acting purely on telephoned instructions from their superiors without an arrest warrant issued by the procurator's office. Cases of mistaken identity led to the arrest of the wrong person. In 1955, the Ministry of Interior gave instructions to *Securitate* officers to carry out arrests only on the basis of an arrest warrant issued by a procurator, yet in September 1958, Alexandru Drăghici, Minister of the Interior, was still complaining of cases in which arrests had been made without foundation and prematurely.<sup>20</sup>

In the early years of the *Securitate's* existence emphasis was placed on the quantity of informers rather than upon their quality. Many were small-time crooks and delinquents and their number included the casual informants and busybodies which, as Walter Bacon has remarked, all totalitarian regimes produce in parasitic abundance.<sup>21</sup> These categories boosted the number of informers to the levels reported as being used at the close of 1951 by the Directorate of Counter-Sabotage and the Directorate of Internal Intelligence, namely 30 585 and 10 698 respectively.<sup>22</sup>

Informers were often blackmailed into collaborating with the *Securitate*. Charges against them for offences committed were dropped in return for collaboration. They were often roughly treated by their controllers, and threats were levelled at them. Documents reveal that at the regional *Securitate* headquarters in Cluj and Constanța, informers were brought in wearing blacked-out spectacles so that they could not recognize the place and 'thrown into a room'.<sup>23</sup> The unreliability of many of them led to a major purge of 70 per cent of their numbers in March 1956 with fresh informers being recruited from amongst intellectuals.

Informers were also used by two other organs of internal security, both of which were established early in 1949. On 23 January, the militia ( *Direcția Generală Miliției* ) was set up to replace the police and gendarmerie (rural police), and on 7 February, the security troops (*trupele de securitate*) were created to take over the duties of the gendarmerie. Both bodies were placed under the authority of the Ministry of the Interior.

Among the militia's duties was that of issuing residence permits, one which facilitated its task of regulating the movement of population, of monitoring suspects, and of preparing for deportations.<sup>24</sup> The principal duties of the security troops were to maintain public order in the major industrial centres and to quell any resistance to government measures such as collectivization or appropriation of goods and property. Throughout the 1950s they were deployed to eradicate partisan resistance in mountain areas and, in a more passive role, were employed to guard the labour camps (*colonii de muncă*) which in 1950 had been placed under a special department of the Ministry of Interior known as  *Direcția Unităților de Muncă* .

An idea of the 'principles' adopted by the communist authorities in determining the guilt of citizens was given by an interrogator to George Tomaziu, an artist arrested in 1949 on the charge of being a spy in the pay of France and Britain. To Tomaziu's affirmation that at university he had learned that it was preferable to let one guilty man go free rather than imprison ten innocent suspects, his interrogator replied: 'That was bourgeois justice and the reason why the bourgeois system collapsed. In the communist case the reverse is true. To avoid the risk of letting one guilty person slip through our hands, it is preferable to imprison him along with the other nine suspects.'<sup>25</sup>

In the political trials conducted after the imposition of the Groza government the defendants were often found guilty not because they had committed an offence, but because they stood accused.<sup>26</sup> And because they were accused, they had to be removed. This was the perversion of justice which communism practised. It was not just the actions of the people which were on trial, but the people themselves, their families and their background. This was most graphically illustrated by the public trials of alleged saboteurs of the Danube-Black Sea canal project in 1952. Many of the trials between 1948 and 1964 had a preventive character, with the accused being held guilty of potential crimes. This principle had been feverishly applied by Andrei Vyshinski as public prosecutor in the Moscow trials between 1936 and 1938, and it was under his supervision that it was introduced in Romania.

In the conduct of political trials particular importance was attached to confession.<sup>27</sup> The means of extracting this was torture, be it psychological, physical, or both. The insistence upon confession and the use of torture to extract it were alien to the Romanian legal system and it is tempting to speculate what impression it left on the senior Romanian communists who had experienced the less ruthless regime of interwar Romania. Some Romanians have argued that the rituals of liquidation imported from the Soviet Union after 1945 required the hand in their execution of Bessarabian or Ukrainian-born NKVD agents such as Nicolski and Gonceariuc, but this would be to overlook the brutality of a number of Romanian *Securitate* officers.

Beatings were usually administered at the direction of senior officers of Directorate V for Penal Investigation. It was this Directorate of the *Securitate* which gave the latter the character of a political police. Confidential instructions issued by the Ministry of the Interior empowered the *Securitate* to detain a person for 24 hours without the need of an arrest warrant from a procurator. During this period the detainee was asked to give a declaration.<sup>28</sup> Arrest warrants were issued for the *Securitate* by military procurators on instructions from the Ministry of Justice. After the issue of an arrest warrant, interrogation of the prisoner began in the presence of a stenographer. The Fifth Directorate's first head was Colonel Mișu Dulgheru. *Securitate* documents indicate that Dulgheru approved the use of beatings, threats, the falsification of prisoners' statements, and extension of interrogation beyond the physical endurance of the prisoner. Even Alexandru Drăghici, appointed Minister of the Interior in May 1952, recognized that interrogation officers in this directorate 'had a fairly low level of training and general knowledge', but that these shortcomings were compensated for by 'their powerful revolutionary enthusiasm, their healthy [that is, non-bourgeois background], and their work capacity which was placed at the service of the proletarian revolution'.<sup>29</sup>

It is difficult to give precise figures for the numbers of persons arrested and jailed in the Dej era for the simple reason that the *Securitate's* own statistics are contradictory. One Ministry of Interior report states the following: in the ten years from 1948 to 1958, 58 733 persons were convicted of a multitude of crimes, all of which were of a political nature: conspiring against social order, belonging to subversive or terrorist organizations (these included the former democratic political parties and the Iron Guard), 'hostile instigation against the regime', illegally crossing the frontier, failing to report a crime against the state, crimes 'against humanity and activity against the working class', treason, espionage, dis-

tributing forbidden leaflets, sabotage, and 'hostile religious activity'. Most of those convicted received sentences ranging from one to ten years' imprisonment. A total of 73 310 persons were sentenced to imprisonment in the period 1945 to 1964, of whom 335 received the death penalty (for several it was commuted). A further 24 905 were acquitted or had the cases against them dropped. In addition, 21 068 people were sent to labour camps in the same period. The numbers of those who died in detention is given as 3847, of whom 2851 died while serving their sentence, 203 under interrogation, 137 as a result of the execution of the death sentence, and 656 in the labour camps.<sup>30</sup>

Yet another set of statistics shows that in the period from 1950 to 31 March 1958, 75 808 persons were arrested, of whom 73 636 were convicted. In the same period, 22 007 persons were sent to labour camps, and between 1949 and 1958, about 60 000 were placed under house arrest.<sup>31</sup> Independent sources have produced quite a different set of figures; an examination of court records of the period indicates that in the period 1949 to 1960, 134 150 political trials took place involving at least 549 400 accused.<sup>32</sup>

The majority of those sent to labour camps were not tried or sentenced. They were sent there on the orders of the Ministry of the Interior which itself was acting on instructions from Gheorghiu-Dej and the Soviet counsellors. The euphemism 'administratively sentenced' (*condamnat administrativ*), which disguised the illegality of their plight, was used to justify their detention. Not even this fiction was employed to justify the arrest between 1948 and 1950 of the ministers of the pre-communist regime, the bishops of the Greek and Roman Catholic Churches, and former policemen. There was no offence in the Penal Code to cover their arrest and they were imprisoned on the basis of orders issued by the Ministry of the Interior. This was the fate of Dumitru Caracostea, Minister of Education in the Gigurtu government of July 1940, and several hundred others who had held ministerial office in the pre-communist period. Caracostea was arrested in September 1950 and taken overnight to Sighet jail. On his certificate of release, issued on 6 July 1955, there are blank spaces against the number of the arrest warrant and the reason for his detention, proof from the authorities themselves that there was no legal basis for his arrest or for the five years of his imprisonment. Many of those detained in the labour camps were peasants who resisted the land reform of 2 March 1949. Their fate offers a graphic example of the use of terror by the *Securitate* to implement the communist revolution.

After the Hungarian uprising of 1956, Gheorghiu-Dej began to make a distinction between the Soviet model and the Soviet Union. In choosing the former, Gheorghiu-Dej took his Party and the country on a new course of autonomy from his Soviet overlord by refusing to accept for Romania the role within Comecon of 'breadbasket' for the industrialized members such as East Germany and Czechoslovakia. There is also a paradox here; Gheorghiu-Dej's commitment to the Stalinist values of industrialization turned him into a 'national communist'. Furthermore, this same dedication to Stalinism eventually led to a diminution of institutionalized terror.

The rift with Moscow was produced gradually and unevenly, with fluctuations in its development. The principles of what came to be known as Romanian national communism were laid down in a public declaration of autonomy, entitled *Statement on the Stand of the Romanian Workers' Party Concerning the Problems of the World Communist and Working Class Movement* which was published in *Scînteia* on 23 April 1964. In it the Party rejected Khrushchev's plans to give Comecon a supranational economic planning role and it is to this rejection that the beginnings of a distinct Romanian line in economic and foreign policy can be traced. With these changes came a notable shift in the severity of police rule. Gheorghiu-Dej authorized the opening of the political prisons in 1962 and according to official figures 1304 prisoners were released. In the following year an additional 2892 were freed, and in the first four months of 1964 the 'final' 464 were allowed out.<sup>33</sup>

Khrushchev's removal on 14 October 1964 as Soviet leader offered Gheorghiu-Dej a further chance to consolidate his break with Moscow. Exploiting the change in the Soviet leadership, he summoned the Soviet ambassador on 21 October and requested him to withdraw the KGB counsellors from Romania. Moscow reacted quickly. On the following day, the Chairman of the KGB, Vladimir Yefimovich Semichastny, is said to have sent a telegram to Interior Minister Alexandru Drăghici reminding him that Romania lived 'under the Soviet protective umbrella' and that it would regret Gheorghiu-Dej's move. A similar telegram from General Aleksandr Sakharovsky, former MGB advisor in Bucharest and now head of the First Chief Directorate, landed on the desk of General Nicolae Doicaru, the head of Romanian Foreign Intelligence. In November, Sakharovsky arrived unexpectedly at Bucharest, followed by Semichastny.<sup>34</sup>

The discussions between Gheorghiu-Dej and the new Soviet leader Leonid Brezhnev in connection with the withdrawal of KGB counsellors from Bucharest went on until the end of November and also involved

Aleksandr Shelepin who, until December 1961, had been KGB chairman and had been moved to head the Committee of Party and State Control which oversaw the work of the KGB. Sakharovsky was particularly wounded, since he had nursed the *Securitate* into being in 1948, but eventually the Soviet leadership capitulated and in December 1964 the counsellors were withdrawn, being allowed to take all the contents of the flats which they had requisitioned. Thus the Romanian security and intelligence services became the first such agencies of a Warsaw Pact country to get rid of its Soviet counsellors, and, as regards the Foreign Intelligence Directorate, the DGIE, the only foreign intelligence agency in the Eastern bloc to enjoy this privilege down to the collapse of communism in 1989. This did not mean, of course, that it ceased to collaborate with the KGB.

A condition of the withdrawal of KGB counsellors was that the DGIE should continue to meet Romania's obligations under the Warsaw Pact to play its part in the espionage activities coordinated by the Soviet Union. Moscow established the defence field as the chief priority of intelligence gathering in the 1960s and emphasis was placed on scientific and technical espionage. Both the First Chief Directorate of the KGB, charged with foreign intelligence, and the GRU, Soviet military espionage, set the agenda for their counterpart bodies in the Warsaw Pact states, in Romania's case, the DGIE and the Department of Intelligence of the Army (DIA).<sup>35</sup> Soviet activity in scientific and technical espionage was coordinated by the Military Industrial Commission (VPK) and the United States, West Germany, France, and Britain chosen as the principal targets.

Collaboration between the KGB and the DGIE, on the one hand, and the GRU and the DIA on the other, served a dual purpose for the Soviets; not only was the intelligence gathered for Soviet needs, but the Romanian officers concerned were not asked, in their operational activities in the 1960s, to distinguish a loyalty to Romania from one to the Soviet Union, since the intelligence objectives of both countries coincided. Furthermore, the Soviet training of most of the Romanian intelligence and security officers, cemented an extra bond with the Soviet master. It was in these conditions that an ambiguity in Soviet–Romanian relations emerged, for Romania's rift with Moscow was not so deep as to stop Romanian collaboration in intelligence and security matters.

On succeeding Dej in March 1965 Ceaușescu continued the anti-Soviet stance which allowed the Party to claim that it was defending the national interest. But its efforts to advance that claim were compromised

by the association of the Romanian Communist Party (to which title the Romanian Workers' Party reverted in June 1965) with the terror of the previous two decades, and the presence of Alexandru Drăghici as Minister of Internal Affairs was a constant reminder of that association. Furthermore, in the manoeuvring for the succession to Dej, Drăghici emerged as an opponent of Ceauşescu, being the sole abstainer in the vote taken in the Politburo on 20 March to elect Ceauşescu as the new Secretary General.<sup>36</sup> Removal of Drăghici from his position of power would not only eliminate a rival, but would also allow Ceauşescu to attenuate the regime's link with terror. The new General Secretary was not slow to act.

The first move was directed against the Ministry of Internal Affairs and the DS (*Departamentul Securităţii*). A measure of judicial supervision was brought to the activities of both bodies through the application of the principle of 'socialist legality' which was embodied in the new constitution proposed in June 1965 that declared Romania to be a Socialist Republic in place of a People's Republic. More power was invested in the courts, and a 24-hour limit was placed on the time that a citizen could be held without being charged. Like most legislation, however, its application was arbitrary.

The second move was the replacement in July 1965 of Drăghici as Minister of Internal Affairs by his deputy Cornel Onescu, a Ceauşescu protégé who had studied at the Moscow Party School in the 1950s (Onescu was replaced in April 1972). Drăghici's removal was the result of a major change in the Party statutes which was engineered by Ceauşescu at the Ninth Congress of the Romanian Communist Party held between 19 and 24 July 1965. Article 13 (b) of the statutes was revised to read: 'A member of the Party may hold only one position of political leadership which necessitates full-time activity, whether it is in the Party organs or the state organs.'<sup>37</sup> To comply with the article Drăghici was obliged to give up the Ministry of Internal Affairs, which he had directed since 1952, so that he could remain a member of the Party secretariat. Although he continued to supervise security matters by sharing responsibility in the secretariat for military and security affairs with Vasile Patilineţ, his departure from the Ministry of Internal Affairs denied him his power base and made it easier for Ceauşescu to denounce him and discard him from the Party leadership in April 1968.

Drăghici's removal also signalled a firm intention on the part of Ceauşescu to bring the *Departamentul Securităţii* back fully under Party control. The Ninth Congress marked the end of Pintilie's murderous career at the head of the various parts of the security apparatus for he



failed to be re-elected to the Central Committee. Ceaușescu proceeded with caution for Drăghici remained an influential figure and it was only two years later, in the summer of 1967, that he orchestrated the former Interior Minister's demise. It was suggested to Drăghici that he might like to take a holiday in the West and while the latter was away Ceaușescu called a Central Committee plenum in June. The decisions of that plenum were made public in the following month. In a speech to Party activists in the Ministry of Internal Affairs in which he invoked the decisions of the plenum Ceaușescu began by stressing the leading role of the Party and congratulated the Ministry on its achievements, conceding that 'in the first years after their inception the security bodies lacked experience and ability, sometimes [they] also got erroneous guidance'.<sup>38</sup> 'Erroneous' was a euphemism for 'Soviet' and as he continued his address the Party leader drew attention to the mistakes of the past, identifying many of them with the 'beginning', that is, the period of Soviet dominance.

This had led to 'abuses of socialist legality' which had also been committed against 'Party and state activists who, in certain circumstances, had different views concerning some aspects of the political line, or made mistakes in their activity. Instead of such problems being solved by discussions on a Party line they were sometimes deferred to the security bodies, creating conditions for the latter's interference in Party life, gravely prejudicing the authority and leading role of the Party'.<sup>39</sup>

Ceaușescu ruled such mistakes 'inadmissible' in the future and declared that the Ministry could no longer act as a law unto itself, 'avoiding Party control'. Emphasizing the primacy of the Party over the *Securitate* he declared that 'no citizen could be arrested without a grounded and proved reason' and, in particular, 'no activist, and no Party member generally should be investigated or arrested without the approval of the Party bodies'.<sup>40</sup>

In the same speech Ceaușescu announced a measure to prevent the accumulation of power within the Ministry by a single person (and therefore an indirect criticism of Drăghici). He reported the Central Committee's decision at the same June plenum to reorganize the Ministry and place the DS under the control of a new Council of State Security (*Consiliul Securității Statului*) which would answer to the Party and the government.<sup>41</sup> The CSS was formally set up under decree 710 of 22 July 1967; it was to be part of the Ministry of Internal Affairs but it was given its own president with the rank of minister and the office of First Deputy Minister, and three vice-presidents. In the same sequence of reform the DS was itself reorganized under Resolution 2306 of the

Council of Ministers of 13 September 1967, the principal changes being the merging of the First (domestic intelligence) and Second (economic counter-espionage) Directorates into the General Directorate of Domestic Intelligence (*Direcția Generală de Informații Interne*), and the combination of the Third (counter-espionage) and Fourth (military counter-espionage) Directorates into the General Directorate of Counter-espionage (*Direcția Generală de Contraspionaj*). This process of removing the *Securitate* from the control of the Ministry of Internal Affairs continued with a further reform of the Ministry within a year and was coordinated with Ceaușescu's move to remove Drăghici from all positions of authority. On 3 April 1968, the Council of State, of which Ceaușescu was now President, issued two decrees relating to the Ministry and the Council of State Security. The first reorganized the structure of the Ministry, and the second separated the CSS from the Ministry and gave it independent status. The CSS's attributes were defined as 'the defence of state security against acts of sabotage, diversion, undermining of the national economy, as well as against actions undertaken by foreign espionage services, the organization and implementation of military intelligence and counter-espionage, and the protection of government and Party leaders'.<sup>42</sup> Signs that the new era of 'legality', announced so frequently by Ceaușescu, was about to begin were given by the establishment within the CSS of a bureau to examine complaints about the *Securitate's* alleged past abuses (the bureau's first head was Lieutenant-Colonel Constantin Apostol), and by the passage of a further decree limiting the circumstances under which private homes could be entered without a warrant from a procurator.<sup>43</sup> However, a vital measure in this sense, second in importance only to the constitution according to Ceaușescu, was the new penal code, published in draft form in April. Ceaușescu reiterated criticisms which had been addressed to the Ministry in the previous July:

It is no secret for anybody that certain outrages have been committed over the years. The Penal Code must ensure the strict observance of socialist legality, so that nobody may infringe upon it in any way or commit abuses ... The main responsibility for the application of the laws devolves on our Party ...<sup>44</sup>

Ion Stănescu, a Ceaușescu placeman, was appointed to head the CSS (he became Minister of the Interior in April 1972 but held the post for less than a year) and Lieutenant-General Grigore Răduică, a DS officer, was made his deputy. Modifications to the regional organization of the

CSS followed from the reorganization of local administration which passed into law in February 1968. Romania's 16 regions were regrouped into 39 counties and so the former regional directorates (*direcții regionale*) became county inspectorates (*inspectorate județene*). These changes did nothing to remove the bureaucracy of terror but the measures taken to introduce some sort of legal constraint and judicial supervision, however superficial, to the activity of the *Securitate* marked the end of control by terror and substituted restrictive for prescriptive control.<sup>45</sup> (See Table 6.3)

Table 6.3 Distribution of *Securitate* personnel as of 1 February 1969 in county inspectorates

Alba	126	Ialomița	117
Arad	165	Iași	202
Argeș	175	Ilfov	147
Bacău	173	Maramureș	163
Bihor	203	Mehedinți	139
Bistrița-Năsăud	109	Mureș	176
Botoșani	109	Neamț	140
Brăila	116	Olt	102
Brașov	238	Prahova	221
Buzău	112	Sălaj	86
Caraș-Severin	147	Satu Mare	120
Cluj	265	Sibiu	186
Constanța	234	Suceava	179
Covasna	98	Teleorman	121
Dâmbovița	107	Timiș	234
Dolj	197	Tulcea	100
Galați	208	Vaslui	120
Gorj	112	Vrancea	101
Harghita	107	Vâlcea	107
Hunedoara	204	<b>Total</b>	<b>5966</b>

Source: *Cartea Albă a Securității*, vol. IV, Bucharest: SRI, 1995, doc. 10, pp. 147–8.

However, the fear engendered by the *Securitate* over two decades sufficed to make restrictive control just as efficient as prescriptive control in containing dissent which remained muted following the general amnesties of 1962–4 and the popularity gained by Ceaușescu's defiance of the Soviet Union during the 1968 invasion of Czechoslovakia. The seal on the break with the terror of the past came at the April plenum of the Central Committee of the Party in April 1968 when Drăghici was finally dismissed from all his senior positions within the Party.

The impact of the measures adopted by the plenum in April 1968 soon became evident. Surveillance of the population was relaxed. In the

parlance of the *Securitate* surveillance had two distinct aspects: continual surveillance and periodic monitoring. *Securitate* records show that the number of persons under surveillance as of 1 January 1968 was 7389 and those being monitored totalled 417 075. By the beginning of the following year these figures had fallen drastically to 5102 and 49 319 respectively. (See Table 6.4)

Table 6.4 Surveillance

Nos of persons kept under surveillance, 1968–78	
1968	7,389
1969	5,102
1970	5,300
1975	6,400
1978	7,633
Nos of persons whose activities were periodically monitored, 1968–78	
1968	417,075
1969	49,319
1971	27,046
1975	51,578
1977	63,386
1978	67,453

Source: *Cartea Albă a Securității*, vol. IV, Bucharest: SRI, 1995, p. 84.

In March 1978, the *Securitate* was reorganized and the Department of State Security, *Departamentul Securității Statului* (DSS), was created within the Ministry of the Interior. Its head was given the rank of Minister State Secretary within the Ministry of the Interior, and some directorate chiefs were advanced to the position of Deputy Minister. The DSS inherited the structure of the *Securitate* and preserved it, with a few modifications, until its abolition on 30 December 1989.

Under the command of General Nicolae Pleșița the activities of the Foreign Intelligence department of the *Securitate* took a more sinister turn. Appointed in 1980, Pleșița was given Ceaușescu's go-ahead to silence the dictator's critics abroad. The international terrorist Ilich Ramirez Sanchez, better-known as 'Carlos the Jackal', was approached by one of Pleșița's subordinates, Colonel Sergiu Nica, and several meetings were arranged between the Jackal and Pleșița between 1980 and 1982. The German police concluded that a bomb attack on the Radio Free Europe Headquarters in Munich on the evening of 21 February 1981 was the work of Johannes Weinrich, one of the Jackal's closest associates, and was carried out at the request of Pleșița in return

for his having provided false papers and safe houses to the Jackal and his group in Romania. The attack left six people wounded.

An equally murderous assignment was given by Pleșița to Matei Pavel Haiducu. Born in Bucharest on 18 May 1948, Haiducu was the son of Ludovic Haiducu (real name Hirsch), a *Securitate* general. His first attempt to establish himself as an illegal, in South Africa, failed and the CIE therefore decided to send him to France where he applied for political asylum in 1975 and found work as an engineer in a factory making parts for nuclear power stations. He married a French woman in 1977, and obtained French nationality in the following year. On 13 January 1982, he allegedly received orders from Pleșița to murder Paul Goma and another dissident writer, Virgil Tănase, by injecting them with a special poison designed to provoke cardiac arrest. Instead of following instructions, Haiducu turned himself over to the French authorities on 1 April.

A second illegal, arrested in France shortly afterwards, was Mihai Manole, who was charged with collusion with agents of a foreign power. Manole had settled in France with his French wife in 1978 and worked on contract at the European Centre for Nuclear Research (CERN) in Geneva until April 1982, and then with the Navequip company in Dieppe. Manole was recruited by the DIE/CIE in 1978 before going to France and was assigned the task of obtaining technical intelligence. He made eight trips to Romania where he handed over material relating to tests and research carried out at CERN.

### **The internal and external activity of the *Securitate*, including the role of military intelligence**

The defection of Ion Mihai Pacepa to the United States in late July 1978 was one of the greatest blows ever delivered to an East European intelligence agency. It came at a time in Romania when the euphoria over Ceaușescu's defiance of the Soviet Union at the time of the Warsaw Pact invasion of Czechoslovakia in August 1968 had evaporated, and the improvement in living standards had come to halt. Soviet opposition to Romania's rapid industrialization in the 1960s had driven Ceaușescu to turn to the West for loans, but the country's creditworthiness had been assessed on overoptimistic estimates of its ability to repay through exports since these proved to be of poor quality. Not only did the exports fail to generate the anticipated income, but the energy-intensive heavy industry plants became increasingly voracious due to inefficient running. In the mid-1970s, Ceaușescu expanded Romania's oil-refining capacity in excess of the country's own domestic output, and in 1976 was forced to begin the import of crude oil. When the price of oil soared

on the international market in 1978 Romania was caught out and soon faced a major trade deficit. Her problem was exacerbated by the revolution in Iran, a chief supplier to Romania of oil, which put a halt to deliveries.

As deputy head of Romanian Foreign Intelligence and a deputy Minister of the Interior, Pacea was one of the highest-ranking intelligence and security officials ever to defect from the Soviet bloc. Pacea tells us that he was born in Bucharest in 1928. His father came from what is today Slovakia and had moved to Transylvania while the province was under Hungarian rule, before settling in Bucharest in 1920. Ion Pacea studied at the Bucharest Polytechnic from 1947 until January 1951 when he was recruited into the *Securitate*. In his book *Moștenirea Kremlinului* he wrote that he was assigned to the Directorate of Counter-sabotage of the *Securitate*.<sup>46</sup> Either in March 1954 or 1955, Pacea was transferred to the Directorate of Foreign Intelligence (Directorate I of the *Securitate*), headed at that time by Major General Vasile Vîlcu, an officer of Bulgarian background who had worked in the Foreign Intelligence Directorate of the NKGB, and had been made chief of the Romanian Intelligence Directorate in 1952.<sup>47</sup>

In 1957, Pacea was sent to work under cover as the deputy head of the Romanian commercial mission at Frankfurt in West Germany. He returned in the following year after his cover was blown by two other Romanian intelligence officers who were arrested in West Germany in the act of receiving secret documents from the Romanian-born wife of an American officer.<sup>48</sup> In October 1959, Pacea was appointed by Alexandru Drăghici, Minister of the Interior, head of the technical department of Directorate I, that is, head of Romanian industrial espionage. Such espionage, like all Romanian foreign intelligence activity, was coordinated by the KGB's Foreign Intelligence Directorate, and Pacea was given his instructions by the Soviet technical advisor to Drăghici whom he named as Colonel Boris Alexeivich Kotov.<sup>49</sup> When Kotov, together with the other KGB counsellors, was withdrawn at Gheorghiu-Dej's request in December 1964, the way was clear for priority to be given to Romanian needs in the realm of industrial espionage, needs which were dictated by Ceaușescu. In April 1972, the existing directorate for foreign intelligence was rechristened *Departamentul de Informații Externe* (DIE) and its head, Colonel General Gheorghe Nicolae Doicaru, became Ceaușescu's national security advisor. Pacea was appointed Doicaru's deputy in 1973 and in this capacity oversaw most of Romanian foreign intelligence activity.<sup>50</sup>

As a result of Pacepa's defection, the DIE network was totally destroyed and Ceaușescu himself was severely embarrassed internationally, for Pacepa's disclosures damaged Romania's partners in clandestine activities. Pacepa also proved a time-bomb for Ceaușescu since his public revelations almost ten years later in his book *Red Horizons* dispelled any remaining traces of the international respectability which the Romanian leader had attempted to preserve for himself as the potential successor to Tito in the role of spokesman for the non-aligned countries. The book alleged Ceaușescu's direct involvement in murder, blackmail, drug-smuggling and kidnapping. At the same time, the serialization of the book on Radio Free Europe in 1989 served only to confirm Romanians in their suspicions of the criminal behaviour of Ceaușescu and his family and completely punctured the inflated myths of the personality cult.

Pacepa's flight seems to have stemmed from the *Securitate's* progress in identifying him as the source of intelligence leaked to the CIA. Suspicions about Pacepa were raised by the discovery that he was purchasing furniture from the Lebanon and shipping it into Romania. Questions were asked about the source of the money used by Pacepa. Working on information supplied by the KGB, Major-General Mihai Caraman, head of the counter-espionage unit of the *Securitate*, is alleged to have begun to monitor Pacepa's movements. Details of this surveillance were passed on to Pacepa. Fearing that the net was closing in on him Pacepa used the opportunity of a visit to Bremen for negotiations with the company Fokker over a joint project with Romania to build an aircraft in order to alert his American contacts. A special plane was sent to West Germany to take him to Washington where he arrived on 28 July.<sup>51</sup> News of his disappearance was published in *Die Welt* on 8 August and confirmation that he had defected came two days later from Washington.<sup>52</sup>

Caraman had, according to Pacepa, been reactivated by the Soviets on his appointment as head of DIE counter-espionage in 1978. General Gheorghe Moga, head of counter-espionage for the entire *Securitate*, reported this to Ceaușescu and, in order to avoid antagonizing the Soviets, the Romanian leader quietly moved Caraman to another post.<sup>53</sup>

There followed after Pacepa's defection the greatest purge amongst the intelligence and security services in communist Romania. According to Pacepa, a third of the Council of Ministers was demoted, 22 ambassadors were replaced, and more than a dozen high-ranking security officers were arrested.<sup>54</sup> Feverish efforts were made to withdraw DIE officers abroad, some of whom chose to defect once their cover had been blown. In 1978, the DIE was said by Pacepa to have 560 legal and clandestine officers,

and 1100 'associates' in the Ministry of Foreign Trade. Their numbers had been boosted as a result of a secret decree signed by Ceaușescu in 1973 which empowered the DIE to recruit anyone working in the Foreign Ministry or in the Ministry for Foreign Trade and to pay them an extra salary. Some 70 per cent of the personnel in the trade legations in the West and in the Third World were undercover DIE officers while the rest, with the exception of Marin Ceaușescu, head of the commercial office in Vienna, were collaborators of the DIE. In the Ministry of Foreign Trade five deputy ministers and eleven directors were undercover DIE officers. The catalogue of infiltration did not end there: the General Directorate of Customs was headed by an uncover DIE officer, and 38 of the 41 directors of foreign trade companies were officers or collaborators of the DIE.<sup>55</sup>

A major casualty of Pacea's flight was the Interior Minister Teodor Coman. On 5 September, it was reported that he had been 'released' from his office by presidential decree and replaced by George Homoștean, First Secretary of the Alba County Party.<sup>56</sup> Personnel changes in the DIE followed. Pacea's boss, Lieutenant-General Alexandru Dănescu, appointed by Ceaușescu as recently as March 1978, was removed in October and, allegedly under Elena Ceaușescu's orders, the organization was reorganized and styled the CIE (*Centrul de Informații Externe*). Romus Dima, a historian specializing in the working-class movement in Ceaușescu's home county of Oltenia, was appointed its chief. Doicaru was also a Pacea victim. After being downgraded to Minister of Tourism, he was dismissed from this post on 15 August, a sign that Ceaușescu's anger against his intelligence officers went extremely deep. Major-General Gheorghe Zagoneanu, the head of a county inspectorate of militia, was appointed to fill the vacancy left by Pacea.

This upheaval in the Romanian intelligence and security services compounded a series of earlier organizational changes affecting the Ministry of the Interior, the first of which had resulted from the miners' strike in the Jiu valley in August 1977. Some officials had been replaced and structural changes had been introduced into the Ministry which were embodied in a State Council decree published on 8 April 1978.<sup>57</sup> The most significant of these was the recreation of a Department of State Security *Departamentul Securității Statului* (DSS) within the Ministry of the Interior. Tudor Postelnicu, the Party secretary of Buzău county and a friend of Ceaușescu's son Nicu, was appointed Minister State Secretary in the Ministry of the Interior and head of the DSS in March 1978.

At the same time, the Ministry of the Interior's remit was extended to include 'defence of the independence, national sovereignty, and



territorial integrity' of the state. This expansion of the Ministry's duties also required it to be responsible for security matters not just to the Party's Central Committee, where there was a secretary charged with responsibility for the armed forces and security (at the time of the 1989 revolution this was Colonel-General Ion Coman), but also to the Supreme Command of the Romanian Armed Forces of which Ceaușescu was chairman.<sup>58</sup> In practice both the Minister and the head of the DSS reported directly to Ceaușescu himself. The increased importance assigned to the DSS, and the control over it with which Ceaușescu invested himself, invites parallels with the prescriptive control exercised by the *Securitate* of the 1950s. The promotion of one of the President's brothers, Nicolae Andruța Ceaușescu, to the rank of Lieutenant-General and to the post of commandant of the officer training school for the *trupele de securitate* at Băneasa on the outskirts of Bucharest underlined that control.

A mark of the increased importance of the DSS was its elevation to the rank of ministry. A new area of concern was the spread of international terrorism and the DSS was charged with 'the activity of preventing, detecting, neutralizing, and liquidating terrorist actions on Romania's territory'. The specific task of combating terrorists was given to a special anti-terrorist unit known by its acronym of USLA (*Unitate Specială de Luptă Antiteroristă*). Its first commander was Colonel Ștefan Blaga and its strength in 1989 was 795 officers and men.

The presence of large numbers of Arab students in Romanian universities raised fears that the internecine struggles within the various factions of the Palestinian Liberation Movement would spill over into Romania. These fears were borne out on 4 December 1984 when the Second Secretary at the Jordanian Embassy was shot dead outside the Bucharest Hotel in the capital. On 12 August 1985, Ahmed Mohammed Ali Al Hersch, a 27-year-old Palestinian studying in Bucharest, was arrested for the murder and sentenced to 20 years' imprisonment. In 1988, in the wake of decree no. 11 issued by Ceaușescu, his sentence was reduced by half, and in September 1991, under article 60 of the penal code, it was cut by another four years, with the result that on 3 September 1991 he was released from Galați jail and left the country.<sup>59</sup>

The DSS was also charged with the propagation of personality cult of Ceaușescu, and with silencing the regime's critics abroad. Promoting the cult in the wake of Ceaușescu's 'election' to the new post of President of the Republic in March 1974, and the cult's extension to his wife Elena – the second most important figure in the Party and state after her appointment as First Deputy Prime Minister in March 1980 – absorbed

more and more of the DSS's resources. Disbursements were made from special hard currency accounts controlled by an agency within the CIE known as OVS (*Operațiuni de Valută Străină*) to pay foreign publishers to publish hagiographies of Ceaușescu and the ghost-written studies on chemistry attributed to his wife, 'the scholar of world-renown'. Bucharest sources allege that the occasion for the Romanian agent Liviu Turcu's defection in Vienna in January 1989 was his mission to pay a Western publisher the reputed sum of \$30 000 for publication of one of Elena's 'studies'.

Elena Ceaușescu herself was particularly active in promoting the cult of her husband's personality and after 1985 she took a special interest in it. She regularly browbeat the successive Central Committee propaganda secretaries to ensure that public meetings were festooned with photographs of her and her husband and became increasingly protective of the President as his diabetes seemed to be accelerating both his ageing and his irascibility. It was for this reason that she frustrated the attempts of Major-General Emil Macri, the head of the Second Directorate, to discuss with the President the true state of the country's disastrous economic plight.<sup>60</sup> That Ceaușescu knew something of the real situation was clear from the disclosure on Romanian TV after the revolution of documents found at his summer residence at Neptun on the Black Sea which contained two columns of harvest figures, one true and the other false. It was the latter set which he communicated to the Politburo in the autumn of 1989.

The silencing of critics of Ceaușescu abroad was carried out just as assiduously as the propagation of the personality cult. Emil Georgescu, who had been working as a programme editor for Radio Free Europe since January 1974, was seriously injured on 19 October 1976 in a car accident staged by a team of French drug-smugglers working for the DIE. Pacepa alleged that it was Ceaușescu himself who gave the order for Georgescu to be silenced because of his barbed critiques of the personality cult.<sup>61</sup> Six months later, Georgescu was back at work, prompting a DIE disinformation operation to compromise him. Signed and anonymous letters sent to Radio Free Europe at the behest of the DIE insinuated that Georgescu had been in receipt of payments to secure exit visas for Romanians wishing to emigrate. An unsuccessful blackmail operation run by Major-General Eugen Luchian, head of the Visa and Passport Office, was mounted to persuade Georgescu to leave his post at Radio Free Europe in return for an exit visa for his mother in Bucharest. Georgescu continued his acerbic broadcasts until 28 July 1981 when he was stabbed 22 times by two French citizens while leaving his Munich

home. Georgescu, despite being severely wounded, survived this attempt on his life and his attackers were arrested. They refused to give any information about who had hired them, and on 21 July 1982 were sentenced to eleven years and four and a half years respectively for attempted murder. In their report on the crime the West German security service concluded that 'other persons from the Romanian intelligence service are said to have been given the assignment of liquidating the Romanian emigré once and for all'.<sup>62</sup>

The case of Monica Lovinescu, the daughter of a distinguished literary critic, who had taken refuge in France after the war, was offered by Pacepa as further evidence of Ceaușescu's direct involvement in such actions. Her regular cultural broadcasts on Radio Free Europe, in which she criticized with bitter sarcasm Ceaușescu's attempts to subordinate Romanian literature to his own ends, so infuriated the Romanian leader that it was he himself who gave orders for her to be silenced. Pacepa claimed that a CIE officer, Major Gheorghe Șerbănescu, a specialist in Arabic and liaison officer with the Palestine Liberation Organization, received instructions from Ceaușescu to beat up Lovinescu so savagely 'as to prevent her writing and talking for the rest of her days'. Șerbănescu engaged three PLO members and instructed them as to how to carry out the operation. One of the men, disguised as a postman, rang the doorbell of Lovinescu's Paris flat, and when she answered the other two rushed in and punched her repeatedly in the face and about the body.<sup>63</sup>

Other Romanian opponents of the regime were also targets. Paul Goma was one of three Romanian émigrés to whom parcel bombs were addressed from Madrid in February 1981. The defection in France in July 1982 of Matei Haiducu, a *Securitate* officer with orders to murder both Goma and another dissident writer, Virgil Tănase, proved the most serious in a series of embarrassing setbacks for the CIE under Pleșiță's direction.<sup>64</sup> A presidential decree issued on 26 November 1984 releasing Pleșiță from the position of First Deputy Minister meant implicitly his removal as head of the CIE. He was relegated to the position of commandant of the *Securitate* training school at Gradiștea, some 40 km south of Bucharest, and replaced as CIE chief by Lieutenant-General Aristotel Stamatoiu. The attempts by Pleșiță to make good some of the damage caused by Pacepa's defection were compromised by a succession of failures which served to erode still further Ceaușescu's crumbling image abroad.<sup>65</sup> The string of embarrassments for Pleșiță began in October 1980 when the West German Federal Prosecutor's Office reported the arrest of a Romanian citizen for spying on emigrants to West Germany for the CIE. In the following month, Florian Rotaru, a

code clerk at the Romanian embassy in Vienna, defected to West Germany with a 50 kg postbag containing classified information. He was flown from there to the United States. In March 1981, an Austrian police chief was arrested in Vienna on charges of spying for Romania.<sup>66</sup> In the summer of 1982 came Haiducu's defection. He told the French secret service of Pleșiță's instructions to him to kill Goma and Tănase, and as a direct result President Mitterrand cancelled a visit to Romania in July. In January 1983, a French court sentenced Traian Munteanu, a Romanian computer technician, to two years in jail for espionage, and six months later Mihai Manole, a 37-year-old Romanian-born engineer who was a naturalized French citizen working for a shipbuilding firm in Dieppe, was arrested by the French police and charged with industrial espionage on behalf of Romania. In August, three Romanian diplomats and one employee of the Romanian embassy were expelled from Belgium on charges of spying against NATO.<sup>67</sup>

This catalogue of disaster continued into 1984. A Romanian embassy employee, Nicolae Iosif, was found dead outside the Embassy in Paris in April with a dagger beside his body. In October, a CIE cipher officer from the Romanian embassy in Bonn asked for asylum during Ceaușescu's visit to West Germany. It was later reported that five Romanian diplomats, named as Counsellor Constantin Ciobanu, First Secretary Ioan Lupu, Second Secretaries Dan Mihoc and Ion Grecu, and Third Secretary Ion Constantin, had been expelled from West Germany. Shortly afterwards, Haiducu appeared on French television and declared that the Romanian ambassador to France, Dumitru Aninoiu, and his press attaché Ion Badea, were CIE agents.<sup>68</sup>

Ceaușescu's ability to translate his anger at his critics abroad into violence against their persons put Western security services on the alert. Early in 1989, Ion Rațiu, a prominent émigré critic of Ceaușescu, received word from West German sources that two women agents had been sent to assassinate him, and he was offered protection; even the author of this chapter was considered significant enough to warrant the ambiguous warning from an official in the Romanian Foreign Ministry, transmitted via a British visitor in July 1989, that he was 'number seven on the *Securitate's* list'.

In Romania itself, the brutality of some of the beatings administered to opponents of the regime was evident from the fate of Gheorghe Ursu, an engineer from Bucharest who was arrested on 21 September 1985 for keeping a diary and correspondence critical of the Ceaușescus. He was held at the *Securitate* headquarters on Calea Rahovei where he was beaten by two criminals, acting on orders from senior officers in the Penal

Investigation Directorate of the *Securitate*. As a result of his injuries, Ursu was moved to the hospital of Jilava jail. He died there on 17 November. An enquiry in March 1990 revealed that Ursu had died as a result of repeated blows with a heavy object to his abdomen.<sup>69</sup>

By contrast, Mariana Celac, a leading opponent of Ceaușescu's reconstruction programme in Bucharest, described the measures taken against her by the *Securitate* as psychological harassment; no physical violence was used against her. She was summoned to a *Securitate* address for questioning, then kept waiting, and then interrogated by individuals who had a detailed record of her activities.<sup>70</sup>

Whilst not relying on the extremes of terror pursued during the early years of communist rule in Romania, the Ceaușescu regime showed that it was capable of resorting to the practices of the past in order to maintain its dominance of Romanian society. The institutions and legal codification of coercion remained unchanged. Some provisions of the penal code remained dormant until Ceaușescu found it convenient to resuscitate them; such was the case with the decree requiring the registration of typewriters with the police which was revived in a decree which came into force in April 1983, and with a provision of Gheorghiu-Dej, introduced in 1958, which made failing to report a conversation with a foreigner a criminal offence (decree no. 408 of December 1985). Photocopying machines were a rarity, and the few that were available in national libraries were closely supervised and special permission was required for their use. The materials and number of copies made were carefully recorded by a librarian.

Sycophancy played a major part in the support given to Ceaușescu, by the nomenklatura and as General Pleșiță's instructions to Haiducu demonstrated, it was a motive behind actions in the CIE. This was also true of the *Securitate*. But Ceaușescu was clever enough to realize that his own position of personal dominance was ultimately dependent on the loyalty of the *Securitate*. He therefore paid them well, giving them higher salaries than those received by their colleagues of the same rank in the armed forces. A lieutenant-colonel in the *Securitate* received a monthly salary of 7800 lei in December 1989; 1000 lei more than his counterpart in the army and more than double the average. *Securitate* officers had access to the special shops and facilities reserved for senior Party members, whereas their army counterparts did not. Moreover, instead of ensuring the country's defence, the role of the army was relegated to that of providing a cheap labour force for the megalomaniacal building projects that Ceaușescu initiated. As draconian economic measures fuelled even greater and more widespread disaffection with his policies

in the mid-1980s, Ceauşescu became even more dependent on coercion for the maintenance of his rule, and this dependence necessitated closer supervision of the Ministry of the Interior. These considerations led him to promote the family friend Postelnicu to the position of Minister of the Interior on 3 October 1987. His successor as Minister State Secretary in the Ministry of the Interior and head of the DSS was Colonel-General Iulian Vlad.

Vlad was, unlike Postelnicu, a career officer in the *Securitate*. He served as a captain in the cadres directorate in the late 1950s and gradually rose through the ranks, becoming Major-General in 1977. On 9 May 1980, he was made State Secretary in the Ministry of the Interior and promoted to Lieutenant-General. On 15 April 1983, he became a deputy minister, and on 21 August 1984, Colonel-General. In the face of an increasing restiveness on the part of the population, amply demonstrated by the Braşov disturbances in November 1987, Ceauşescu ordered Postelnicu to improve the effectiveness of security forces and to this end the Minister issued order no. 02600 on 5 July 1988 approving 'Measures which must be taken by units of the Ministry of the Interior for increasing its combat and intervention effectiveness.'<sup>71</sup> The order was accompanied by a ban, issued by the Ministry, on the holding of wedding receptions and parties in restaurants to prevent the gathering of people in groups. In an interview given by Silviu Brucan and Nicolae Militaru on 23 August 1990, it was claimed that a special security force existed for Bucharest and numbered 600 men under the command of Colonel Gheorghe Goran, the head of the Bucharest DSS.<sup>72</sup> To these forces must be added the 484 men, commanded by Major-General Marin Neagoe, who constituted the Presidential Protection Group (*Securitate* Fifth Directorate). There were small units of USLA troops based at the provincial airports. The men of the Presidential Protection Group and of USLA were all trained in the techniques of urban warfare and were equipped with modern automatic weapons with infrared sights. It was they who, Brucan alleged, took up positions in accordance with a contingency plan drawn up in 1985, to combat a popular rising around strategic buildings such as the TV and radio stations, the Ministry of Defence, and the Central Committee building, and on the evening of 22 December 1989 made a concerted sniper attack on the army and the population in the centre of Bucharest and at the TV station which began at 7 p.m. Some of these officers held two identity cards and passports, and keys to two flats stocked with food in freezers and civilian and military clothes. These specialist security units supplemented the Ministry of the Interior troops, known as *trupele de securitate*, who at the

time of the revolution numbered 23 370 officers and men. Among the latter were the 2000 officer cadets of the Ministry of the Interior Military Academy at Băneasa on the outskirts of Bucharest, commanded by Lieutenant-General Nicolae Andruță Ceaușescu.

Comprehensive details about the organization of the *Securitate*, although not about its strength, on the eve of the Revolution, were eventually published in the mass circulation daily *Evenimentul Zilei* in July 1993.<sup>73</sup> The *Securitate's* direct subordination to Nicolae Ceaușescu was made clear in its programme of action where it was charged with 'acting consistently to carry out to the letter the orders and indications of the Supreme Commander of the Armed Forces, comrade Nicolae Ceaușescu'. Its objectives were:

1. To discover, anticipate and act to prevent and vigorously combat any deed likely to affect state security and national integrity, independence and security.
2. To ensure the safety of the Supreme Commander and to carry out to the full all missions of an exceptional importance.
3. 'To prevent, counter and neutralize actions' perpetrated by reactionary circles and nationalist, irredentist and Fascist groups abroad, by hostile emigre groups and by hostile elements in the country'. Special attention was to be paid to planting agents in 'Hungarian reactionary groups' and to undermining their activities, as well as intercepting 'agents sent to Romania to gather information and stir up trouble'. The Directorates charged with these duties were the First, the Third, and the CIE (the Centre for Foreign Intelligence). Included in these hostile elements were 'the former bourgeois-landowning parties' and 'those formerly convicted of crimes against state security', as well as those who 'used the cover of religion to set up new sects, to incite native elements to anarchic deeds, or to invoke false problems of a religious nature as a pretext for involvement in the internal affairs of the country'. Special attention was to be paid to the neo-Protestant sects and the Greek-Catholic Church.

Noteworthy in the definition of internal security under this third heading was the inclusion of defection or 'illegal remaining abroad', to use the official Romanian parlance, and to the 'illegal crossing of the frontier'. Information was to be gathered by the first four directorates, USLA, the CIE and CIE counter-espionage 'to identify persons likely to remain abroad and to prevent their doing so'. The use of 'illegal' here requires clarification: it meant 'contrary to Romanian law' and not

contrary to the law of a foreign country which might have been willing to grant asylum. To understand the importance attributed to such a role we need to bear in mind that the award of a passport to a Romanian citizen was a privilege, not a right, and was, in the case of 'service' passports (that is, issued for travel on official business) as opposed to 'tourist' passports, often conditional upon the bearer fulfilling an extra task for an organ of the *Securitate*. Thus 'illegal' residence abroad and 'illegal' exit could be seen not solely as an infringement of an individual's freedom to travel, but also as denial to the *Securitate* of control of a Romanian citizen. Passport control was effected by officers belonging to the Passport Directorate of the Ministry of the Interior who were trained in intelligence work, while the frontier guards were drawn from the frontier troops (*grăniceri*) who were placed under the Ministry of the Interior.

Under the programme there was to be rigorous implementation of a plan, codename 'Ether', to gather intelligence about news agencies and radio stations which carried material deemed to be hostile to Romania. This was to be carried out by the CIE, the Foreign Intelligence Directorate of the CIE, by its counter-espionage unit, and by the disinformation service of the DSS. A watch was to be placed on any relatives in Romania of staff at these agencies, as well as upon those who had contacts with the staff, in an effort to identify the authors of materials sent from Romania. The Romanian-language broadcasts of Radio Free Europe, the BCC, Voice of America, Deutsche Welle and other foreign stations were monitored by special unit 'R' which regularly produced reports which were forwarded to Ceauşescu. Tracing those who listened to such broadcasts or contacted the stations was the work of the First Directorate.

Another remit of the *Securitate* was to identify and prevent acts of economic sabotage. Overall responsibility in this area was entrusted to the Second Directorate and to the Independent Service for Foreign Trade. Sabotage was given an extremely loose definition, being construed as a threat to the security of large factories, hydroelectric stations, the quality of exports and to 'the contentment of workers'. Particular attention was paid to the need to guard against any events, either malfunctioning or industrial disputes, which could affect power stations. The nuclear energy programme, centred on the power plant at Cernavoda and the heavy water plant at Turnu Severin, was accorded priority status and separate plans to guard them, codenamed ENERGY and ATOM were specifically devised. In averting sabotage in the defence industry the Second Directorate was to be assisted by the Fourth Directorate and the Independent Service for Defending State Secrets of the *Securitate*.<sup>74</sup>



Economic security encompassed rail and maritime traffic, telecommunications, agriculture, food processing, the construction industry and scientific research. In all these areas the Second Directorate was charged with preventing any disruption of production, be it intentional or otherwise. Yet the Directorate's remit did not end there; it was also to be a kind of economic 'think tank', expected to oversee the progress of scientific research and investment programmes, to isolate design faults, and to report on unsound economic measures. In these circumstances it is not surprising that the Second Directorate became the best informed agency within Romania about the country's true economic plight, and the fact that Elena Ceauşescu refused to allow the transmission of Major-General Emil Macri's resumes to her husband showed that she recognized where responsibility for that plight lay. It was not unusual for Macri during the last three years of the regime to arrange lunches with local DSS heads in rural locations at which he would vent his anger at the 'imbecility' of the President's economic programme and his frustration with Elena.<sup>75</sup>

Counteracting foreign attempts to obtain the type of information gathered and passed on by Macri and his Second Directorate was the work of the Third Directorate. Economic links with other states formed the subject of the measures codenamed *ATLAS*. Under this programme the Second Directorate and the counter-espionage unit of the CIE supervised the nature of contracts signed with foreign companies, the management of these contracts, and the Romanian personnel sent abroad under their terms. Efforts were made to ensure that the oil-drilling and construction materials sent to large projects in Iraq and Libya met the required standards, and to verify the levels of Romanian workmanship.<sup>76</sup>

Section five in the programme of action was devoted to foreign trade. Insistence was placed upon the need to protect the details of import and export contracts; measures to ensure this were set out in a plan codenamed *MERCURY* and were to be taken by the Second, Third and Fourth Directorates, the Independent Service for Foreign Trade, the Independent Service for the Protection of State Secrets, the CIE, and its counter-espionage unit. Industrial espionage was encouraged; 'action will be taken at all times to obtain data about advanced technologies ... and to influence foreign firms and businessmen in adopting a favourable attitude towards developing relations with Romanian partners'.<sup>77</sup> This formed part of the CIE's work. All the units engaged in countering economic sabotage were called upon 'to assist the foreign trade company *Dunărea* in delivering on time goods contracted through it'.<sup>78</sup> *Dunărea*

had been created as a separate enterprise of the CIE to sell Romanian arms and to 'launder' the money obtained.

Counter-espionage was the function of the Third Directorate. It was divided into sections which supervised foreign businessmen, tourists, diplomats, local staff employed at embassies and by foreign companies, and Romanian citizens who came into contact with foreigners, including any relatives who lived abroad. Restrictions placed on the relations Romanians could have with foreigners were legalized under law no. 23 of 1971 regarding the protection of state secrets, and under decree no. 408 of 1985, which made failing to report a conversation with a foreigner a criminal offence. This decree effectively reactivated a provision introduced in 1958 amidst the draconian measures taken to reinforce internal security in the wake of the withdrawal of Soviet troops. Any contact with a foreigner had to be brought to the attention of the Party or the Ministry of the Interior and non-compliance constituted a 'digression from civic and Party conduct'.

Protection of state secrets in the ministries and in official institutions such as computer and research centres was the special responsibility of the Independent Service for the Protection of State Secrets of the *Securitate*. Heads of protocol in every ministry were required to cooperate fully with this unit in preventing any unauthorized release of information. It is easy to see that there was a potential for overlap in the enforcement of decree 408 since most cases of its infringement were likely to involve a foreigner, the subject of attention of the Third Directorate, and a Romanian, whose action came within the remit of the Independent Service.

An indication of how wide a net of suspicion the Third Directorate was ordered to cast could be seen from the directive that 'radio hams and stamp collectors, as well as anyone belonging to associations with links abroad' should be watched for any signs of treacherous behaviour. Included in this category were freemasons. The directorate was to take steps 'to gather better information about the present plans of the freemasons with regard to Romania and to ensure tighter control over those suspected of participating in freemasonry activity abroad'.<sup>79</sup> Supervision of the staff of the Ministry of the Interior, including that of the *Securitate*, fell to the Fourth Directorate of Military Counter-espionage (it should be remembered that *Securitate* officers held military rank). Its role was 'to keep a permanent check' on officers and their families, as well as upon foreigners studying in military institutions.<sup>80</sup>

The technical means of carrying out audio surveillance of all DSS targets was provided by special unit 'T', also known as *Tonola*. Officers

from the unit not only placed microphones in homes and offices, and telephone taps at exchanges, but transcribed the information obtained and passed it on to the Directorate which had requested the eavesdropping. Another special unit 'S' intercepted mail and special unit 'R' ensured radio communication between the central directorates and the county inspectorates (departments). Unit 'R' also monitored the broadcasts of radio hams, who needed special permission from the *Securitate* to operate, and kept an ear open for clandestine radio traffic. Each county *Securitate* inspectorate had its own 'T' and 'S' units.

The maintenance of public order fell to the Command of the Security Troops (*Comandamentul Trupelor de Securitate*) and, as their name indicated they came under the control of the DSS. Known popularly as the Ministry of the Interior Troops, their commander in December 1989 was Major-General Ghiță. They were made up of 23 370 officers and men. The 2300 officers were career soldiers who underwent training at the Băneasa military school while the troops were conscripts who did their 18-month military service in the units of the command. Strict vetting procedures were adopted towards recruits and those who had a prison record, or a parent with one, or relatives abroad, were rejected. Only a small number of Hungarians were admitted. The role of the security troops was to ensure public order and to put down disturbances 'engineered by protest groups which could damage state security'.<sup>81</sup> Surprisingly, they were called upon to play a smaller part in crushing the December 1989 street protests in Timișoara and Bucharest than the army although cadets from their academy in Băneasa under the command of Nicolae Andruța Ceaușescu were responsible for the deaths of several young protesters on the evening of 21 December.

A final word is required about the *Securitate's* control of Romanian exports. Some exports of Romanian arms were managed by the foreign trade company Dunărea (UM 0107). The monies earned enabled the *Securitate* to purchase special machinery and apparatus for its own use. Other arms sales were made through the intermediary of Marin Ceaușescu one of the President's brothers, who was head of the Romanian Foreign Trade Mission in Vienna and who committed suicide there on 28 December 1989. The proceeds of these latter sales were reported to have been placed in a secret Swiss account.<sup>82</sup>

Nicolae Ceaușescu saw arms sales as a means of paying off Romania's debts to Western banks. His best customer was Egypt. After Cairo's decision to break its close military links with the Soviet Union in the mid-1970s, Ceaușescu stepped in to supply spare parts for Egypt's Soviet-made tanks and artillery. Romania also supplied reconditioned

equipment to Iraq during the Iran–Iraq war, thus offsetting the poor performance of its civilian industrial exports by earning hard currency through the export of cheap, unsophisticated weapons. The success of this strategy made Romania in 1987 the second largest exporter of arms in the Warsaw Pact after the Soviet Union. Using his links with Cairo Ceauşescu was alleged by the West German weekly *Der Spiegel* in an issue published at the beginning of May 1989 to have obtained the technology for the production of a medium-range missile system which a firm in Munich had supplied to Argentina. It was passed from Argentina to Egypt and Iraq, and on payment of \$200 million to Cairo it was transferred to Romania.

Equally intriguing was the allegation, made in an article in the *Washington Post*, that Marin and his brother Ilie, First Deputy Defence Minister, supplied the United States with advanced Soviet military technology during the 1980s. As part of a wider intelligence drive directed by the CIA into the upper echelons of East European Defence Ministries, the US government is said to have paid more than \$40 million to Romania through foreign intermediaries in the decade since the relationship with the two Ceauşescu brothers began in 1979. According to CIA sources, about 20 per cent of the money was deposited in Swiss bank accounts controlled by the Ceauşescu family. Although Nicolae Ceauşescu was not personally involved, it is inconceivable that he did not know about the operation. Among the weapons obtained by the CIA in this way through Romania were the latest version of the Shilka, a sophisticated Soviet anti-aircraft mobile rocket launcher that had been modified by the Romanians, and radar systems used in identifying targets and directing the fire of Soviet anti-aircraft weapons.<sup>83</sup>

Another source of hard currency for the *Securitate* was the commission charged by the directors of various Romanian controlled companies such as Crescent, Terra, Delta, Trawe and Carpaţi from foreign companies for the conclusion of contracts. These payments were handled by a special agency within the CIE known as OVS (*operaţiuni speciale valutare* ‘special hard currency actions’) which was staffed by between 15 and 20 officers. A company called Argus was used as a screen for the OVS and paid the salaries of the employees of these foreign trade companies.<sup>84</sup> The Carpaţi company was an exception; it was part of the Carpaţi enterprise which included the National Tourist Office with the same name and was controlled by the political and administrative section of the Romanian Communist Party. All ‘special hard currency dealings’ with socialist bloc countries were channelled through Carpaţi to the coffers of the Party, and in this respect such a procedure followed a practice inherited from

the Soviets. But similar payments of a Western provenance were handled by the *Securitate*.<sup>85</sup>

According to the defector Liviu Turcu, the responsibility for the special hard currency dealings on Romanian soil rested until the mid-1980s with a department within the Third Directorate which dealt with economic counter-espionage. This department was involved in surveillance of foreign businessmen and their offices in Romania and the company Argus was used as a screen for this purpose. Later this department was placed under the operational control of the OVS unit within the CIE. However, a special unit within the *Securitate* called the SICE (Independent Service for Foreign Trade), staffed by 45 officers, was set up under Postelnicu with duties which included special hard currency payments. Its relationship to the Third Directorate, and later to the OVS unit of the CIE, is not clear.

### **The *Securitate* and the Romanian revolution**

The events of late December 1989 showed that the forces of the *Securitate* were only as efficient as their weaknesses allowed them to be. They were not trained in dealing with crowd control, still less was the army, and the heavy-handed actions of forces from both bodies resulted in the deaths of many of the 1033 official victims of the revolution. Of the dead, 270 were soldiers, as were 673 of the 2383 wounded.<sup>86</sup> Most of the soldiers were killed in exchanges with snipers, the so-called 'terrorists'. About 800 suspected 'terrorists' were arrested by the army but were later freed in the course of 1990. Major-General Mugurel Florescu, the deputy prosecutor general, said that many had been released through lack of witnesses since the people who had brought them in left and did not return.<sup>87</sup> A partial list of those detained as 'terrorists' was published in the weekly *Tinerama* in September 1993, but we cannot be sure that all those named actually fired on soldiers and civilians. Still less do we know under whose authority they might have been acting. The forces deployed against the demonstrators in Bucharest on 21 December were drawn from the army, the Ministry of Interior troops, the troops of the militia, the Patriotic Guards and USLA. It is quite likely that the 'terrorists' were an assortment of renegade elements from all these forces, and the use of the term 'terrorist' by the populace and the media was an attempt to rationalize opposition to the fledgling authority of the revolutionary government. This same assortment made it difficult for the authorities to clearly implicate, in the case of the *Securitate*, and disculpate, in the case of the army, particular forces in their resistance to the new order and therefore to avoid the embarrassment of admitting that soldiers,

militia and *Securitate* officers were equally involved in shedding innocent blood after Ceaușescu's execution, the military procurator was given the order to release all 'terrorist' suspects. By whom is not yet clear.

In assessing the role of the *Securitate* in the events of December 1989 we need to distinguish between the actions of some of its forces before Ceaușescu's flight on 22 December and after. In the first place, we should bear in mind that mass demonstrations against Ceaușescu occurred only in a small number of Romania's cities and that in the majority there was a relative calm. The greatest anti-Ceaușescu demonstrations before 22 December were in Timișoara, Bucharest and Cluj. The example of Timișoara was followed initially by cities in Transylvania, notably Arad and Cluj; but in most cities in Moldavia and Wallachia, with the exception of Bucharest, there was calm. In these areas the *Securitate* forces and the army kept a low profile. In Timișoara, by contrast, army units obeyed Ceaușescu's order, relayed by Colonel-General Ion Coman, to open fire, given at 4 p.m. on 17 December. They were joined by snipers in civilian clothes who fired upon the demonstrators from various buildings. The latter might either have been USLA forces or militia from the FOI or special intervention forces. In the afternoon of 18 December, *Securitate* troops (*trupe de securitate*) under the overall command of Colonel-General Ion Coman, the Central Committee secretary responsible for the armed forces and security, opened fire on civilians who had assembled near the cathedral, killing several of them.<sup>88</sup> In Cluj, 25 demonstrators were shot dead by army units on 21 December.<sup>89</sup>

In Sibiu, where Nicu Ceaușescu, the dictator's son, was the county Party secretary, demonstrators took to the streets chanting anti-Ceaușescu slogans on the morning of 21 December and an assortment of armed militia (FOI), *Securitate* troops, and cadets from three army academies in the cities were sent onto the streets to maintain public order. Eye-witnesses stated that the *Securitate* troops opened fire on the demonstrators at midday. The protesters eventually made their way to the *Securitate* and militia headquarters, which were alongside each other and opposite one of the military academies, and demanded the release of those demonstrators who had been arrested. After getting no response from the head of the *Securitate*, Lieutenant-Colonel Petrișor, some in the crowd of 3000 began to stone the HQ late in the evening. They then set fire to the trees around the militia HQ, an act which led to shots being fired from inside the building. Four demonstrators were killed and eleven wounded. The *Securitate* and militia chiefs asked the commander of the Sibiu military garrison, Lieutenant-Colonel Dragomir, for reinforcements and three armoured personnel carriers were sent to guard the militia.<sup>90</sup>

The protesters remained outside the *Securitate* and militia HQ throughout the night, and at about midday on 22 December tried to force the gates of the *Securitate* building. At that point automatic fire resumed, first from the *Securitate* headquarters and then from those of the militia. Shortly afterwards, the fire was directed at the military academy opposite and at the cadets who were guarding the militia buildings. There followed a veritable gun battle between the army cadets, led by their officers, and the militia and *Securitate* officers. A group of militia, dressed in khaki jackets, tried to gain entry to the academy but were captured by the defenders. Other cadets took an armoured personnel carrier and opened fire on the militia and *Securitate* buildings. In the course of the afternoon, militia and *Securitate* officers also tried to take the two other military academies, and regular soldiers and civilians were fired upon by snipers at other points in the town. As a result of these attacks more than 50 people were killed: 8 soldiers, 23 from the *Securitate* and militia, and more than 30 civilians.<sup>91</sup>

The pattern of events in Sibiu was repeated in other cities. Once again, we must remember that the attack on the army in Sibiu took place after Ceaușescu's flight on 22 December, and from the evidence presented at the trial of the *Securitate* and militia men captured there, it was carefully coordinated by the local *Securitate* chief. Such evidence pointed the finger at the involvement of the *Securitate*, and its head Iulian Vlad, in an attempt to frustrate the efforts of the embryonic revolutionary government to assert its authority and to thereby pave the way for a restoration of Ceaușescu to power. This was the very accusation levelled at Vlad by Silviu Brucan on 24 December 1989. It was precisely the fear that snipers – believed to be members of the *Securitate* – attacking the barracks at Țirgoviște where the two Ceaușescus were held might succeed in freeing them that drove the inner council of the National Salvation Front, composed of Ion Iliescu, Petre Roman and Brucan, together with a number of generals including Nicolae Militaru, to decide that same evening, according to Brucan, to put the dictatorial couple on trial and, although Brucan does not admit to this, to find them guilty and execute them immediately afterwards.<sup>92</sup> Acquittal, or even mere imprisonment after conviction, would have left the *Securitate* elements loyal to the Ceaușescus a reason for fighting on. The validity of their reasoning was borne out by the gradual falling away of attacks by snipers in Bucharest after the executions on Christmas Day.

Colonel-General Iulian Vlad, the head of the *Securitate*, adopted an ambiguous stance towards the revolution. He made a radio broadcast on the afternoon of 23 December from the Ministry of Defence in which

he pointed out that Ministry of the Interior troops were 'fighting shoulder to shoulder with the Romanian army for the survival of the national being of the Romanian people'.<sup>93</sup> He did not, however, call upon them to cease fighting and to lay down their arms, as he had been requested to do so by Silviu Brucan. Brucan, suspecting Vlad's loyalty, secured the agreement of Iliescu and Militaru for a meeting that evening to test Vlad. At the meeting Brucan challenged the DSS chief about his failure to order his men to lay down their arms. Vlad gave an indignant reply, saying that this was the first time that his loyalty to the revolution had been questioned. Brucan then asked him about the *Securitate's* contingency plans in case of a revolt against the regime. Why had these not been revealed to the army? Vlad denied the existence of such a plan. Pressed further, he claimed that even if such a plan existed, he knew nothing of it. Vlad pointed out that some Ministry of the Interior units – the so-called Forces of Internal Order – were under the direct command of Tudor Postelnicu, the Minister of the Interior and asked that he be given 24 hours to draw up a plan for the capture of *Securitate* forces under Postelnicu's control. When Vlad failed to deliver, he was arrested the following day.<sup>94</sup>

From the evidence available it is reasonable to conclude that USLA troops and some Fifth Directorate officers were the 'terrorists' about whom so much was written in the Romanian and foreign media after 22 December. Many of them, Brucan stated, had been captured by the army or by civilians, and others simply went home after seeing the film of the Ceauşescu's execution on the TV. Those who were captured were all released within a few days. Some of them then fled abroad, together with *Securitate* officers. When asked about the involvement of foreign terrorists, Brucan alleged that 'some 30 foreigners, most of them Palestinians who were being trained at the Băneasa military academy and other *Securitate* centres', had assisted the Romanian 'terrorists'. A number of them had been killed or wounded and their bodies had disappeared from the morgues or, after being treated for their wounds in hospital, they had been flown out of the country. No reliable evidence was ever produced of foreign terrorist participation in the revolution and the photographed bodies of 'Arab' terrorists shown to foreign press correspondents at the time could equally well have been of swarthy Romanians. Nevertheless, 'unconfirmed but very reliable military and governmental sources' interviewed by Radio Free Europe said that 'shortly after the capture of Palestinians, Libyans and other Arabs who had fought on the side of the pro-Ceauşescu forces, the Libyan leader



Quaddafi had threatened to kill all Romanian specialists in Libya if the Arabs were not allowed to leave Romania'.<sup>95</sup>

## Annex

### The informer network

Fear is a great labour-saving device. It is a mark of the success of the *Securitate* in instilling that fear that Romanians came to hold the widespread belief that the visible presence of so many engaged in 'collaboration' with the secret police represented but a drop in the ocean of a ubiquitous network of officers and informers. Figures ranging from one in ten to one in three of the population (that is, 2.3 to 8 million) have been frequently picked from the air as an estimate of the numbers of informers, but none of these figures have any solid basis of evidence to support them.

Some of the speculative estimates are boosted by the inclusion of all those who had contact with agencies of the Ministry of the Interior, irrespective of whether they came under the control of the *Securitate*. Thus all those who were granted passports were adjudged to have made concessions to the *Securitate*, either in the form of accepting a *misiune* (a mission) in the form of reporting on the activities of Romanian relatives and friends abroad, or of informing on them at home, for which the favour of a passport was the reward. This is certainly the case with many Romanians who were allowed to travel in the communist era, but it is unlikely to be true of all. The *Securitate* were selective in their interest and it is doubtful whether they had the resources to charge every traveller with a mission. Even if they did, we cannot be sure that everyone so ordered actually complied.

Silviu Brucan presents as points of fact the figure of 'almost 700,000 informers ... and about 10,000 agents for street surveillance, just in Bucharest' at the time of Ceaușescu's overthrow (*Generația irosită*, Bucharest: Universul/Calistrat Hogaș, 1992, p. 198). This appears a gross exaggeration. Virgil Măgureanu, head of the SRI, offered the national figure of 400 000 for 1989 but only access to the relevant files will resolve the matter (*Cuvîntul*, 18–24 August 1992). A reliable network of informers is crucial to the success of any security service and by the beginning of 1951 the *Securitate* had built up its network to 42 187. This number grew steadily over the years. Published data on the numbers of informers is fragmentary and allows us only a snapshot of the extent of recruitment in the period 1967–72. During the period 1968–73, that is, after the Soviet invasion of Czechoslovakia, the numbers who became informants

or collaborators from conviction increased. By the end of the 1970s such altruism had waned and by 1988 *Securitate* officers stooped to the most abject form of blackmail in their eagerness for information. Their informants were to be found everywhere, even in old people's homes and schools: in the *Securitate* records in Sibiu the names of 98 children between the ages of 9 and 16 were found. Although a nation-wide figure for 1989 has yet to be revealed, the publication of details from the Sibiu county inspectorate gave some idea of the the scale of informing. The number of informers in the records of the latter in 1989 was 10 500, of whom more than half were active during the days of the revolution. In relation to the adult population of the county – 325 000 – the figure represents roughly one in thirty. However, if we were to add the informers working for the militia, whose numbers have not been released, the percentage would rise considerably.

Instructions to *Securitate* heads regarding the recruitment and running of informers were first issued in the early 1950s and were updated at regular intervals. The last set of guidelines was issued in 1987 in a 30-page booklet under the title *Instrucțiuni nr. D – 00180/1987 privind activitatea de creare și folosire a rețelei informative a aparatului de securitate* (Instructions no. D – 00180/1987 regarding the creation and use of an informer network of the security apparatus). They were for internal use and marked 'top secret'. Divided into eight chapters, each of some 1000 words, the instructions shed much light on the techniques of managing an informer network. They are supplemented by eight annexes which provide specimens of forms to be completed by officers relating to their informers. The informer network was described as being composed of informers, support personnel, residents and occupants of safe houses.

The *informer* was defined as a person who 'has access to information and sufficient personal attributes who, under the constant guidance of a *securitate* officer, actively seeks and gathers information about people and deeds which form the object of investigation'.

The *support personnel* or *collaborators* included persons who eaves-dropped on conversations and followed or monitored targets, under supervision of the *Securitate*.

The *resident* worked as a go-between under the supervision of a *Securitate* case officer. They handled up to ten support personnel. In certain circumstances, they were allowed to handle informers, but only with the approval of directorate heads or county *Securitate* chiefs. Residents were usually recruited from the ranks of retired *Securitate* officers or from amongst experienced support personnel.

*Occupants of safe houses* were those who allowed the *Securitate* to use their homes as meeting places with informants, support personnel or residents. In some cases, they posed as tenants of offices, known as *houses for work* that belonged to the *Securitate* in which meetings were arranged. (See Table 6A.1)

Table 6A.1 The Informer network, 1967–72

	Informants	Residents	Occupants of safe houses	Collaborators
1967	83,911	3,241	16,575	14,849
1968	43,498	2,296	9,320	29,761
1969	27,629	2,882	7,754	45,145
1970	22,963	3,867	7,357	55,404
1971	27,744	5,224	7,666	59,553
1972	31,971	5,360	8,716	54,046
Social background of informants (based on 1968 figures)				
15%	intellectuals			
26%	office workers and engineers			
16%	manual workers			
30%	peasants			
Political background of informants (based on 1968 figures)				
59%	former members of the Fascist Iron Guard			

Source: *Cartea Albă a Securității*, vol. IV, Bucharest: SRL, 1995, p. 280.

### *Recruitment of informers*

Officers were instructed to appeal to patriotic sentiment as a ploy to recruit informers, but were also allowed to offer inducements. These took the form of the promise of travel abroad, albeit within the socialist bloc, or swifter job promotion. Money rarely changed hands. The instructions for recruitment also admit that officers could use blackmail 'in exceptional circumstances' in order to recruit. In fact, many informers were trapped in this way when presented with evidence of their own illegal activity, such as malpractice at work, sexual indiscretion, or former membership of the Iron Guard.

Approval for recruitment, or indeed expulsion, of an informer could only be given by a central directorate head or by the county *Securitate* chief. For the recruitment of support personnel or collaborators, the signature of the *Securitate* unit would suffice. Only the head of the *Securitate* or one of the Deputy Ministers of the Interior could sanction the creation of a safe house. Details of informants, collaborators,

residents and safe houses were kept in the central directorates and also stored in the *Centrul de Informatică și Documentare* (Centre for Information and Documentation) of the *Securitate*. Authority to release information about local informer networks was vested in unit commanders but the coordination of networks and details of their activity and membership was the preserve of the head of the *Securitate* and Deputy Ministers of the Interior.

Recruitment was formalized by the signature of the informant of a written undertaking (*angajament scris*). Annex 1 of the 1987 guidelines is a copy of such an undertaking. Here is a translation:

Department of State Security

UNDERTAKING

Recognizing that the defence of the fatherland and of the state's security constitutes a patriotic obligation of the entire population, a duty of honour of every citizen, recorded in the Constitution:

Conscious of the importance of the contribution which I am called upon to make, as a citizen of the Socialist Republic of Romania, to the country's defence;

The undersigned (name and christian name), born in (year, month, day), in (village, county), living at (address) undertake to support secretly, in an organized manner, and actively, the security agencies in their activity of preventing, discovering and eliminating crimes against the state's security, in order to combat any action which affects the interests of our socialist order.

In collaboration with the security agencies I undertake:

to make a sustained effort to seek information which is relevant to state security and to pass on that information speedily through the contacts which will be set up for me;

to fight consistently to discover the truth and for strict observance of the law;

to show vigour and firmness in preventing the commission of any crime;

to work steadfastly and promptly to prevent any deeds which present an imminent danger to the state's security;

to display vigilance towards the country's enemies;

to show sincerity and objectivity in providing information, and correctness in my relations with the security agencies;

not to take unfair advantage in any way of this collaboration;

not to divulge anything about this secret collaboration to anyone, irrespective of their position or relationship with you.

Driven by the wish to make my own full contribution to the defence of the revolutionary conquests of the people, I will do everything that is necessary in order to carry out this present undertaking in the complete understanding of the harmful effects upon state security which flow from a failure to respect this undertaking.

.....  
(signature)

Date .....

The undertaking was given in the presence of

.....

(rank, name and christian name)

.....  
(signature)

Notes:

1. Officers who use cover names in their dealings with an informer network should sign the undertaking using that name.
2. The text of the undertaking should be adapted as follows:
  - in the case of the recruitment of residents, a paragraph should be inserted referring to their responsibility in instructing, guiding and checking support personnel whom they run;
  - in the case of the recruitment of occupants of safe houses, there should appear, in principle, their obligation to place at the disposal of state security, for operational purposes, the requested house or flat, and to respect the measures necessary for secrecy.
3. The above undertaking is illustrative. It can be adapted to match the particular nature of the person recruited.

**Documents**

*A report addressed to Major Nicolae Doicaru, head of the Securitate directorate for the Constanța region*

23 September 1949

Comrade major, acting on your order and applying it to the activity of the *securitate* bureau in Cernavodă, we propose, in agreement with comrade lieutenant Manolache, that Ion Dumitru and Nicolea Grigorescu be recruited as informers by blackmail for problems which fall within the remit of section II.

Signed: *Securitate* lieutenant Gheorghe Mihăilă

(Source: Arhiva Serviciul Român de Informații, Fond D, dosar nr. 4055, f. 24, reproduced in *Cartea Albă a Securității*, vol. II, August 1948 – Iulie 1958, Bucharest: SRI, 1994, Canalul Dunăre-Marea Neagră, doc. 5, p. 12.)

*A note compiled by a Securitate officer with information received from an informer*

Source: Lucrețiu

Date: 30 November 1956

Time: 1900 hours, in house no. 6

Lt-Maj Ilie Pușcașu met the informer

Our source informed me that on 23 November 1956 all the pupils in classes 1 to 5 [7–12-year-olds; author's note] at the cantors' school and at the Theological seminary in Cluj joined in a hunger strike and refused to enter the canteen on the evening of 23 November and the morning of the 24th. From the information given by the source it is clear that this action was unplanned and that none of the pupils prompted the others to go on hunger strike. Marcel Deșliu, a supply-teacher at the school, alleged to our source that the pupils were egged-on by a teacher Liviu Buzdug, a former member of the National Peasant party, who does not see eye-to-eye with the priest Hațieganu, who is the school administrator.

Signed: Lucrețiu

Action: This note will be actioned by Bureau 3 since it deals with matters which fall within their remit.

Signed: Lt-Maj Ilie Pușcașu

(Source: Arhiva Serviciul Român de Informații, Fond D, dosar nr. 2 315, f. 93, reproduced in *Cartea Albă a Securității*, vol. II, August 1948 – Iulie 1958, Bucharest: SRI, 1994, doc. 260, pp. 566–7.)

*Report from a Securitate informer to his case-officer*

3 June 1958

*Report regarding West German engineers working in Turda.*

Between 17 and 23 May, I talked on several occasions with the engineers from 'Kreb' and, in particular, with Ohm and Loblich. It was not just these two, but all the engineers complained about the unsatisfactory behaviour of the *Securitate* towards them. They complained in general that they are openly followed almost non-stop when they are in the town, and that they are unable to have any relations with the locals since the latter would suffer if they did so. They complained in particular about the problems they had with women who because

of their contacts with them were summoned to the *Securitate* and interrogated. In the case of Roloff, one of the Germans, the woman who he was with was stopped by the *Securitate* and detained. Roloff was extremely upset at this and I know from people at the factory that he went to the police and demanded her release, saying that he wanted to marry the woman. From another source, however, I learned that what had happened occurred by chance and that a campaign against back-street prostitution was being waged in the town and that the woman accompanying Roloff was one of the prostitutes.

Amongst other things, Ohm told me that one evening, when he was at a restaurant with a number of his colleagues, two comrades came to their table and said that they were from the *Securitate*. After a short while, Ohm's pipe disappeared from his pocket and he found it in the pocket of one of the two. Next his fountain-pen went, but he never recovered it. On another occasion, a citizen sat down at their table and revealed a pistol he was carrying, saying that he was from the *Securitate*. He intimidated them with all kinds of tales and said that he was a 'smart guy' who had been to Germany where he caught a spy in three days after all the police forces in Europe had been looking for him in vain.

I was told repeatedly by the German engineers that they did not get involved in politics, that they were not interested in it, and yet it was impossible for them not to have contact with anyone for months on end. They told me in particular that they had been to the *Securitate* where they were told that they were free to do whatever they wanted, but in reality they were followed the whole time, the result being that their freedom was almost non-existent. Loblich said that he had to leave at all costs for Germany soon because his daughter 'had to get married'. Solomon is expected on 9 June.

Signed: 'Gheorge Cenaru'

N.B. The agent has been instructed to get as close as possible to Ohm, to get to know him inside out, after which he is to compile a detailed report. I should add that Ohm is a target of section VI.

Signed: Captain F. Cibu

(Source: Arhiva Serviciul Român de Informații, Fond D, dosar nr. 4463, ff. 85–6, reproduced in *Cartea Albă a Securității*, vol. II, August 1948 – Iulie 1958, Bucharest: SRI, 1994, doc. 284, p. 621.)

## Notes

- \* Research for Chapters 6 and 7 in this volume was carried out with the aid of a grant from the Nuffield Foundation.
1. C. Secașiu, 'Serviciul de Informații al PCR', 6 martie 1945. *Începuturile Comunizării României*, Bucharest: Editura Enciclopedică, 1995, pp. 146–57.
  2. *Organizarea și funcționarea Organelor Ministerului de Interne de la Înființare pînă în prezent*, Bucharest; Ministry of the Interior, 1978, p. 87.
  3. E. Mezincescu, 'Ecouri la Cazul Pătrășcanu', *Magazin Istoric*, no. 7 (July 1992), p. 34.
  4. C. Andrew and O. Gordievsky, *KGB. The Inside Story of its Foreign Operations from Lenin to Gorbachev*, London: Sceptre, 1991, p. 36.
  5. *Cartea Albă a Securității*, Bucharest: SRI, 1994, vol. II, doc. 33, p. 157.
  6. According to his party file, Mazuru had joined the Communist Party in 1944 after the 23 August coup. He was born in 1915 in Chișinău, then under Russian rule. By profession he was a medical instrument technician. He joined the Ministry of the Interior in 1947 when he was made director of cadres (personnel). A report on his character and work, dated 26 April 1948 and signed by B. Fuchs, responsible for the personnel of the *Siguranța*, described him as 'attentive to the needs of his colleagues, energetic, combative, courageous, vigilant, and harsh with his enemies ... He is liked by his subordinates, is authoritarian, but at the same time friendly.' *Cartea Albă a Securității*, Bucharest: SRI, 1994, vol. 1, doc. 1.
  7. At the same time the NKVD (the People's Commissariat for Internal Affairs) became the MVD, the Soviet Ministry of Internal Affairs.
  8. Andrew and Gordievsky, *op. cit.*, p. 485.
  9. I am grateful to Claudiu Secașiu for this information.
  10. *Suppression of Human Rights in Romania*, Washington DC: The Rumanian National Committee, 1949, p. 65.
  11. *Cuvîntul*, no. 119 (May), 1992, p. 6.
  12. The structure of the *Securitate* is laid out in Dennis Deletant, *Ceaușescu and the Securitate. Coercion and Dissent in Romania, 1965–1989*, London: Hurst, 1995, pp. 57–62. Recently-released documents from the personnel files of the *Securitate* shed light on the social background and competence of the new force. The head of Directorate I was Colonel Gavril Birtaş. He was born in 1905 in Baia Mare and was a carpenter by trade. He joined the Ministry of the Interior in 1946 and in April 1948 was head of the *Siguranța* in Oradea. A character reference in his party file noted 'an occasional inability to link theory to practice' (*Cartea Albă a Securității*, Bucharest: SRI, 1994, vol. I, doc. 168, p. 337).
  13. Archive of the Romanian Security Service (henceforth abbreviated to ASRI), Fond 'D', file no. 10,970, p. 107; and Deletant, *op. cit.*, p. 63.
  14. The composition of the *Securitate* by ethnic background in 1948 was as follows:

Total number of personnel of all ranks 3973

of whom:

Romanians (R) 3334

Jews (J) 338



Hungarians (H)	247
Russians (Rus)	24
Germans (G)	5
Armenians (Ar)	3
Czechs (Cz)	5
Italians (It)	1
Bulgarians (B)	3
Yugoslavs (Y)	13

For further details see Deletant, *op. cit.*, pp. 63–4.

15. The heavy recruitment of manual workers into the *Securitate* is mentioned in the annual report for 1949 of Section Three of the First Directorate which dealt with the Orthodox Church. Of this directorate's personnel, 32 per cent was made up of factory workers while only 40 per cent had some professional training or experience in security matters (ASRI, fond D, file no. 9051, vol. 2, p. 10).
16. Some of these reports are reproduced in *Cartea Albă a Securității*, Bucharest: SRI, 1994, vol. II.
17. ASRI, fond 'D', file no. 9189, p. 7.
18. *Cartea Albă a Securității*, Bucharest: SRI, 1994, vol. II, p. 45.
19. G. Ionescu, *Communism in Rumania, 1944–1962*, London: Oxford University Press, 1964, p. 201.
20. *Cartea Albă a Securității*, Bucharest: SRI, 1994, vol. II, p. 64.
21. W. Bacon, 'Romanian Secret Police', in *Terror and Communist Politics: The Role of the Secret Police*, ed. J.R. Adelman, Boulder and London: Westview Press, 1984, p. 135.
22. *Cartea Albă a Securității*, Bucharest: SRI, 1994, vol. II, p. 47.
23. *Ibid.*
24. The militia was estimated to have a strength in 1953 of 40 000 while the number of security troops was put at 55 000 officers and men, organized in brigades and equipped with artillery and tanks. 'The Armed Forces' in *Captive Rumania. A Decade of Soviet Rule*, London: Atlantic Press, 1956, p. 363.
25. G. Tomaziu, *Jurnalul unui Figurant*, Bucharest: Univers, 1995, p. 173.
26. The question put by Mircea Vulcănescu to the court, after studying the case brought against him in January 1948 as an alleged war criminal, was whether his accusers 'were seeking the punishment of a guilty man or the sacrifice of a victim' (M. Vulcănescu, *Ultimul Cuvînt*, Bucharest: Humanitas, 1992, p. 23). Vulcănescu, a university teacher of sociology, served as Under-secretary of State in the Ministry of Finance (January 1941 – August 1944) in the Antonescu government. Like all ministers who had served under Antonescu, irrespective of their portfolios, Vulcănescu was arrested under the Law for the Prosecution and Punishment of Those Guilty of War Crimes or Crimes against Peace or Humanity, gazetted on 18 August 1947. He was found guilty and sentenced to eight years' hard labour. He died in Aiud prison on 28 October 1952 at the age of 48.
27. The role of the confession in the Moscow trials is examined in *Ritual of Liquidation. The Case of the Moscow Trials*, Glencoe, Illinois: The Free Press, 1954, pp. 81–276.

28. This was given the Orwellian term in Romanian of giving a declaration *în fază de libertate* (in a state of freedom).
29. *Cartea Albă a Securității*, Bucharest: SRI, 1994, vol. II, p. 57.
30. These figures were compiled by Service 'C' of the Ministry of the Interior and were communicated to me privately. I have no date for their compilation. The editors of the official history of the *Securitate*, *Cartea Albă a Securității*, appear not to be aware of these figures for they claim that a lack of documentation makes it impossible to give an exact figure for the numbers of persons who died while in the custody of the *Securitate* during the period of terror under Dej (vol. II, p. 73). Corneliu Coposu, the secretary of Peasant Party leader Maniu and himself an inmate of Romanian prisons for 17 years, put the numbers of those arrested after 1947 as 282 000, of whom he estimated 190 000 to have died in detention (C. Coposu, *Dialoguri cu Vartan Arachelian*, Bucharest: Editura Anastasia, 1992, p. 95). His figures appear to be exaggerated.
31. The use of house arrest in 1949 was illegal since there was no legislation in place to authorize it. The breakdown by year of the figure of 75 808 persons arrested is as follows:

1950: 6,636	1951: 19,236	1952: 24,826
1953: 4,730	1954: 5,073	1955: 3,332
1956: 2,357	1957: 3,257	1958: 6,362

(*Cartea Albă a Securității*, Bucharest: SRI, 1995, vol. III, p.159.)

32. M. Lupu, C.Nicoară and G. Onișor, *Cu unanimitate de voturi*, Bucharest: Fundația Academia Civică, 1997, p. 22.
33. V. Georgescu, *Istoria Românilor de la origini până în zilele noastre*, Los Angeles: American-Romanian Academy of Arts and Sciences, 1984, p. 305.
34. I. Pacepa, *Moștenirea Kremlinului*, Bucharest: Editura Venus, 1993, p. 253.
35. The DIA was the successor to the Second Section of the Romanian Army General Staff (*Secția a II-a de pe lângă Marele Stat Major*) which was charged with gathering military intelligence. By 1 July 1945, all Romanian military attachés had been withdrawn from foreign countries and most of the officers in the section purged or arrested on Soviet orders. In 1948 the first post-war appointment of a military attaché was made by the Soviet-controlled Ministry of National Defence, to the Romanian embassy in Moscow. On 15 February 1951, the Second Section was transformed into the  *Direcția Informații a Marelui Stat Major* (The Directorate of Information of the General Staff) and at the same time military counter-espionage activity was transferred to the DGSP. The work of the DIMSM, which was subordinated to the Ministry of National Defence, was supervised by GRU counsellors who trained young Romanian officers. After the withdrawal of Soviet troops in 1958, the Soviet counsellors were withdrawn from the DIMSM. Contacts were strengthened with other armies, but Alexandru Drăghici's desire, as Minister of the Interior, to extend his power by adding military intelligence to the military counter-espionage activities which he already controlled, led to the subordination of the DIMSM to the Ministry of the Interior by an order signed by both Drăghici and the Minister of National Defence on 22 October

1962. This supervision by the Ministry of the Interior was removed on 18 October 1968.
36. E. Mezincescu, 'Din nou despre fantoma lui Dej', *România literară*, no. 41 (16–22 December 1992), p. 14.
  37. Mary Ellen Fischer, *Nicolae Ceauşescu. A Study in Political Leadership*, Boulder and London: Lynne Rienner, 1989, p. 79.
  38. 'Speech at the Meeting of the Basic Active of the Ministry of Internal Affairs, 18 July 1967', *Romania On the Way of Completing Socialist Construction. Reports*, vol. 2, Bucharest: Meridiane, 1969, p. 374.
  39. *Ibid.*, p. 375.
  40. *Ibid.*
  41. *Ibid.*, p. 383.
  42. *Organizarea și funcționarea Organelor Ministerului de Interne de la Înființare pînă în prezent*, Bucharest: Ministry of the Interior, 1978, p. 124.
  43. *Ibid.*, p. 125.
  44. Quoted from Fischer, *op. cit.*, p. 127.
  45. Bacon, *op. cit.*, p. 147.
  46. Pacepa, *Moștenirea Kremlinului*, p. 44. Pacepa classified this Directorate as Directorate IVa but in fact this Directorate in March 1951 was known according to *Securitate* records as Directorate C and only received the designation IV some time later.
  47. Pacepa gives both years; *ibid.*, pp. 152–4.
  48. *Ibid.*, p. 179.
  49. *Ibid.*, p. 183.
  50. Some of these he described in his book *Red Horizons* (London: Heinemann, 1988) whilst carefully avoiding mention of his own part in them.
  51. *Ibid. Red Horizons*, p. 424.
  52. *Radio Free Europe Research. Romanian Situation Report/22* (8 September 1978), p. 13.
  53. *Evenimentul Zilei*, 23 November 1996, p. 9.
  54. Pacepa, *Red Horizons*, p. 425.
  55. Pacepa, *Moștenirea Kremlinului*, p. 285.
  56. *Scînteia*, 5 December 1978. Coman's deputy, Ion Savu, was also replaced.
  57. *Radio Free Europe Research. Romanian Situation Report/26* (12 August 1977), p. 1.
  58. *Radio Free Europe Report, Romanian Situation Report/12* (11 May 1978, p. 11.
  59. *România liberă*, 16 June 1993, p. 16.
  60. Private information.
  61. Pacepa, *Red Horizons*, p. 163.
  62. Quoted from *Ibid.*, p. 164.
  63. Pacepa, *Moștenirea Kremlinului*, p. 493.
  64. See Chapter 7; also M.P. Haiducu, *J'ai Refusé de Tuer*, Paris: Plon, 1984. In an interview given to French television on 12 July 1999, Pleșiță claimed that Ceauşescu and French President François Mitterrand had 'a special relationship' and that Mitterrand had received a gift of £250 000 from Ceauşescu towards his election campaign in 1981 (*The Times*, 13 July 1999, p. 15). This claim seems implausible, given the frostiness in Franco-Romanian relations which led Mitterrand to cancel a visit to Romania in July 1982 (see above).

65. Pleșiță himself had briefly been a casualty of Pacepa's flight. A career officer in the *Securitate*, his name first appeared in the Romanian press in May 1958 when he was reported to have been awarded the Romanian People's Republic Star, fourth class, as a captain in the Ministry of the Interior. In the 1970s he was given rapid promotion within the Party and at the Eleventh Party Congress in 1974 was elected a member of the Auditing Commission. In December 1976, he was listed as Major-General and First Deputy Minister of the Interior at a ceremony at the Interior Ministry's officers' school at Băneasa.
66. R. de Fleurs, 'Are there Problems in the Secret Service?', *Radio Free Europe Research*, vol. 10, no. 9, Romania SR/4 (22 February 1985), p. 25.
67. *Ibid.*
68. *Ibid.*
69. G. Ursu, *Europa Mea*, Cluj-Napoca: Dacia, 1991, p. 356. Gheorghe Ursu was born on 1 July 1926 at Soroca. An engineer by profession, he was an avid filmgoer. He had kept a diary from the age of 18 until September 1985 when he was arrested. It ran to 61 notebooks of more than 6000 pages. He was denounced by Elena Petre and Pârğuța Croitoru, two colleagues at the institute at which he worked, for keeping the diary and arrested by the *Securitate* at the beginning of January 1985 on a charge of 'making propaganda against the Socialist regime'. News of his arrest was broadcast on Radio Free Europe and in order to avoid an international embarrassment, Ursu was released on 15 August. He was re-arrested on 21 September for illegal possession of hard currency, even though such a charge did not warrant arrest (the sum involved totalled US\$20). Ursu did not pose a threat to the regime. Few people knew of his diary, which was mostly taken up with his comments on the films which he had seen, but the *Securitate* wanted to make an example of Ursu by frightening dissidents who believed that their reputation protected them from brutal treatment by the regime. In an inquiry into the Ursu case begun in 1990, and still incomplete in 1997, the two criminals who beat up Ursu while under arrest were named as Marian Clită and Gheorghe Radu. They claimed that they were acting on the orders of Colonel Mihai Creangă and Lieutenant Tudor Stănică (Nicolae Manolescu, 'Blocul de timp înghețat', *România literară*, no. 45 (15–21 November 1995), p. 1, and Ondine Gherguț, 'Rechizitoriul în cazul lui Gheorghe Ursu a fost înaintat tribunalului', *Românul Liber*, no. 12 (December 1996), p. 11).
70. Interview with M. Celac, 22 February 1991.
71. S. Brucan, *Generația irosită*, Bucharest: Universul/Calistrat Hogaș, 1992, p. 232.
72. 'Adevărul, numai adevărul', in *Adevărul*, 23 August 1990, p. 3. This 'special security force' was in fact the DSS Bucharest regional inspectorate.
73. The composition of the *Securitate* on 22 December 1989 is given in Deletant *op. cit.*, pp. 377–80.
74. *Evenimentul Zilei*, 17 July 1993, p. 3.
75. Private information.
76. *Evenimentul Zilei*, 20 July 1993, p. 3.
77. *Ibid.*
78. *Ibid.*
79. *Ibid.*, 26 July 1993, p. 3.

80. *Ibid.*
81. *Ibid.*, 31 July 1993, p. 3.
82. 'Activitatea Comisiei guvernamentale pentru recuperarea fondurilor deturnate din patrimoniul statului', *NU*, no. 86 (2–9 September 1992).
83. 'Ceaușescu's brothers "sold secrets to US"', *Daily Telegraph*, 7 May 1990.
84. *Evenimentul Zilei*, 4 September 1992, p. 3.
85. L.Turcu, 'Cum pot fi găsite conturile lui Ceaușescu', *Evenimentul Zilei*, 8 September 1992, p. 3.
86. *Adevărul*, 21 February 1990, p. 1. This figure was revised by Șerban Săndulescu, a member of the Romanian Senate Commission which examined the events of December 1989. He concluded that 1104 people died in the revolution (162 between 16 and 22 December and 942 in the period after 22 December). He put the number of wounded at 3352 (1107 from 16 to 22 December and 2245 after 22 December) (Șerban Săndulescu, *Decembrie '89. Lovitura de Stat a confiscat Revoluția Română*, Bucharest, Ziua Omega Press, 1995, p. 64). The Military Tribunal's Office in Timișoara furnished the following information on 3 February 1997 about the number of casualties in Timișoara, Lugoj and Caransebeș: 73 dead, 313 wounded, 978 arrested and later released (Traian Orban, 'Revoluție și terapie post-revoluționară', *Biblioteca Sighet. O Enigmă care împlinește Șapte Ani. Timișoara, 1989–1996*, Bucharest: Fundația Academia Civică, 1997, pp. 190–1.
87. *The Times*, 22 December 1990.
88. F. Medeleț and M. Ziman, '16–22 decembrie 1989. O cronică a revoluției la Timișoara', *Magazin Istoric*, no. 5 (May), 1990, p. 4.
89. A list of their names appears in *Fapta Transilvăneană*, special edition, September 1992.
90. P. Abrudan, *Sibiul în revoluția din decembrie 1989*, Sibiu: Casa Armatei, 1990, pp. 24–7.
91. *Ibid.*, p. 74.
92. S. Brucan, *The Wasted Generation*, Boulder/San Francisco/Oxford: Westview Press, 1993, p. 181.
93. Radio Bucharest, 23 December 1989, 4.35 p.m.
94. S. Brucan, *Generația Irosită*, Bucharest: Universul & Calistrat Hogaș, 1992, pp. 224–5.
95. M. Shafir, 'The Revolution: An Initial Assessment', *Radio Free Europe. Report on Eastern Europe*, vol. 1, no. 4 (26 January 1990), p. 37, note 35.

# 7

## The Successors to the *Securitate*: Old Habits Die Hard

*Dennis Deletant*

Since the overthrow of Ceaușescu, Romania's progress along the road to transition has been hesitant. Given the chequered achievements of successive governments over the past decade it is difficult to escape the conclusion that there has been a lack of political will to reform. Events have shown that the impetus for reform has come from outside rather than from within. The International Monetary Fund, the Council of Europe and the European Union have been the major catalysts of reform and the need to satisfy the requirements of these institutions in order to achieve integration into the so-called 'Euro-Atlantic structures' has spurred and guided the reform process in Romania. Nowhere is this more true than in the realm of the security services. President Constantinescu, in recognition of the fact that transparency and accountability in the democratic process are cornerstones of the EU entry criteria established at the Copenhagen summit in 1993, and that fitness for entry into NATO requires changes at the top of the security services, has taken significant steps to reform these services. This chapter will examine developments within the security services since December 1989, will chart the composition and structure of the security services which have taken over the duties of the Department of State Security (DSS), the communist security police better known as the *Securitate*, and will assess the progress the country has made up until 1999 in overcoming the legacy of the past.

### **Dismantling the *Securitate***

In the eyes of most Romanians, reform of the security services is the clearest test of a commitment to break with the communist past. Any new security service in Romania faces an enormous task in gaining the respect of the population, given the legacy of fear generated by the *Securitate*. Without candour, consistency and transparency on the part of the security services, Romanians will harbour the suspicion that any successor to the *Securitate* will simply be a revamped version of it, employing the same people and the same methods. In fact, there is not just one successor to the *Securitate* but at least nine security services known to be operating at present. To many Romanians, this fragmentation of security and intelligence agencies is merely a public relations ploy of the authorities to convince foreigners that the *Securitate* has been dismantled and that the centralized control of internal security activity has been abolished. But it is precisely that lack of a centralized authority, based on constraints codified in law and effectively *implemented*, that lies behind public suspicion of some of the security services. Unease about the nature of their activities, the duplication of their functions, the apparent lack of statutory control over some of them, and the opaqueness surrounding them has fuelled public concern.

Although the Romanian Communist Party was declared dead in January 1990, no death certificate was produced. Members of the Party merely swapped their cards for those of the ruling National Salvation Front and most of them carried on as if nothing had changed in Romanian political life. The NSF tried to blend into the present and bury the past. Its successors, the Democratic National Salvation Front and the Romanian Party of Social Democracy (PDSR) have shown a similar reluctance to question the past. Only some of those responsible for the bloodshed in December 1989 have been brought to trial. They include 25 members of the politburo and the Central Committee, and 11 generals in the *Securitate* and the militia. For the events in Timișoara 29 leading figures in the Communist Party, the *Securitate* and the militia have been convicted of 'incitement to murder'. Yet these convictions relate to the events between 16 and 22 December. The 800 suspected 'terrorists' who were arrested by the army between 22 and 28 December were freed early in 1990. Many senior army, *Securitate* and militia officers, whom their own subordinates have publicly identified as giving orders for demonstrators to be fired upon in Bucharest and in Cluj on 21 December, remain at liberty, and some of them have been promoted to

even more senior positions within the army and police. Their names have been revealed in the Romanian press.<sup>1</sup>

Speaking in December 1996 on the anniversary of the repression in Timișoara, President Constantinescu emphasized the need for truth about the events of December 1989 to be made public. When Constantin Duda Ionescu, the Minister of Defence, floated the idea in April 1998 of an amnesty for army officers alleged to have taken part in the shooting of demonstrators during the revolution, there was uproar in the ranks of the Democratic Convention, the principal partner in government, and President Constantinescu was quick to respond. He reiterated his view about the need for truth and pointed out that before 1 September 1997 no charges had been brought against senior army officers for their alleged involvement in the repression of December 1989. Since that date and up to 1 April 1998, 16 cases had been presented to the courts. The most notable, and politically sensitive, involved generals Victor Stănculescu and Mihai Chițac, both of whom had served as Defence Ministers after the revolution in the NSF provisional government. Both were charged in January 1998 with 'incitement to commit murder' for their part in events in Timișoara when they served respectively as First Deputy Minister of Defence and commander of the chemical corps. They were each sentenced by the Romanian Supreme Court on 15 July 1999 to 15 years' imprisonment for the murder of 72 people and the wounding of 253 others during the uprising in Timișoara on 17 and 18 December 1989. Both generals lodged an appeal against their conviction.

Under a decree signed on 26 December 1989 by Ion Iliescu, at that time head of the Provisional Council of National Unity, the Department of State Security was removed from the control of the Ministry of the Interior and placed under the Ministry of National Defence.<sup>2</sup> In effect, the *Securitate* was integrated into the system and legitimized, thus enabling its officers to organize the release of all their colleagues held on suspicion of firing on demonstrators during the revolution. It is true that on 30 December a further decree was issued under which the *Securitate* was dismantled and its directorate chiefs placed under arrest or in the reserve, but this was merely window-dressing. By then most of the suspected 'terrorists' had been given their freedom. The unreliability of witnesses, bureaucratic inertia, and the desire to protect vested interests involving, first, Iliescu's bodyguard (the SPP) which contains officers from the former Fifth Directorate of the *Securitate* (responsible for the protection of Ceaușescu); and, second, the anti-terrorist brigade of the SRI, whose numbers include men from the *Securitate* anti-terrorist unit (USLA), explains why the investigations into the deaths of the



officially recognized 1000 or so victims of the revolution have not been completed and why relatively few charges have been brought.

Nevertheless, some senior *Securitate* officers have been brought to book for the shooting of demonstrators during the revolution. Iulian Vlad was the first of the *Securitate* chiefs to be arrested on 28 December 1989. Major-General Gianu Bucurescu (Vlad's deputy), Lieutenant-General Aristotel Stamatoiu (head of the CIE), Lieutenant-General Gheorghe Vasile (head of the Fourth Directorate) Major-General Ion Moț and Major-General Alexandru Țencu were arrested a few days later (the arrest of the first three was announced on Radio Bucharest on 31 December 1989). Vlad was charged with 'complicity to genocide' which carried a maximum penalty of life imprisonment. The charge was later reduced without explanation by the military court to 'favouring genocide' with a maximum ten-year sentence, and he was found guilty on 22 July 1991 and sentenced to nine years' imprisonment. The sentence was to run concurrently with two other lesser terms, one of three and a half years which Vlad received in March 1991 for illegally detaining Dumitru Mazilu in December 1989, and a second of four years given in May 1991 for the 'abusive detention' of more than 1000 demonstrators in late December. On 4 January 1994, Vlad was released from jail on parole.

Other *Securitate* chiefs were sentenced in May 1991 to terms of two to five years' imprisonment for 'illegally detaining' and 'abusively interrogating' an unspecified number of protesters during the revolution. On 10 May, Major-General Gianu Bucurescu received a prison term of four years, Lieutenant-General Gheorghe Dănescu one of three and a half years, and Colonel Marin Bărbulescu, head of the Bucharest militia, five years. Lieutenant-General Gheorghe Vasile, the military counter-intelligence chief, and Colonel Gheorghe Goran, head of the Bucharest DSS, were acquitted of these charges.<sup>3</sup> In a separate trial Major-General Marin Neagoe, head of the Fifth Directorate, was sentenced on 28 May 1991 to seven years in prison for 'abusing his office'.<sup>4</sup> Generals Stamatoiu and Mortoiu were also sent to prison but were released in November 1992. Nicolae Andruța Ceaușescu, the commandant of the Ministry of the Interior military academy, was sentenced in June 1990 to 15 years' imprisonment for leading some 2000 officer cadets of the Ministry of the Interior troops in the shooting of demonstrators in University Square on 21 December 1989. The former Minister of the Interior Tudor Postelnicu was tried on a charge of 'genocide' at the end of January 1990 and sentenced on 2 February to life imprisonment. He was released on medical grounds on 4 February 1994.

Of the abuses committed by the *Securitate* before the revolution, only a handful have been addressed. Postelnicu's most notorious predecessor, Alexandru Drăghici, fled the country with his Hungarian wife Martha shortly after the revolution and joined his daughter Alexandra in her Budapest flat to which she had moved in 1988. A request for his extradition was made to the Hungarian Ministry of Justice by the Romanian procurator general on 19 August 1992 but was turned down on the grounds that there was a 15-year statute of limitations on prosecution for crimes and that in the particular case for which Drăghici was to be tried, this term had expired on 4 December 1969. At the same time, the Hungarian Ministry of Justice made it clear that this was not their final word on the matter and requested further information on the case. On 29 December 1992, the Romanian authorities renewed their extradition request, arguing that the statute of limitations had been suspended after the December revolution. Again the Hungarians refused to hand Drăghici over, and therefore on 23 May 1993 the trial of Drăghici and other *Securitate* officers for 'incitement to murder' Ibrahim Şefit, nicknamed 'the Turk', in Sibiu in 1954 began in his absence. Accused alongside the former Minister of the Interior were Colonel-General Nicolae Briceag, former head of the Sibiu district of the *Securitate*, Colonel Ilie Munteanu and Colonel Nicolae Luţenco.<sup>5</sup> At the time of writing, a verdict in the trial, which was adjourned several times, had not been given and the trial dossier was in the hands of the Supreme Court.

Replying in February 1990 to public disquiet about the position of the DSS Colonel-General Victor Stănculescu, the Minister of Defence listed the names of the *Securitate* generals arrested and reported that all officers of the Fifth Directorate, 436 in number, had been placed in the reserve, as had 611 of the 1073 officers in the Fourth Directorate in charge of military counter-espionage. *Securitate* documents from December 1989 give the complements of the Fourth and Fifth Directorates as 1133 and 484 officers respectively. Stănculescu also claimed that the eavesdropping systems used by the *Securitate* had been dismantled on 22 December 1989 and that all listening centres and devices had been sealed off and placed under army guard. To dispel disbelief he invited inspection of 'the former bugging and listening centres situated at nos 6–8 and 14 of 13 December Street in Bucharest, in the Romanian Optics Factory, in the 23 August Factory, in the Bucharest Heavy Machine Plant, in the Bucharest Garments and Knitwear Factory, and in the side rooms of all the capital's telephone exchanges'. Stănculescu announced the institutionalization of 'certain structures which ... have the task of ensuring the defence of the country's sovereignty, independence, and territorial

integrity, and of preventing any actions meant to cause economic and social destabilization or to hamper Romania's democratic development'. These structures were to be non-political and the leading positions in them filled 'only with officers of the Romanian army who have shown, through their abilities and deeds, loyalty to the country, people, and the revolution and who do not belong to any political party or movement'.<sup>6</sup> His assurances that 'no telephone conversation will be intercepted or listened to now, or in the future', and that 'no citizen, regardless of nationality, political affiliation, or religious convictions ... is the target of the cadres in the new army structures of the security services', was received with total disbelief by the public, coming as it did from an officer who had been a deputy Minister of Defence under Ceaușescu. That disbelief was justified by the discovery in late May 1991 of hundreds of files on opposition figures compiled by the new security service, the SRI, which it had buried near the village of Berevoiești, and by allegations in the Romanian press that Stănculescu had been directly involved in the sale of Romanian arms through the agency of the Foreign Trade Company Dunărea.<sup>7</sup>

Stănculescu's 'frankness' about the *Securitate* personnel did not extend to the fate of the 595 officers in the First, Second, Third and Sixth Directorates, who were passed over in silence, giving rise to suspicions that they had been integrated into the new Romanian security service, the SRI (*Serviciul Român de Informații*) whose establishment was decreed on 26 March 1990. The director of the new service, Virgil Măgureanu, admitted as much in a report to the joint session of the Romanian parliament on 22 November 1990 when he responded to growing public demands for information about the structure and activities of the SRI, and attempted to allay suspicions that it was nothing more than a revamped DSS. The very act of reporting was an indication that the SRI was, unlike its predecessor, at least formally accountable to parliament, and Măgureanu did not hesitate to make this point at the beginning of his report.

He then went on to give details of manpower of the *Securitate*:

On 22 December 1989, the former DSS totalled 14,259 military cadres, including 8,159 officers and 5,105 warrant officers and non-commissioned officers, as well as 984 civilian personnel. Of this total, 8,376 officers and non-commissioned officers were working in information and operational sectors, 3,832 were working in central units, and 4,544 were working in the counties. The other cadres were carrying out their activity in the *Securitate* troops – 2,859 officers and non-com-

missioned officers; in technical units 2,588 officers, warrant officers and non-commissioned officers; and in operational units 466 cadres. Of the total personnel of the former DSS 2,841 were removed through the dismantlement of the central and territorial units; a further 2,769 cadres were placed in the reserve; 2,896 cadres of the former security troops were taken over by the Ministry of the Interior, and 449 were turned into a technical transmission unit by the Ministry of National Defence to ensure government telephone connections.<sup>8</sup>

The *Securitate's* control of foreign trade under Ceaușescu placed its officers in a position of privilege in post-revolutionary Romania. *Securitate* officers, with their specialist knowledge and their foreign contacts, triggered the creation of a veritable economic mafia. Using their privileged commercial expertise these officers set up private import–export businesses and by exploiting their positions within the Foreign Trade Ministry and other government agencies have cornered a significant part of Romania's export activity. The depth of this penetration by former *Securitate* officers of the Romanian economy has been signalled by the Romanian defector Liviu Turcu, and also by anonymous sources within the former *Securitate*.<sup>9</sup>

A document naming *Securitate* officers allegedly working in the Foreign Trade Ministry was given to some foreign journalists covering the May 1990 general elections. Several of the names were published in an article in *The Times* on 22 May 1990.<sup>10</sup> The document claimed that '400 *Securitate* officers were running the foreign trade organizations'. All key positions in the Ministry of Foreign Trade were occupied by *Securitate* colonels. *Securitate* officers had also been appointed as diplomats. Among the latter were Colonel Constantin Pîrvutoiu, listed as ambassador to the European Community, Major Cristeia, his deputy, who had formerly been intelligence head of station in Paris, Colonel Iancu, a former director of the company *Prodoexport*, who was now a senior chancery official at the Romanian embassy in Vienna, General Baclița, serving at the embassy in Teheran, Lieutenant-Colonel Mateescu, working at the embassy in Warsaw, and Colonel Negrițoiu, serving in New York. Officials in the Foreign Trade Ministry in Bucharest named as *Securitate* personnel were Colonel Stoiculescu, former director of *Fructoexport*, who had taken charge of agricultural exports, Major Cornaciu, responsible for fruit exports, Colonel Ghița, former director of *Metalimportexport*, who was dealing with metal exports, and Lieutenant-Colonel Dumitrescu, who was involved with mineral exports and directed a company called Terra. Other *Securitate* officers in the inter-

national departments of the Foreign Trade Ministry were identified as Colonel Talpaş, head of the Asian department overseeing Japanese and Korean investment in Romania, Colonel Berindei (European Community Department), Colonel Culău (Europe Department), and Colonel Mihoc (German Department).

The Romanian press also furnished examples of how former senior communists, in alliance with *Securitate* officers, found a profitable niche in the private sector. The Getteco company was set up by the family of Paul Niculescu-Mizil, a member of the Politburo who supported Ceauşescu's decision to suppress the demonstrations in Timişoara by using force. Niculescu-Mizil was tried for 'favouring the criminal' (Ceauşescu) and sentenced to three and a half years imprisonment on 25 March 1991. The company was allegedly run by Niculescu-Mizil's daughter Lidia and his son-in-law, Coman Ştefănescu, and in 1992 won a lucrative contract from the government to import grain. Responsible for the company's security was Virgil Ionescu, alleged to have been a lieutenant-colonel in the Bucharest *Securitate*, who was carried over into the SRI before retiring on health grounds in 1991. Other members of staff included Gheorghe Vasile, a former *Securitate* major and chauffeur of the Ceauşescus, and Ion Tomina and Paul Pleşoianu, former USLA officers. Among the company's advisors were General Gheorghe Marcu, the intelligence officer who was said to have acted as intermediary in the ransoming of Jews at the end of the 1950s, Colonel Filip Teodorescu, deputy head of the Third Directorate for counter-espionage, and Colonel Constantin Olcescu, named by Ion Mihai Pacepa as Romanian intelligence station chief in Beirut in the 1970s.<sup>11</sup>

*Securitate*-backed foreign trade companies diversified their interests after 1990. The Crescent company established a controlling interest in the television station Antena 1. Its director since the mid-1980s has been Dan Voiculescu. A dominant position in Romanian business has been secured by the Păunescu brothers.<sup>12</sup>

### **The creation of the new security services: SRI, UM 0215 and SPP**

Nine Romanian security and intelligence services have been set up since the disbandment of the *Securitate*. They are:

1. *Serviciul Român de Informații (SRI)*, the Romanian Security Service.<sup>13</sup>
2. *Serviciul de Pază și Protecție (SPP)*, the Presidential Protection and Guard Service.
3. *Serviciul de Informații Externe (SIE)*, the Foreign Intelligence Service.

4. *Direcția Informațiilor Militare (DIM)*, the Directorate of Military Intelligence, subordinated to the Ministry of Defence.
5. *Direcția de Contraspionaj a Ministerului Apărării Naționale (DCS)*, the Directorate of Counter Espionage of the Ministry of Defence.
6. *Serviciul de Informații al Ministerului de Interne (UM 0215)*, the Intelligence and Security Service of the Ministry of the Interior.
7. *Direcția de Supraveghere Operativă și Investigații a Inspectoratului General al Poliției (DSOI)*, the Directorate of Surveillance and Investigation of the Ministry of the Interior.<sup>14</sup>
8. *Serviciul de Informații al Direcției Generale a Penitenciarelor (UM 0400)*, also known as *Serviciul Operativ Independent (SOI)*, the Intelligence Service of the General Directorate of Prisons, subordinated to the Ministry of Justice.<sup>15</sup>
9. *Serviciul de Telecomunicații Speciale (STS)*, the Special Telecommunications Service.<sup>16</sup>

These services were each formed around the nucleus of a former *Securitate* directorate or unit. Thus the SRI initially drew its personnel from the directorate of internal security, the SPP from the directorate responsible for the protection of Ceaușescu (Directorate V), the SIE took over the activities of the CIE (the Foreign Intelligence Service of the *Securitate*), the DCS inherited the role of Directorate IV, and UM 0215 recruited from the Bucharest office of the *Securitate*. Of the internal civilian security services, the role and activities of the SRI, UM 0215 and the SPP have attracted the greatest attention since all have been involved either in acts of organized political violence, or in harassment of Romanian citizens.<sup>17</sup>

The most notorious act involved the miners' invasion of Bucharest in June 1990. The failure of the police to disperse rioters who on 13 June attacked the police headquarters, the offices of Romanian television, and the Foreign Ministry, prompted President Ion Iliescu to appeal to miners from the Jiu valley to defend the government. Special trains were laid on to bring some 10 000 miners to Bucharest at dawn on 14 June armed with wooden staves and iron bars. They were joined by vigilantes, some of whom were later identified as officers of the *Securitate*. For two days the miners terrorized the population of the capital, attacking anyone they suspected of opposition to the government. These events raised a number of questions to which a satisfactory answer has yet to be given, despite the government's presentation of the findings of a parliamentary inquiry. The most pressing of these was the role played by several members of the *Securitate* who were identified on camera when beating

students and bystanders, and who were widely suspected at the time of being members of the new security service, the SRI. It was only in November 1997 that the police files on the miners' incursion were sent to the prosecutor's office. In the meantime, most of the attacks and abuses listed in the 760 complaints issued by members of the public against the miners and the police – in the case of the latter, illegal detention – had reached the limit of prescription and prosecution could not go forward.

### *The SRI*

The miners' episode, and the serious damage which it did to Romania's image abroad, prompted members of parliament to raise the question of the SRI's accountability. Its powers were codified in the National Security Law, passed on 26 July 1991, but an effective mechanism to supervise them was not put into place at the time. The pernicious effects of the lack of meaningful supervision of the SRI were demonstrated during a second episode of organized violence. This involved, yet again, a miners' invasion of Bucharest, this time in September 1991. From revelations made by Virgil Măgureanu, the SRI director, in answer to questions from members of parliament about the miners' actions, it was clear that he had advised President Iliescu to force Prime Minister Roman's resignation. The parliamentary clamour for control over Măgureanu's activity became irresistible and was instituted on 23 June 1993 when the Joint Standing Committee of the Chamber of Deputies and Senate for Parliamentary Oversight of the SRI was established by the Romanian Parliament.<sup>18</sup>

The SRI has attracted the most attention in the Romanian press since the revolution because it is the largest of the security services. It was set up under decree 181 of 26 March 1990 and was placed on a statutory basis under law no. 14 of 1992. Its activities are coordinated by the Supreme Defence Council. The principal task of the SRI is to gather information for the prevention and combatting of any threats which, according to law, constitute a threat to the national security of Romania. Combating terrorism and undertaking anti-terrorist actions are duties shared by the SRI with the SPP. Details of the strength of the SRI are not in the public domain but are estimated to be between 10 000 and 12 000 officers and men. In addition there are an unknown number of civilian, secretarial employees.

Măgureanu attempted to remove the stigma from the SRI of being a resuscitated *Securitate* since its creation.<sup>19</sup> He did not succeed. His efforts were dogged by dissent, in-fighting, scandal and, on occasions, by his

own actions. The continued presence of a number of *Securitate* officers in the ranks of the SRI was interpreted as being the main obstacle to Măgureanu's attempts to establish the service as a responsible body acting, where relevant, within the law and accountable to parliament. By 1993, Măgureanu claimed to have dismissed 80 per cent of the old *Securitate* officers in the SRI and in a press conference on 29 March 1994 added that 'in recent months 25% of the SRI's personnel had been replaced by young officers'.<sup>20</sup>

Many *Securitate* officers over the age of 50 were placed on the reserve in March 1990 and a further wave of purges followed in October.<sup>21</sup> This provoked resentment amongst their number and led to leaks in the press critical of the SRI and its director. Adrian Ionescu, a former captain in the *Securitate*, accused Măgureanu in November 1990, of having made the SRI a handmaiden of the ruling party, the National Salvation Front.<sup>22</sup> A third round of personnel changes was carried out by Măgureanu in the early summer of 1991. This came as a result of the uproar in the press which followed the discovery in May of hundreds of files on opposition figures compiled by the *Securitate* and the SRI which were discovered in a pit near the village of Berevoiești in the county of Prahova.<sup>23</sup> The major casualty of the scandal was Major-General Mihai Stan, first deputy director of the SRI.

Dissatisfaction about the purges resurfaced in a letter addressed to parliament in April 1992 by a group of anonymous SRI officers demanding the removal of Măgureanu for what they alleged to be his interference in the country's politics. The letter claimed that the 'approximately 1500 officers' dismissed during the purges of the previous summer had no connection with the communist nomenklatura, whereas former Party activists in the *Securitate* had been retained and held senior positions within the SRI. Măgureanu responded angrily to these accusations, which he characterized as a 'demolition mania' with 'incalculable consequences' for the SRI.<sup>24</sup>

Nevertheless, Măgureanu's determination to imprint his leadership upon the SRI and to root out errant officers was undiminished. In January and February 1994, he visited several counties on inspection tours and replaced the SRI heads in Piatra Neamț, Dolj and Vâlcea. In Gorj county, however, his appearance alongside the miners' leader Miron Cosma and his exhortation to the miners at a rally there not to march on Bucharest, as they had done in June 1990 and September 1991, exposed him once again to charges of political interference. At the same time, damaging accusations appeared in the ultra-nationalist weekly



*România Mare* which alleged that several Romanian intelligence officials were working for foreign agencies.<sup>25</sup>

Măgureanu used the allegations to settle more scores within the SRI. On 7 March 1994, he dismissed Major-General Gheorghe Diaconescu, head of the SRI's Division A for counter-espionage.<sup>26</sup> The reported grounds for Diaconescu's dismissal were that he had failed to uncover a spy ring rumoured to include General Marin Pancea, the secretary of the Supreme Defence Council and an intelligence and security advisor to Iliescu, but a more compelling reason was Diaconescu's unwise decision to keep a file on his boss and on first deputy director Major-General Victor Marcu, and his lack of discretion when talking to his friends.<sup>27</sup> Măgureanu also punished those held to be responsible for the leak to *România Mare*, for whose director, Corneliu Vadim Tudor, and many of his associates the SRI director was rumoured to have little esteem. Colonel Ioan Jugănaru and Colonel Tudorache Maravela, officers in the records section of SRI, were also dismissed.<sup>28</sup>

The upheavals in the SRI did not end there. In the same month, Major-General Dumitru Cristea, a deputy director of the SRI and head of its training school, was asked to resign by Măgureanu after an alleged love affair with one of the female students. When he refused to do so, he was suspended. Cristea blamed senior members of the ruling PDSR party for the action against him although their reasons for wanting him removed were never explained. Cristea was dismissed from his position at the end of March without ceremony. In April, other SRI chiefs were sacked. Colonel Constantin Pista, head of Division C (responsible for economic counter-sabotage), was removed for incompetence, and Colonel Traian Ciceu, head of Division A (counter-espionage) resigned after secret documents on Romania's political parties and extremist groups went missing.<sup>29</sup>

In July 1995, yet another scandal allowed Măgureanu to part company with his deputy, General Victor Marcu, a former *Securitate* officer in the First Directorate. On 21 June, two SRI officers, Ioan Tinca and Ionel Poporoagă, were caught filming a group of people in a pavement café. In the group was a well-known investigative reporter from the daily *Ziua* which, a few weeks earlier, had carried an interview with a Russian teacher who in the early 1950s had numbered Ion Iliescu amongst his students. The teacher claimed that Iliescu had been recruited by the KGB at this time as an informer. The daily contended that Iliescu was not merely an informer but an agent. As a result of the ensuing uproar Marcu was forced by Măgureanu to resign. News of the resignation was released to the media on 29 July.

However, there seems to have been more to this incident than met the eye. The affair admits of more than one interpretation. Either it was an attempt by enemies of Măgureanu to discredit him – his dismissal of generals Diaconescu and Cristea and the removal or rotation of several SRI county chiefs left a bitter taste among some former *Securitate* officers scattered among the various security agencies – or it was stage-managed by Măgureanu in order to give him a pretext to get rid of Marcu. An internal inquiry conducted after the incident by Major-General Atodoroaie revealed that several officers from the surveillance division had strong sympathies for the counter-intelligence department of the Ministry of the Interior (code sign UM 0215) which had led them in the past to pass on information to it. As a result, the entire senior staff of the division, headed by Colonel Toloş, was replaced.<sup>30</sup> The strength of the division's leanings towards 0215 was demonstrated by the fact that Colonel Lipan, one of Toloş's deputies, presented himself within 48 hours of his dismissal from the SRI with an authorization for transfer to 0215 and was immediately made head of the surveillance section of that service.

Another detail which led some in the same direction of a conspiracy to ensnare Măgureanu was the information, released by the SRI, that the daily *Ziua* was tipped off about the filming by an anonymous phone call. This information offered weight to the arguments of those who claimed that disaffected officers who had moved to 0215 were seeking to bring the SRI director down.<sup>31</sup> But it is also possible that Măgureanu himself might have been behind the anonymous call.

These changes in the upper echelons of the SRI indicated that Măgureanu was conducting a general purge of those senior officers whom he regarded as a threat to his leadership. None the less, the senior positions of the SRI were still occupied by former *Securitate* officers; and opposition to the reform was voiced in the weekly *România Mare* where it was driven by *Securitate* officers with an allegiance to Ceauşescu and ultra-nationalist views. These same sources highlighted Măgureanu's alleged close links with the KGB and his involvement in a Soviet-backed plot against Ceauşescu. Such opponents of Măgureanu were joined by those who regarded him as anti-Western. There was certainly little evidence available to support an argument that the SRI director was a convinced democrat and, indeed, many of his statements pointed in the other direction, but that did not mean that he was unwilling to accept political control of the SRI. The question was: whose political control? He remained the only leading figure of the December 1989 revolution, apart from Iliescu, to have retained his leading position in the post-1989

power structure, a fact which indicated the strength of his position. To his credit he authorized the publication of several thousand pages of *Securitate* documents from the period 1945 to 1989, and at the time the SRI was the only East European security service to release such material on this scale. Much rested on his shoulders if he was to remove the doubts that still lingered over a genuine Romanian commitment to open, accountable government and a functioning democracy.

Such doubts were generated by accusations of phone-tapping and harassment made by some NGOs and Protestant Church groups and by instances, credibly reported in 1994 and 1995 by Western diplomats, of personal surveillance and harassment. The official response was that the SRI was not involved, but that unreconstructed elements in the *Securitate* were responsible, but the question then arose as to why the SRI was apparently unable to stop such abuses. It is at this point that the activity of the two other security services merits discussion.

#### *UM 0215*

The counter-intelligence department of the Ministry of the Interior (code sign UM 0215) was set up in the middle of January 1990 in the following circumstances.<sup>32</sup> On 26 December 1989, Ion Iliescu, president of the National Salvation Front Council, placed the Department of State Security (DSS) under the authority of the Ministry of National Defence. Four days later, he signed a decree dismantling the DSS and gave Gelu Voican Voiculescu, at that time deputy prime minister in the provisional government, responsibility for assembling a new security structure.<sup>33</sup> On that same evening, Voiculescu convened an extraordinary meeting of all the heads of *Securitate* units who had not been arrested and gave them an assurance that the new government would dismember the old communist police structures but would not take action against individual *Securitate* officers.

At the beginning of January 1990, General Nicolae Militaru, Minister of Defence, gave orders that the entire DSS Directorate for Bucharest (566 officers), and the majority of men in the Fourth Directorate (responsible for counter-espionage in the army) be placed on the reserve.<sup>34</sup> Voiculescu took this opportunity to obtain Iliescu's agreement to recruit these officers for a new security and intelligence organization. It was set up on 1 February, given the title UM 0215, and placed under the nominal control of the Ministry of the Interior. Its first head was said to be a former *Securitate* officer, Ion Moldoveanu, who had allegedly been in charge of surveillance in the late 1970s of the dissident writer Paul Goma. He held the position for only one week, when he was replaced by

Vice-Admiral Cico Dumitrescu, but real control remained in the hands of Voiculescu.<sup>35</sup>

After the departure of Admiral Dumitrescu in March 1990, Voiculescu installed two associates to the top positions in 0215: Colonel Florin Calapod (alias Cristescu), an intelligence officer, and Colonel Harasa, a former editor at the Meridiane Publishing House. In these initial months, officers of 0215 were given several identities and acted largely at their own discretion. On 18 February 1990, they were believed to be responsible for the forced entry into the government building in an attempt to compromise the opposition parties. At the same time, officers from 0215 were involved in the printing of anti-Semitic leaflets in Bacău and Bucharest. After the establishment of the SRI in March 1990, its new director Virgil Măgureanu sought to bring 0215 under his control, but without success. On 22 March 1990, Petre Roman approved a request from the Minister of Internal Affairs, General Mihai Chițac, to create 174 new posts, most of them in UM 0215. During the premiership of Petre Roman (May 1990 – September 1991) with whom Voiculescu was on close terms, but whom Măgureanu heartily disliked, 0215 was allowed to double its strength to around 1000 officers. Măgureanu saw this development as a threat to his own service and warned President Iliescu of 0215's potential use as a personal intelligence service by Roman. It was not long before the Roman–Voiculescu group clashed with Măgureanu and in December 1990, acting with Iliescu's approval, Măgureanu forced Voiculescu from his position with 0215.

It is against the background of this dispute that the allegations made by Voiculescu against Măgureanu and the SRI should be seen. In March 1992, after his removal from 0215, Voiculescu addressed accusations levelled against 0215. He dismissed as SRI fabrications claims that 0215 had infiltrated the opposition rally of 18 February 1990, that it had selectively released *Securitate* files in the run-up to the May 1990 elections in an effort to compromise opposition leaders, and that it had participated in the attacks by miners on bystanders in Bucharest in June 1990. He did, however, admit that he had supported the use of *Securitate* files in the election campaign.<sup>36</sup> Nevertheless, a Bucharest court found in February 1994 two 0215 officers, Colonel Ion Nicolae and warrant officer Corneliu Dumitrescu, guilty of ransacking the house of Ion Rațiu, a leading figure in the National Peasant Christian Democratic Party, during the miners' incursion and stealing \$100 000. They were sentenced to four and three years respectively.

Immediately after he took over the post of Minister of the Interior in June 1990, Doru Viorel Ursu decided to put 0215 on a legal basis. The use

of false identity papers was, at least officially, abandoned and its heads changed. Colonel Jenică Iosif was appointed director and Colonel Ion Condoiu, formerly of the SRI, his deputy. In the spring of 1991, Colonel Stoian Rusu took over as head of 0215 but in February 1993 the Minister of the Interior, General Ioan Dănescu, replaced him with Colonel Dan Gheorghe who had been sacked from his post as head of the SRI anti-terrorist brigade by Măgureanu.<sup>37</sup>

Judging from the details in operational manuals of 0215 which found their way to the offices of a Bucharest daily in March 1994, 0215 had resumed practices of the former *Securitate*. They included the gathering of information about Romanians living, working, or studying abroad, about employees of foreign firms in Romania, and about foreign residents. They also showed that 0215 was monitoring the movements of political personalities, journalists and trade unionists. 0215 was required to enter all sensitive information into the SRI's computer system.<sup>38</sup>

The resultant disquiet led Petre Roman, head of the Commission for Defence, Public Order and National Security of the Chamber of Deputies, to summon Interior Minister Doru Ioan Tărăcilă and 0215 head Dan Gheorghe to explain themselves. Both denied that 0215 sought to influence political developments. They did accept that some officers might have exceeded their brief but argued that 0215 was operating in accordance with the National Security Law and that those under surveillance were suspected of terrorist or criminal links.<sup>39</sup> These arguments were accepted without demur by Roman, to the surprise of many who remembered his previous criticism of the SRI and its alleged part in facilitating the miners' entry into Bucharest in September 1991 (which prompted Roman's resignation as Prime Minister). *România liberă* tried to explain Roman's change of mind by reminding its readers of his part in setting up UM 0215, but Roman denied that he was vulnerable to political blackmail.<sup>40</sup>

Strong doubts remain about the effectiveness of political accountability of 0215 whose members are drawn largely from the ranks of the Bucharest DSS. In March 1994, Major-General Ion Pitulescu, chief of the General Police Inspectorate, told the Senate that he was unable to limit the tasks performed by UM 0215 and urged that a new secret service be created that would be fully responsible to the Ministry of the Interior. Within a month, the Romanian media announced the creation of an Operative Surveillance and Intelligence Directorate (DSOI) within the Ministry. Its remit included combating organized cross-border crime. UM 0215 was widely suspected of trying to take over some of the intelligence-gathering activities of the SRI, and Măgureanu complained of

interference by 0215 in a letter to the Defence Committee of the Senate in December 1995.<sup>41</sup>

Pressure from sections of the Romanian media and concern expressed by Western security advisors about the lack of parliamentary control of 0215 and the duplication of many of the activities of the SRI culminated in a decision of the Supreme Defence Council, taken on 22 May 1998, to restructure 0215. Gavril Dejeu, the Minister of the Interior, gave the official reason for this decision as 'the image and perception which public opinion has about 0215. It was set up for a specific purpose which has probably been achieved since 1990.'<sup>42</sup>

The government approved the restructuring proposals on 4 June. 0215 was to be divided into two bodies. One would remain under the direct control of the Minister of the Interior and will root out corruption in the Ministry. The second body was to be placed under the authority of the head of the General Inspectorate of Police and will have crime prevention responsibilities. Dejeu announced that the complement of 1440 officers that made up 0215 would be reduced by 145, to 150. This reduction would be achieved by the compulsory retirement of staff over the age of 52. The remaining staff would be screened by a special commission under the command of Lieutenant-General Teodor Zaharia, First Deputy Minister of the Interior. The commission would examine the past record of every officer and determine which of the two bodies to assign him to.

In a press statement, Minister Dejeu concluded: 'In any case the Ministry of the Interior should not be at a disadvantage in the work that it does because of the disbandment of 0215. What is clear is that the Supreme Defence Council discovered that this military unit was formed largely from former *Securitate* officers, a fact confirmed by Gelu Voiculescu Voican.'<sup>43</sup>

There was much comment in the press as to whether 0215 had been abolished or simply restructured. The title of a short piece announcing the reorganization in *România liberă* of 5 June, '0215 is dead! Long live 0215!', was indicative of the scepticism with which the SDC's decision was greeted in some quarters. The reaction in political circles was mixed. Members of the governing coalition welcomed the move while senior figures in the opposition PDSR condemned it. The PD senator Alexandru Nicolae, president of the parliamentary Defence Commission, considered the decision justified, arguing that 0215 had exceeded its mandate and was interfering in the activity of the SRI. PDSR senator Radu Timoftei, vice-president of the same committee, held an opposite view. He maintained that the SDC's action was illegal and represented a danger to the

sovereignty of the state. He claimed that 0215 had been abolished precisely because the SDC was not in proper control of the relevant activities in the Ministry of the Interior and in the Ministry of Defence and that under President Constantinescu the SDC had become a 'superpower' placing itself above parliament, the government and the law.<sup>44</sup>

Although the Romanian Minister of the Interior announced that 0215 had been disbanded, notices were issued in the name of 0215 *in July 1998*, that is, *after the alleged disbandment of 0215*, to the parents of Romanians caught up in the revolution of December 1989 who had left the country. The parents were required to report to the municipal police to answer questions about their children.

0215 does, in fact, continue to exist, but under the name of General Directorate of Intelligence and Internal Protection ( *Direcția Generală de Informații și de Securitate Internă*). It is headed by General Ardelean (August 1999) and has a confused brief: (a) internal affairs – taking anti-corruption measures against Ministry of Interior staff; and (b) gathering intelligence of external threats to the Ministry of the Interior. However, the GDIIP has no infrastructure to allow these activities to be pursued with robustness. Ideally, internal affairs should be separated from its other activity of intelligence gathering which duplicates the work of the SRI, and to complicate matters further, there is little coordination between the SRI and the former 0215.

### *SPP*

Similar doubts about accountability concerned the SPP (*Serviciul de Pază și de Protocol*), the service responsible for the protection of the President, Romanian party leaders and foreign diplomats. It developed from the *Unitatea Specială de Pază și Control*, set up to protect the President of the Provisional Government on 7 May 1990 under decree no. 204 of the Provisional Council of National Unity. On 15 November 1991 the USPC became the SPP under law no. 51. The SPP has, according to details given by its then head Major-General Dumitru Iliescu during its first-ever press conference on 4 April 1995, some 1500 personnel, most of whom were recruited from the army. It is divided into three sections which deal with security of buildings, VIPs, and intelligence. Its intelligence and surveillance role came to light in March 1995 over the case of Horia-Roman Patapievici (see below).

### **The Romanian Intelligence Service post-1990: The SIE**

The post-Ceaușescu Foreign Intelligence Service (*Serviciul de Informații Externe*) was set up on 18 January 1990 under the direction of Major-

General Mihai Caraman, a close friend of the new Prime Minister, Petre Roman.<sup>45</sup> Caraman gave it its own counter-espionage unit which he placed under the command of Colonel Dan Gheorghe. Doubts about Caraman's loyalties to the President surfaced when he told Roman before Iliescu about the failed putsch in Moscow in August 1991. These doubts were fuelled by the release to the press in April 1992 of Virgil Măgureanu's file. Petre Roman, who had been forced to resign as Prime Minister in September 1991, ascribed his downfall to Măgureanu whom he suspected of fomenting the miners' dispute which provoked the government crisis of that month, and it was widely believed that Caraman, as a friend of Roman, released the file to embarrass Măgureanu. Caraman was dismissed by Iliescu and replaced at the head of SIE by Ioan Talpeș, a close ally of President Iliescu.<sup>46</sup>

As the Cold War barriers came down, two officers from the French security service, the *Direction de la Surveillance du Territoire* (DST), visited Bucharest at the beginning of 1992 in search of any information that might shed light on communist agents working in France. They were received by Caraman, who was head of the SIE, and a few months later he travelled to Paris with a report indicating that Charles Hernu, a former Minister of Defence, was an agent of the Bulgarian Intelligence Service and the KGB. The French weekly *L'Express* reported this 'scoop' in October 1996 and the revelations formed the basis of speculation in other French publications that Hernu might have also worked for the *Securitate*. However, these suggestions were denied by Pacepa and by General Neagu Cozma, an officer who served for almost 25 years in the counter-espionage directorate of the *Securitate* and who, in 1973 when he was placed on the reserve, was its head. They pointed to the fact that the cover of French agents run by the DIE was blown in 1969 with the defection to the US of Colonel Iacobescu, and that Hernu was not amongst them.

In its edition of 16–22 January 1997, *L'Express* cited Soviet documents which confirmed Hernu's collaboration with the KGB and the Bulgarian Intelligence Service. Various theories were advanced to explain why Caraman should have made his report for the French DST, the most favoured being that Caraman wanted to ingratiate himself with the French by indicating that he had put his past behind him and that he and the SIE were now on the side of the West. In terms of his position in Romania, the gesture backfired, for he was relieved of his post shortly afterwards. In the long term, however, as foreign perceptions of key security appointments assume greater importance as Romania seeks



integration into NATO, Caraman may point to this gesture to advance a case for resuming the direction of the SIE.<sup>47</sup>

Romania's exclusion from the list of countries in the first wave of NATO expansion into Central Europe came as a major disappointment to the Romanian government. The Romanian media had whipped public opinion into a frenzy of optimism about the country's chances of success at being included alongside the Czech Republic, Hungary and Poland as the countries chosen for integration at the Madrid Summit of NATO members held at the beginning of July 1997 and Romania's omission drove some senior members of the government to seek scapegoats. At a press conference held on 16 July, Prime Minister Victor Ciorbea spoke bluntly of the need 'to remove Soviet influence from the state apparatus' in Romania and emphasized that the United States and Europe supported the Romanian government in this regard. Ciorbea went on to say that in line with the changes that had taken place at the top of the security services in Romania, the SIE and the Department of Military Intelligence would come under scrutiny.<sup>48</sup>

Ciorbea's statement came barely a day after the spokesman for the Swiss Federal Prosecutor announced that a Swiss diplomat had confessed to charges of passing information to the SIE between 1991 and 1997. Ioan Talpeș, the head of the SIE, declared in response on 17 July that 'the SIE had not carried out and is not carrying out acts of espionage against Switzerland'.<sup>49</sup>

The Swiss authorities claimed, however, that the Swiss diplomat, who had not been based in Romania, had been approached by the SIE for information about investigations being carried out by the Swiss police and that he had provided such details over a period of six years. Coming a little over a year after a scandal involving the Swiss ambassador and the SRI in Romania (see below), the incident added further damage to Romania's relations with Switzerland and was deeply embarrassing to the Romanian President who was seeking to persuade the West that he had put the Romanian security and intelligence services in order. Talpeș tendered his resignation to President Constantinescu on 24 July and it was accepted. As Talpeș's successor the President appointed Cătălin Harnagea, his economic counsellor, on 30 July.<sup>50</sup>

Under Harnagea the SIE has kept a low profile. Public attention to it has been drawn, not by any recent action of its own, but by a decision of the Romanian Supreme Court on 7 June 1999 to rescind Ion Mihai Pacepa's conviction for treachery and the sentence of death passed upon him in October 1978 following his defection to the United States. Curiously, Pacepa's rehabilitation came at the instigation of the

Romanian authorities since it was the state prosecutor, not Pacea, who initiated the action by requesting that Pacea's case be re-tried on the grounds that there was no evidence that Pacea had handed over secrets to a foreign agency. Pacea's lawyer argued successfully that the case could not be re-tried as the alleged actions were now prescribed by law, having being committed more than 15 years earlier.<sup>51</sup>

The state's action brought howls of protest from anti-government newspapers. A blistering editorial by Cristian Tudor Popescu in the daily *Adevărul* denounced the Supreme Court's decision, describing it as an enormity and claiming that Romania had been dragged into a moral mire by it.<sup>52</sup> George Șerban, the head of the SIE parliamentary supervisory commission, declared Pacea 'a traitor, a deserter', and suggested that the decision was a political one: 'We are in the midst of a series of moves which are designed to show Europe and the United States that we want to draw close to them for good ... We hope, by this goodwill gesture, to move closer to the US.'<sup>53</sup> Public opinion was probably best summed up by the view that 'the traitor Pacea had done nothing more than betray a regime that had betrayed the Romanian people'.

The Supreme Court was less generous in its treatment of other cases involving espionage by Romanians against the Ceaușescu regime. The most notorious was that of Mircea Răceanu, a diplomat arrested on 31 January 1989 in Bucharest for allegedly selling secrets to the US, who had been sentenced to death on 21 July 1989. The sentence was commuted shortly afterwards to 20 years' imprisonment and Răceanu was released on 23 December after Ceaușescu's overthrow. Yet in an extraordinary move three-and-a-half years later, on 24 June 1993, the Romanian military prosecutor challenged the validity of Răceanu's release. The move mystified the American media no less than it did Răceanu who was living in the United States. The *New York Times* took up the story, and on 2 July President Ion Iliescu's office announced he had looked into the case and that the prosecutor was now dropping the case.<sup>54</sup> On 10 June 1998, supporters of Răceanu submitted a memorandum to the General Prosecutor's Office asking that his sentence be lifted, and initiated a court action to this end, but the Supreme Court rejected the request in June 1999.<sup>55</sup>

### Files and Scandals

A third round of personnel changes in the SRI was carried out by Măgureanu in the early summer of 1991. This came as a result of the uproar in the press which followed the discovery in May of hundreds of files on opposition figures compiled by the *Securitate* and the SRI which

were discovered in a pit near the village of Berevoiești in the county of Prahova. The major casualty of the scandal was Major-General Mihai Stan, first deputy director of the SRI.

The intelligence and surveillance role of the SPP came to light in March 1995 over the case of Horia-Roman Patapievi. Patapievi, a 38-year-old physicist, had been amongst the anti-Ceaușescu protesters arrested in Bucharest on 21 December 1989. He made a name for himself after the revolution as a political analyst for the weekly *22*, the publication of the independent Group for Social Dialogue, where he subjected what he called the 'Iliescu regime' to a scathing critique. It was this anti-Iliescu stance which drew him to the attention of the SPP. While Patapievi was in Germany in February 1995 – he had been appointed in 1994 director of the Institute of Studies in Bucharest – his wife was told by a neighbour that a man claiming to be a police officer had been making enquiries about Patapievi's political beliefs. The officer had allegedly identified himself as Captain Soare and said that he was investigating money-laundering operations. A GDS press conference exposed these investigations and the case was quickly taken up by opposition newspapers.

They initially faced a problem in identifying 'Captain Soare'. The SRI issued a statement disclaiming any interest in Patapievi's activity as a journalist or in his political ideas and argued that the interest of the media was to 'stir unrest by hounding Romania's main intelligence service'.<sup>56</sup> Questioned by journalists about the activities of 'Soare', the Minister of the Interior, Doru Ioan Tăraciță, declared that 'the type of officer like "Soare" disappeared with the revolution. It is amazing that someone can believe that political police methods are still being practised'.<sup>57</sup> Tăraciță's reply revealed just the kind of obtuseness which characterized many who were responsible for security matters in Romania. The mystery deepened when the head of UM 0215, Lieutenant-General Dan Gheorghe, denied before the Senate's Commission for Defence, Public Order and National Security, that his service was involved in the affair. After the hearing, the commission's chairman, Radu Timofte, made the startling suggestion that 'Soare' might belong to 'an illegal intelligence structure', thereby giving credence to SRI Director Virgil Măgureanu's complaints of interference from rival intelligence and security bodies in Romania.

Just a few days after Justice Minister Iosif Chiuzbaian declared that his own ministry's intelligence unit, the SOI (Independent Operational Service), which was charged with gathering information about organized crime within the prison service, had no connection with the Patapievi

case,<sup>58</sup> 'Soare's' identity was revealed. He was a Captain Marius Lucian of the SPP.

The Soare case showed how deeply the old *Securitate* mentality was inculcated in the structures of the security services, how embarrassingly archaic that mentality was, and how incongruous it sat with claims that the security services had been democratized. In order to defend himself from the accusatory finger of public opinion, Captain Soare applied the tactics of diversion as his principal means of sowing disinformation.

Soare's identity was acknowledged only days after another case of harassment, this time perpetrated by an SRI officer, came to light. Mihai Răzvan Ungureanu, a young history lecturer at the University of Iași, sent a complaint in March to the Parliamentary Commission for Oversight of the SRI that he had been harassed by a certain Major Ioan Chirilă, an SRI officer attached to section four of the SRI; that his correspondence had been tampered with, and that his friends had been questioned by this officer. In this instance, and in contrast to the Minister of the Interior, the SRI reacted rapidly by announcing in a communiqué of 16 March the dismissal of Chirilă. This was the first time that the SRI had admitted that one of its officers had acted improperly. In its defence, the SRI argued that contact had been made with Ungureanu in his own interest, namely to alert him to the fact that he might be drawn into anti-Romanian activities by a foreign power, but it accepted that Chirilă had been over-zealous in his insistence on subsequent meetings with Ungureanu when the latter had made it quite clear that he wished to be left in peace.<sup>59</sup>

The anti-Semitic outbursts of Corneliu Vadim Tudor, President of the Greater Romania Party and editor of its mouthpiece *România Mare*, damaged Romania's credentials as a tolerant, democratic state and were even more embarrassing to President Iliescu after a formal alliance between the PDSR, the governing party, and the Greater Romania Party was concluded in January 1995. The PDSR's short-term parliamentary gain in voting support was offset by the damage the alliance did to Iliescu's efforts to draw closer to the West, and in particular to the United States where sensitivity to dialogue with a country in which extremists were partners in government was especially acute. It is widely believed that President Iliescu gave Măgureanu the go-ahead to discredit Vadim Tudor and information was fed to the press accusing Vadim Tudor of being a *Securitate* informer. The release in September 1995 of volume five of *Cartea Albă a Securității*, an official history of the *Securitate* sanctioned by Măgureanu, added fuel to these charges. One of the documents reproduced from the *Securitate* archives was a note of a conversation

between Vadim Tudor, Eugen Barbu, a fellow journalist, and an anonymous *Securitate* officer, in which both writers urged 'the competent authorities' to step up their campaign against Radio Free Europe and involve them more in it. At the same time, they criticized the activity of a number of writers who 'were ideologically undermining' the public.<sup>60</sup> Vadim Tudor responded by repeating charges, first made by the editor Sorin Roșca-Stănescu in his daily *Ziua* earlier in the year, that Iliescu had been recruited as an agent of the KGB while a student at the Institute of Energy in Moscow between 1951 and 1952. Stung by these allegations, the Executive Bureau of the ruling PDSR decided to withdraw from its alliance with the GRP on 19 October 1995.

Vadim Tudor renewed his attack by directing his fire upon Măgureanu. His threat, issued on 29 December 1995 in *România Mare*, to publish *Securitate* dossier no. 15827 of Măgureanu led the latter to release extracts from this file to *Evenimentul Zilei*, the most popular daily, thereby stealing Vadim Tudor's thunder. These were published on 30 December 1995 and 4 January 1996 and revealed that Măgureanu, using the cover-name Victor Popescu, had been a 'resident' *Securitate* officer in the Banat region in the south-west of the country between 1963 and 1964 and handled a number of informers there. Măgureanu, it emerged, had been recruited by a Captain Iosif Weber at a time when he was working at a technical training school centre in Timișoara. The file covered only the years mentioned and its publication was something of an anti-climax, especially when compared with the much fuller details of his career published in *Tinerama* in 1992 (see above). It was reported by *România liberă*<sup>61</sup> that Măgureanu's file for 1963–4 had been taken from the Timișoara *Securitate* archive by Colonel Petre Pele, deputy head of the SRI Timiș, whom Măgureanu immediately dismissed. On 16 April, Colonel Ion Adamescu of the Western Transylvanian Regional Operational Centre of the SRI was placed on the reserve for also removing Măgureanu's file.

The file's publication prompted calls for Măgureanu's resignation from some members of parliament. Vasile Văcaru, chairman of the SRI Parliamentary Oversight Committee, promised to examine whether Măgureanu's action contravened the National Security Law. Ștefan David, a Socialist Party of Labour senator and former *Securitate* head in the county of Caraș-Severin, declared in an interview with the BBC that Măgureanu had broken both the Law on the Activity of the SRI and the National Security Law, on the grounds that the former stipulated that ex-informers and collaborators of the *Securitate* could not hold office in the SRI and that publication of *Securitate* documents was forbidden for

a period of 40 years. Article 27 of the National Security Law, he pointed out, stated that employees of the former *Securitate* were obliged to respect state secrets even after they left the service.<sup>62</sup> A similar view was expressed by Adrian Severin, the Vice-President of the Democratic Party.<sup>63</sup> Others accused the SRI Director of misleading parliament when, in answer to a question upon his nomination for the post as to whether he had been a *Securitate* officer, he denied that he had been so. However, Măgureanu's action in publishing his file won praise from several opposition leaders, most notably from Emil Constantinescu, leader of the Democratic Convention, who applauded him for setting an example of the transparency which was sorely needed if democracy was to flourish in Romania.<sup>64</sup>

Vadim Tudor declared on 3 January 1996 that he would submit Măgureanu's complete file to the Parliamentary Oversight Committee and on 9 January he, General Victor Marcu, Măgureanu's former deputy, and Măgureanu himself were heard in turn by the committee. Vadim Tudor presented five files on Măgureanu, all compiled from documents taken illegally from the *Securitate* records, thereby exposing himself to the charge of spying on the state and its security institutions, and possible prosecution for possession of 'state secrets'. Vadim Tudor told the press that the SRI had broken free from parliamentary control and that Măgureanu was a danger to national security, adding that the decision to dismiss him rested with President Ion Iliescu. General Marcu revealed that he had found file no. 15827 while cataloguing the *Securitate* files in Timișoara and that he had handed it over to Măgureanu in a sealed envelope. Măgureanu explained his failure to inform parliament of his employment in the *Securitate* by saying that 'he had overlooked that period'.<sup>65</sup> Despite the lameness of his excuse Măgureanu showed his resilience by once again weathering the squall.

On 19 April 1996, the Swiss Foreign Ministry issued a communiqué announcing that the Swiss ambassador to Romania, Jean-Pierre Vettovaglia, had been removed from his post with immediate effect. This decision had been reached following an enquiry into allegations which had appeared in the Romanian press – in a full-page article in the satirical weekly *Cațavencu* – alleging that the ambassador had intimate relations with a 21-year-old Romanian journalist named Floriana Jucan.<sup>66</sup> 'The enquiry', the communiqué went on, 'had established that Miss Jucan was an agent of the Romanian intelligence services and that therefore the ambassador's relations with the girl represented a security risk to our country.'<sup>67</sup>

The accusation that Miss Jucan was an intelligence agent was damaging to Romania. Ion Cristoiu, the editor of the newspaper *Evenimentul Zilei* which employed Miss Jucan as a journalist, fended off suggestions that she had been planted by the SRI in an interview given to the BBC on 19 April. Cristoiu defended his decision not to sack Miss Jucan on the grounds that no proof of her links with an intelligence service had been provided. Well-informed diplomats in Bucharest were equally cautious about the Swiss Foreign Ministry's claims regarding Miss Jucan and were of the opinion that she was out to feather her own nest rather than to compromise the ambassador.

A further example of the skirmishing between Vadim Tudor and Măgureanu was provided by a press conference held on 13 May 1996 by the Greater Romania Party at which an SRI officer, Captain Constantin Bucur, produced copies of phone-tappings of conversations of Romanian politicians which he alleged that he had been ordered to make. The following evening, the SRI spokesman, Nicolae Ulieru, confirmed in a television interview on Tele 7 ABC that some of Bucur's cassettes were of eavesdropping carried out by the SRI but with a warrant from the prosecutor general. On 15 May, Virgil Măgureanu, appeared before the Parliamentary Commission for Oversight of the SRI and afterwards before the press, but with a different story. In an interview with the BBC he denied that the SRI had authorized the surveillance. He said that his spokesman, Nicolae Ulieru, had either exaggerated the alleged responsibility of the SRI in the taping or that his statement had been taken out of context. Măgureanu denied that the SRI had ever listened to politicians or journalists. His words, however, appeared to be contradicted by his actions. According to Senator Vasile Văcaru, President of the SRI Oversight Committee, Măgureanu suspended Captain Bucur from duty and the latter was sent for trial for removing the cassettes from the SRI's archives and for breaking the National Security Law. The question arose then of why the tapes were in the SRI archive if they had not been made by the SRI, and how had Captain Bucur removed them?

To answer these questions, a sub-committee was set up. Asked by a BBC reporter who could give permission for telephones to be tapped Măgureanu replied, 'Only me.' He declared himself ready to hand in his resignation if it was proved that the SRI had illegally tapped telephones.<sup>68</sup> Although the inquiry was only in its initial stages, Vasile Văcaru had already come to the conclusion that Măgureanu's resignation was unnecessary. 'Ultimately there are similar problems everywhere', he said, 'and I think it is almost natural that the SRI has its good points and

bad points in the eyes of many because it was an institution which got things done and which continues to get things done ...'<sup>69</sup>

At a session of Bucur's trial held before a military tribunal on 7 February 1997, evidence was heard from Colonel Vrejoiu, head of the Interception Service of the SRI responsible for eavesdropping, and from Colonel Bleanda, head of Transcription Service. Both declared that the telephone conversations cited by Bucur had been intercepted by the SRI but that a warrant had been issued by a procurator for each one. However, Bleanda's evidence revealed what many Romanians suspected of the SRI: the Interception Service was also eavesdropping on persons against whom warrants had not been issued.<sup>70</sup>

The most damaging scandal involving security and intelligence erupted in autumn 1997. On 22 September 1997, the Foreign Minister Adrian Severin claimed in an interview given to the daily *Azi* that he had seen 'incontrovertible proof showing that two or three directors of mass-circulation newspapers are agents of foreign intelligence services', and that 'two famous and respected party leaders are also foreign agents who receive considerable sums from abroad'. President Constantinescu declared that 'if the accusations are completely unfounded, the Foreign Minister will have to resign'. Constantinescu ordered the SRI and the SIE to look into Severin's claims, and their reports were considered by the Supreme Defence Council in its meeting held on 22 December.

The Council's conclusions were made public in a statement issued after its meeting. While accepting Severin's complaints that there had been some 'actions which had compromised the Romanian parliament and government', the Council did not name those responsible for these actions. As regards 'the concrete cases invoked in the documents handed over to the SRI and SIE by Mr Adrian Severin, nothing could be found to support the charge that the public figures mentioned were tools of foreign secret services'. This being the case, the Council requested Severin 'to assume political responsibility for the situation which had been created'.<sup>71</sup> Severin did so by resigning on the following day, 23 December. In his place, the Democratic Party (PD), which held the Foreign Ministry portfolio in the government coalition, nominated Andrei Pleșu to take his place. Severin's departure was followed by the resignation of a second PD minister, Traian Băsescu, who complained of the inertia of the government and at the beginning of February the PD withdrew from the coalition, leaving the principal partner, the Democratic Convention, to fill the vacant ministerial portfolios.

The necessity of a law regulating access to the files of the *Securitate* had become painfully obvious. The government had announced earlier



in the year on 15 February 1997 that it was to introduce a law allowing every citizen access to his or her own *Securitate* file, thereby emulating the example of the German authorities in respect of the Stasi files, and that it would publish the files of those in public positions. At the end of the year it decided to adopt a private bill with similar provisions which had been introduced before its own projected legislation by Senator Constantin (Ticu) Dumitrescu.

By failing to confront the past the Romanian authorities ran the risk of victimizing the victims of oppression. Many Romanians share the sentiments of Archbishop Desmond Tutu, expressed with reference to the excesses of apartheid: 'We should look the beast of oppression in the eye and stare him out, not allow him to pass unchallenged.' The opening of the *Securitate* files will provide another gulp of oxygen for a population whose cries for honesty, openness and truth had largely gone unheeded since 1990. If the period from 1990 to 1996 will go down in Romanian history as the period of lost opportunities, marked by the failure to complete the revolution of December 1989, then the period since the elections of November 1996 has borne witness to a determined effort on the part of the new president and government to complete the revolution. Those with the mentality of the past have no place in posts of responsibility in a truly democratic Romania. Nowhere is this more true than in the security services. The new Romanian leadership had already demonstrated that it understood this. It would require determination and cohesion amongst its supporters for it to succeed in making up for lost time.

A small step had already been taken in releasing material compiled by the *Securitate*. Virgil Măgureanu, the director of the SRI, took the initiative in 1994 of printing a multi-volume history of the *Securitate*. The print-run was small and the work has not been made available to the general public. Nevertheless, the SRI was the first of the post-communist security services in Eastern Europe to produce such a study. Its aim, to quote the compilers, was 'to present *sine ira et studio* the activity of the *Securitate*, which between 1948 and 1989 was the principal Romanian institution empowered to defend the security of the state, and to collect and to process information about potential enemies inside and outside the country'.<sup>72</sup> Whilst recognizing the considerable scale of the *Securitate*'s repressive activities, the compilers pointed out that 'the documents examined by us also show that the *Securitate* had departments whose exclusive role was to gather and process information relevant to the defence of national values'.<sup>73</sup> What these national values were is not defined by the compilers, yet it is clear from reading the five

volumes that the primary 'value' was, until the 1970s, the maintenance of the one-party state under the dominance of the Communist Party. But as the state and party came to be identified from the mid-1970s exclusively with Nicolae Ceaușescu and his wife, so the overriding objectives of the *Securitate's* work became the protection of the dictator and his family.

In selecting their material – and there are almost 3000 pages of it in these volumes – the editors have chosen documents which represent several aspects of the *Securitate's* activity. The work of almost all of the directorates is exemplified, ranging from that of domestic intelligence and counter-espionage, to penal investigation and foreign intelligence. Much of this takes the form of periodic reports on departmental activity and shows that the bulk of senior officers' time was consumed with pushing paper. Not surprisingly, no foreign intelligence operational files are reproduced, that is, material relating to the running of particular operations and agents and the information obtained. Information from domestic agents and informers, on the other hand, appears in abundance, often in the form of 'syntheses' compiled by regular officers.

Of especial interest to the student of the Gheorghiu-Dej period – represented by half of the material – are the files describing the repressive measures used by the *Securitate* during those years. There is a wealth of detail about the arrest, interrogation, trial and imprisonment of political opponents, the fate of political prisoners, and the administration of jails. Where the compilers have been more coy is on the subject of deaths in the jails and labour camps. Glimpses are given as to the scale of mortality: in January 1953, a list is given of the 133 prisoners who died at work that month on the Danube–Black Sea canal, but of greater use to the historian would have been a consolidated list of all such deaths between June 1950, when prisoners were brought to the canal, and 18 July 1953, the date fixed by the Party Central Committee and the Council of Ministers for the abandonment of the project.<sup>74</sup>

Omissions of this kind raised questions about the criteria for selection of documents and the reasons behind them, and were likely to persuade those who suffered at the hands of the *Securitate* that what had been left out of the compilation was more important than what had been put in. Despite these inconsistencies, the publication of the documents was invaluable for reconstructing the past. They showed in several instances that the *Securitate* was aware of its own shortcomings and that senior officers sought to address them. This is particularly evident from their efforts to round up partisan groups; the *Securitate* accounts of these operations often, although by no means always, bear out what the

partisans themselves have to say in the memoir literature which has appeared since 1989.

The need for a law regulating the release of and access to the *Securitate* files became obvious yet again in June 1998 when two scandals rocked the government of Radu Vasile. The first concerned the newly appointed president of the parliamentary Commission of Control of the SIE, the foreign intelligence service (*Comisia specială pentru controlul activității Serviciului de Informații Externe*). The Commission was set up on 3 June 1998. It comprises three deputies and two senators, drawn from the Commission for Defence, Public Order and National Security. The three deputies were Mihai Gheorghiu (PNȚCD), Marcu Tudor (PRM), and Adrian Vilau (PD). The senators were Radu Timofte (PDSR) and Cornel Boiangiu (PNL). On 12 June, the date on which Vilau submitted the Commission's rules of procedure to the parliament, Vilau was rung up by an anonymous person who told him that he had Vilau's *Securitate* file which showed clearly that he had been an informer and that it would be a good idea if they met on the Monday. Otherwise, the caller said, the file would be published in a certain newspaper. Vilau told the caller to go ahead and publish the file, in its entirety, in any newspaper. Details of his undertaking to act as a *Securitate* informer appeared in the press on 15 June.

Vilau spoke to Traian Băsescu, the PD Minister of Transport, and PD Leader Petre Roman, about the matter. Roman told him that he should have made his contact with the *Securitate* public before putting his name forward as chairman of the SIE Commission. Interviewed on 15 June, Vilau said that he had no regrets about being an informer. He had signed an undertaking in February 1984 whilst a student at the Law Faculty of Cluj University. He had been summoned to the vice rector's office where he met a *Securitate* officer who identified himself and invited him to provide information 'with the greatest objectivity' about persons who were a threat to national security. He signed an undertaking to give such details. On the basis of it he provided information about three colleagues who were due to travel abroad. When contacted later, in 1987, by a Captain Marian Manaila, responsible in the Cluj *Securitate* for the area of culture and the law profession, with a request for further assistance, Vilau refused.<sup>75</sup> The PD withdrew its support for Vilau and on 29 June he resigned as President of the Commission.

Vilau claimed that his file had been removed from the *Securitate* archive in 1992, after he had called for the resignation of Virgil Măgureanu, the then director of the SRI. Măgureanu, he alleged, was now using it 'in a political war against him'.<sup>76</sup>

The source of the leak of a page from the file of Francisc Baranyi, the Minister of Agriculture and a member of the Hungarian UDMR party, was allegedly traced to an SRI officer, Captain Constantin Alexe.<sup>77</sup> The page was a signed undertaking to provide the *Securitate* with information. Baranyi offered his resignation to Prime Minister Radu Vasile. Baranyi admitted on 17 June that he had signed such a document but presented the circumstances in which he had done so.

One day in 1961, two frontier guards bundled me into car in the village of Socol where I worked as a medical assistant, and took me to the police station where I spent 5 hours. They told me that they wanted me to help them with protecting the country's frontiers and made me sign an undertaking. I wrote it down and signed it because they were threatening me with a pistol. I then realized that they were from the *Securitate* and not from the frontier police. I was in a frontier zone and could have regarded myself as a defender of the country's borders. I did not inform on anyone and do not consider myself guilty.<sup>78</sup>

The UDMR Council accepted Baranyi's resignation but made it clear in its communiqué that there were extenuating circumstances surrounding his collaboration with the *Securitate*. 'In 1961, in very special circumstances, Mr Baranyi was forced to sign an undertaking to the *Securitate*. His collaboration with the *Securitate* ceased shortly afterwards.' There was one good thing to emerge from the scandal. For the first time a minister resigned from office simply because he had not disclosed his relations with the *Securitate*. Something appeared to be changing in the Romanian political mentality even if the example was set by a Hungarian politician. Baranyi took an honourable course of action, thus offering a welcome corrective to the widely held view of Romanian politicians that they regard deeds of an ignominious nature to be a source of credit rather than shame.

Both the Baranyi and Vilau cases also highlighted the lack of precision in the use of the term 'informer' in the Romanian media. Its indiscriminate application to anyone who entered into a written agreement to pass information to the *Securitate*, irrespective of the type of information conveyed, has betrayed a lack of sensitivity in treating the nature of the intrusion of the *Securitate* into the daily lives of Romanians and of the *Securitate's* relationship with the public. Few Romanians would have considered it wrong to alert the authorities to external threats to the state frontiers or to help monitor the activities of Romanian-based Middle Eastern citizens who were thought to have links with terrorist groups

from outside, indeed many would have regarded it as a patriotic duty. It is quite another matter, many contend, to have reported on one's friends and colleagues.

The scandal involving Vilau and Baranyi persuaded parliament of the urgent need to codify access to, and the release of, *Securitate* files. Without such controls, selective leaks of personal dossiers, designed to embarrass government and discredit certain politicians, could continue to occur at any time. It did not escape the notice of political commentators that no members of the opposition had been targeted by the recent leaks, a pattern which seemed to confirm a political agenda behind the leaks. Some observers explained this bias by pointing out that members of the Communist Party could not be recruited as informers without the permission of the Party head of cadres and that consequently few Party members would be found on the register of informers. The truth is, however, that the granting of such permission became a mere formality, as is borne out by the lists of informers which have been published in the press. Impressed by the strict ideological controls of the regimes in China and North Korea during a visit to both countries in July 1971, Ceaușescu relaxed the restrictions on the recruitment of Party members as informers by the *Securitate* as part of his drive to increase his own regime's 'vigilance' against potential enemies.

Called to give information during the debate in June 1998 in the Senate on Constantin (Ticu) Dumitrescu's bill on access to the *Securitate* files, Mircea Gheordunescu, deputy director of the SRI, said that some 270 000 files of deceased informers had been destroyed on Ceaușescu's orders during the 1970s, and that a further 1870 informers' files had been destroyed between 22 December 1989 and 30 March 1990.<sup>79</sup> Senator Constantin (Ticu) Dumitrescu's bill on access to the *Securitate* files was finally passed in the Senate on 25 June 1998 by 106 votes to 7. The bill gives individuals the right to consult any files held by the *Securitate* on them and also allows members of a newly established National Council for the Study of the Archives of the former *Securitate* (*Colegiul Consiliului Național pentru Studierea Arhivelor fostei Securități*) unfettered access to *Securitate* documents, except those which relate to national security. In its passage through the Senate, the bill suffered a number of amendments, the most controversial of which concerned article 22 which originally provided for the transfer of the *Securitate* files to the new National Council. The adoption of the amendment rescinded this provision, thereby leaving the files under the control of the SRI. As a consequence, 'Ticu' Dumitrescu publicly disowned his own bill, arguing that it had been mutilated and that he had been 'betrayed and

misunderstood by those who ought to have stood beside him'.<sup>80</sup> From the Senate the bill passed to the Chamber of Deputies from where it emerged in spring 1999. At the time of writing (summer 1999) the bill was in the hands of the bicameral mediation committee.

### **Political accountability and its effectiveness**

The Patapievici and Soare cases did little to encourage decision-makers in the major Western countries, and in pan-European bodies such as the Council of Europe, over the threat posed by discretionary actions of the Romanian security services to the exercise of democracy in Romania. When Romania was accepted into the Council of Europe in October 1993, there were several conditions attached to membership, one of which was that COE rapporteurs would visit Romania every six months to assess the observance of human rights. When the rapporteurs published their first assessment in March 1994, the Romanian government responded in a detailed memorandum that the report was inaccurate, and asked to be released from the rapporteur mechanism. Some of the refutations in the memorandum were themselves questionable. The Council of Europe refused and did not release Romania from this mechanism. The vigilante behaviour of part of the security apparatus in Romania served only to confirm the COE's reservations. The harassment of American and British diplomats since 1993, involving entry into flats and surveillance in unmarked vehicles, and attempts to intimidate locally employed embassy staff, were ascribed by the SRI as the work of maverick elements within the various security services whose aim is to sour relations between Romania and the West. Damaging these relations, it was argued, was on the agenda of those who wished to detach Romania from the West. In this respect, a convergence of interest might have been identified on the part of those who were nostalgic for a Ceauşescu-like autonomy, and of those who sought to further a Russian interest. The West was caught in a dilemma. By placing Romania in quarantine, the West was playing into the hands of these anti-Western forces. By doing nothing, the West ran the risk of compromising its own standards of democratic accountability by tolerating a power structure which paid mere lip service to the rule of law and to the individual freedoms defined in the European Convention on Human Rights. It was only by holding Romania to its international legal obligations, and consistently monitoring her performance, that the laudable vigilance of parts of the Romanian press could be rewarded and the Romanian citizen could be given a chance to gain the confidence in the democratic insti-

tutions necessary for his or her meaningful participation in the public life of the country.

Steps to make the SRI accountable by codifying its powers had been taken in the National Security Law passed on 26 July 1991. Authority for the SRI to break the law, necessary in the interests of national security, was given in article 13, and certification of this need was provided by warrants of six months' duration, issued by 'procurators especially designated by the procurator-general of Romania'. The law did not specify what standing these procurators should have and there was no credible mechanism for the investigation of complaints. A system of judicial supervision of the exercise of warrants was therefore lacking in the law.

If these safeguards were wanting, there was no lack of government bodies authorized to run security services. Articles 6, 8 and 9 stipulated that the SRI, the SIE, the SPP, the Ministry of National Defence, the Ministry of the Interior and the Ministry of Justice were all empowered to carry out activity related to the defence of national security. However, there was no single minister, as in the case of the United Kingdom, to whom bodies involved in national security, as opposed to foreign intelligence, were responsible. In the absence of such a minister security operations run the risk of being duplicated, confused and unaccountable. The only coordinating power rests with the Supreme Defence Council (*Consiliul Suprem de Apărare a Țării*), a collective body chaired by the President, which appears to have no constitutional link with parliament.

The Supreme Defence Council was set up before the promulgation of the Constitution under a law passed by parliament on 13 December 1990. Its attributes are, amongst others, to analyse reports and information regarding the application of the Law on National Security (article 4), and to approve the structure, organization and administration of the SRI, the SIE and SPP (article 5).<sup>81</sup> Despite the assertions of Senator Vasile Văcaru, the chairman of the Committee for Control and Supervision of the SRI from 1993 to 1996, that only the SRI and SIE are intelligence bodies, it was clear from the Patapievići affair that the SPP had an intelligence role.

Parliamentary oversight of the SRI was instituted on 23 June 1993 when the Joint Standing Committee of the Chamber of Deputies and Senate for Control and Supervision of the SRI was established (*Comisia de Control Comună a Senatului și a Camerei Deputaților asupra activității SRI*). The Commission is made up of nine members of parliament who must be drawn from each of the parties represented in parliament. This requirement is designed to prevent political use of the SRI and to ensure

non-partisan supervision. The members are nominated by their respective parties and then elected in a joint session of the Chamber of Deputies and Senate. They are required to take an oath of secrecy before the two chambers. One of the members serves as President, a second as Vice-President, and a third as secretary. The holders of these posts must be drawn from different political parties.

The main tasks of the Commission, whose mandate expires at the end of each legislature, are:

- to verify whether, in carrying out its duties, the SRI abides by the Constitution and by other laws;
- to examine cases of possible breaches by the SRI of constitutional provisions and of other laws, and to recommend measures designed to restore the rule of law;
- to analyse and investigate, at the request of the Standing Committee for Defence, Public Order and National Security of the two chambers, petitions forwarded by Romanian citizens who consider that their rights and liberties have been affected by intelligence-gathering relating to national security;
- to examine and solve other complaints and petitions claiming violation of the law by the SRI;
- to hold hearings on the person nominated by the President of Romania as Director of the SRI and to submit a report to the two chambers of parliament;
- to examine the reports submitted to parliament, according to the law, by the SRI Director and to prepare its own conclusions for submission to the standing bureaux of the two chambers;
- to examine the SRI's draft budget and to present its own observations and proposals to the relevant parliamentary committees;
- to verify the way in which the SRI uses the funds allotted to it from the state budget and revenues from other sources;
- to supervise observance of legal provisions relating to the activity of companies, factories, health-care institutions, cultural and sports associations belonging to the SRI.<sup>82</sup>

Other attributes of the Commission include the right to summon the SRI Director before it and the duty of examining and putting questions on the SRI annual report before it is presented to parliament. The Commission receives daily résumés made by the SRI of matters which the SRI is addressing and it can ask for supplementary information on a specific theme. It has two external experts, selected and employed by



the Commission, who are not members of parliament, and a secretarial staff of three.

The Commission monitors the activity of the SRI by

1. making surprise visits to SRI headquarters or offices in the provinces. These usually occur during the parliamentary vacation, but not always;
2. verifying the expenditure of the SRI and checking that it conforms to the budget approved by parliament;
3. administering a complaints mechanism.

A further form of supervision of the SRI's activity is financial control. This is exerted by the *Curtea de Conturi*, the state accounting body, which monitors the SRI's expenditure on an annual basis.

Members of the Commission have the right to take part in SRI meetings at which problems are analysed and where the results of actions taken are discussed, for example, those of the anti-terrorist brigade. They also have access to SRI documents except those which pertain to current operational matters. Transport for surprise visits made by the Commission to SRI offices is usually provided by the SRI. Commission members invariably go to eavesdropping centres to check that there is a warrant for each subject of telephone tapping. In an interview granted to me in January 1998 for the purpose of clarifying the work of the Commission, SRI Deputy Director Mircea Gheordunescu assured me that since he had been appointed SRI deputy director (March 1997) no case of illegal eavesdropping had come to light.

Mr Gheordunescu recognized that the complaints mechanism could be more transparent since the procedure for submitting complaints about the SRI's activity is unclear to the public. Citizens generally address their complaints to members of parliament who then forward them to the Commission. The Commission then passes them on to the SRI secretariat. Citizens can also address complaints to the Bureau of Letters and Audiences (*Biroul de Scrisori și Audiențe*), part of the secretariat of the SRI. The Bureau is required to reply to complaints within 30 days and a copy of the reply is sent to the Commission.

It is important to note that the Commission operates in total secret. Once a year, during a joint session of the two chambers of Parliament, the Commission presents its annual report. The chairperson of the session may ask, *ex officio* or at the request of the head of the Commission or the SRI director, that the session be held *in camera*. The final decision is taken by a majority vote of MPs. Only conclusions of

the Commission may be released to the public, provided that the permanent bureaux of the two chambers agree. There are no proceedings conducted in public and no public reports.

The nettle of accountability of the security services was grasped by Romania's new President, Emil Constantinescu, who was elected on 17 November 1996. He was helped in the case of the SPP by General Dumitru Iliescu's behaviour during the election campaign. Dumitru Iliescu had accused Constantinescu of lying during the election campaign about the strength of the SPP which he alleged Constantinescu to have grossly exaggerated. Dumitru Iliescu resigned after Ion Iliescu's defeat. The appointment by presidential decree of Nicolae Anghel as head of the SPP was announced on 19 December 1996.<sup>83</sup> Anghel announced that he would conduct a review of the service's structure before deciding upon any changes, including a possible reduction in the number of personnel. The Supreme Defence Council, meeting for the first time on 18 December with its new membership since the election of Emil Constantinescu, changed the statutes of the SPP to allow a non-serving officer to head it.<sup>84</sup>

In a further demonstration of Constantinescu's commitment to the Romanian electorate and to the West about making the security services more accountable, it was reported on 13 January 1997 that both the SIE and UM 0215 would come under parliamentary control. The commission of the Senate and Chamber for public order would investigate claims that the telephones of public figures and journalists had been tapped by UM 0215. The move to place SIE under parliamentary control was driven by accusations from SRI that SIE officers were encroaching upon their territory.<sup>85</sup>

The presidential broom extended to the army. Constantinescu announced to NATO ambassadors on 23 January 1997 that General Dumitru Cioflină had been removed on the previous day as Chief of the General Staff and replaced by Major-General Constantin Degeratu, who was an alumnus of the Royal College of Defence Studies. Cioflină was regarded with suspicion by many senior figures in the Democratic Convention for his alleged part in the cover-up of the army's involvement in the Romanian revolution. A series of extracts from a senior officer's diary, published in the daily *România liberă* on the anniversary of the revolution in December 1996, proved what many Romanians already suspected – namely, that the army, far from being the defenders of the people as it had portrayed itself at the time, had fired on the population in the streets of Bucharest during the evening of 21 December, causing many deaths.

Pressure mounted in the independent press for Măgureanu's dismissal. In an incisive piece in the influential weekly 22, Șerban Orescu accused the new government of 'cohabitation' with the SRI director for failing to dismiss him:

If the new administration wants to wipe the slate clean of the SRI's director's loaded past, there are doubts among those who elected it, and in foreign governments, that it is willing to do so. The manner in which the post of SRI director is filled has major importance in establishing the internal and international credibility of the new regime.<sup>86</sup>

Măgureanu considered the article significant enough to warrant a reply. Amongst his rejoinders he argued:

It seems to me equally important that I should remind you that the public declarations which I made in the days immediately following the election regarding my willingness to leave my job are (additional) proof of the fact that I know how to obey the law. It is the legal right of those in positions of power in the *Romanian* [emphasis in the original] state to retain me as director of the SRI or not. The reference, in this context, to unnamed international bodies and the association of the measure of the country's credibility with my remaining in my job is pernicious.<sup>87</sup>

Yet the improvement of Romania's image in the West was seen by Constantinescu and his advisors as paramount in their campaign to achieve closer integration with the West: the continued presence of Măgureanu as head of the SRI compromised the success of that campaign. Against this consideration, the President had to calculate the impact of Măgureanu's departure upon the SRI itself. Economic crime and corruption posed major threats to Romania's security; the country was also expected to play its part in the international fight against drug-smuggling and terrorism. In order to be effective, the SRI had to be cohesive, efficient, disciplined and have high morale. The role of the SRI head was to instil these qualities. Măgureanu had weeded out many of the reprobates of the past from the organization and had gone some way in leading it, albeit reluctantly one suspects, into an era of public accountability. His successor would have to continue that work.

An obvious choice for the succession did not present itself. Constantin Neculae Ionescu-Galbeni, chairman of the Commission for Control and Supervision of the SRI, announced on 10 January 1997 that Măgureanu

would complete his term of office as SRI head in September,<sup>88</sup> and a week later, Ion Diaconescu, chairman of the ruling Democratic Convention, confirmed that Măgureanu would not be dismissed.<sup>89</sup> Calls for Măgureanu to be removed before September came from the leaders of the Party of Romanian National Unity (PUNR) and the Greater Romania Party (PRM). In separate meetings with President Constantinescu on 28 January 1997, both Gheorghe Funar and Corneliu Vadim Tudor demanded that Măgureanu be dismissed. Vadim Tudor called Măgureanu 'the most diabolical personality and biggest gangster in Romanian history'.<sup>90</sup>

Constantinescu refused to act hastily. The first indication of significant change in the leadership of the security services was the removal of General Dan Gheorghe as head of 0215 on 28 February by the Minister of the Interior Gavril Dejeu.<sup>91</sup> This was followed by the announcement, on 14 March, that Mircea Gheordunescu, a former member of the National Peasant Christian Democratic Party and since January head of the National Agency for the Control of Strategic Exports and for the Banning of Chemical Weapons, had been appointed First Deputy Director of the SRI. Măgureanu saw the writing on the wall. Recognizing a lack of confidence in his role from the new government he signalled his own departure by telling Constantinescu that he did not regard his occupancy of the position of SRI director as 'eternal'. On 25 April, he tendered his resignation to the President and it was immediately accepted. Măgureanu declared his interest in pursuing a political career. His abilities as a skilled tactician, deployed hitherto behind the scenes, mark him out as a figure to watch in Romanian politics.

Much ink was expended in press commentary on Măgureanu's retirement from the SRI. Some journalists said that his resignation came as the result of internal and external pressure. This pressure coincided with his departure, but it was not, I believe, the reason for it. Even at the time of the elections, he had announced his intention to resign, admitting at the same time that he had voted for change. Implicitly, as some commentators said at the time, he was voting for his own change. Măgureanu had, by November 1996, achieved a major institutional reform in the SRI, a reform which needed only to be consolidated. There had been, not surprisingly, a few accidents on the way and numerous scandals involving the service, but Măgureanu nursed the SRI into a new age of accountability. As one commentator put it, Măgureanu constructed an SRI which 'anticipated the change in government in November 1996'.<sup>92</sup> As SRI director his merit, and a not inconsiderable one in view of the service which he inherited, was that he placed the

security of the individual on a par with the security of the state. In the SRI report presented to parliament before the elections he warned of the dangers presented by the underground economy, and of the risk of the loss of control of the reform process. In fact, in a television interview on 1 May 1997, Măgureanu said that he had voted for change because stagnation had become intolerable. Without political, economic and social security for the citizen, the security of the state means nothing. Viewed by a cynic, Măgureanu's most notable achievement, and a not inconsiderable one in view of the service which he inherited, is that he prevented the SRI from being worse than it could have been.

President Constantinescu nominated Costin Georgescu, a deputy in the National Liberal Party, as Măgureanu's successor. Georgescu's appointment was approved in a joint session of the two chambers of parliament on 26 May. Despite the clean sweep which the President had brought to the SRI leadership, the public was soon reminded of the continued presence of *Securitate* officers in the SRI's senior ranks. The announcement in July of the appointment of Colonel Gheorghe Atudoroaie as head of the Western command of the SRI – based in Oradea and covering Transylvania – met strong criticism in the pro-government press. Atudoroaie had been deputy head of the *Securitate* in Timișoara at the time of the anti-Ceaușescu protests in December 1989 and his name was connected with the cremation of the bodies of demonstrators. He was tried and acquitted of murder after the revolution but the stigma of his service to Ceaușescu remained and led to President Constantinescu's intervention after Atudoroaie's appointment was announced. After being called to the presidential palace on 21 July 1997, Georgescu revoked the order.

The Atudoroaie case should not be allowed to obscure the fact that the SRI has put much clear water between itself and the *Securitate*. Only 18 per cent of SRI staff are former *Securitate* officers. The SRI has its own college, Academia SRI, which has the status of a university institute. Its annual intake is of 80–100 students who follow a four-year course of study. University graduates are also eligible to apply to join the SRI, but before being accepted must undergo a course of eight months' training at the SRI Academy. This system of training has been based on that provided by the senior Western security agencies.

Ultimately, the most efficient watchdog of the SRI's activity is the mass media. The press has been extremely vigilant in highlighting SRI abuses and public interest in the activities of the Romanian intelligence and security services is mirrored by the fact that every major daily has a correspondent for security matters. The system of parliamentary control

means that the SRI cannot be used to the advantage of one political party; much, one suspects, to the chagrin of some politicians. Under the leadership of Costin Georgescu and Mircea Gheordunescu, the SRI no longer wishes to remain a secret service but rather aims to become a public institution which deals with problems of state security.

The changes at the top of the security and intelligence services were designed to make Romania fitter for entry into NATO. Laws regulating the activity of the SIE and the SPP were adopted by parliament on 21 October 1997 and 7 May 1998 respectively, but problems of accountability remain. The constitutionality of the Supreme Defence Council has yet to be addressed.

The absence of a constitutional link between the Supreme Defence Council and parliament prevented the latter from exercising democratic supervision of the SDC. The opacity surrounding its deliberations vitiates any hopes that parliament has of penetrating the compact and occult structures of the President's office. The problem of the SDC is not merely symptomatic of the contrast between a presidential democracy and a parliamentary one; until it becomes more accountable, the SDC lays itself open to the charge that it is above the law and therefore susceptible to abuse.

## **Annex**

Declarations submitted by Mihai-Răzvan Ungureanu to the Parliamentary Commission for Oversight of the SRI.<sup>93</sup>

### **Declaration 1**

I, the undersigned, Mihai-Răzvan Ungureanu, a teacher at the Faculty of History of the 'Al. I. Cuza' University in Iași, living at ..... declare the following on my solemn word:

On the morning of Tuesday 6 September 1994, I received telephone calls at 7.30 a.m. and again at 8. a.m. from a certain Chirilă who said that he had come from Bucharest with a message from 'Mr Mihai from Munich'. I suggested that we meet at the university and when this did not meet with his approval, at the Casa Cărții. He explained that because he was a stranger to Iași, he did not know the city very well and consequently asked me to come to the entrance to Casa Dosoftei, opposite the statue. The agreed time was 11 a.m.

I left my house at 10.55 a.m. Miss Maria-Magdalena Szekely and Mr Ștefan S. Gorovei were visiting me at the time. 'Chirilă' was waiting

for me at the appointed place. He was about 5' 10" tall, slender but not thin, with notably receding brown hair. He had dark-brown eyes and wore black-framed glasses. He looked like a married accountant who was perhaps bored with his wife and had a mistress who was deceiving him, but was otherwise a good father. His shirt was stained with ink, as though he had been shaking a fountain-pen which would not write. He wore cheap unpolished shoes and worn unpressed trousers.

After he had asked a few casual questions, put in a pleasant but insinuating manner (he preserved this manner the whole time, trying to justify himself whenever he felt the need; without being servile, he listened attentively and gave the impression of understanding), he took out the identity card of a major in the SRI (Iași). The card had the initials RV printed in a box. The name on the card was that which he had used to present himself to me: Ion Chirilă. He told me that he worked in the counter-intelligence department.

The questions which he put related to my contacts with persons abroad. The reason for this was that they had found a secret notebook in a foreigner's luggage which contained personal details about me and a description of my habits and private life. Chirilă gave me the impression that the foreigner had more information about me than did the SRI in their files. There was an obvious hint at the existence of a negative file about me dating from before 1989. After they had made the usual enquiries in various places, they sent the file to Chirilă for him to ask a few questions – that was his story.

He probed patiently: he had time to talk. I was brusque, without being impolite, since I had guests waiting and I did not care for the conversation. I confirmed that I had been in Britain, that I was part of an academic link with Freiburg University (he wanted names; I gave him that of Maria Krempels and he showed that he had details of her background) and with Tel-Aviv University. This latter detail seemed not to interest him. He wanted to know if any of these persons had been to Romania in the meantime. Since I had met Mrs Krempels and Mr Rotman in July, I told him only that. He did not try to find out other details, nor did he shed any further light about the reasons for my 'recruitment'. His supposition was that I was a target for a foreign intelligence service and he was anxious to know whether I had been contacted and whether I had received any money for services rendered. I vehemently denied this. He was somewhat disbelieving but he seemed to accept my logical explanations. He told me that he knew about my academic work and the nature of my links with

Ștefan Gorovei. He did not issue any threats but ventured, in a measured and humble tone, to suggest prudence on my part. He gave me to understand that I had been under observation for some time and that my telephone was 'checked' from time to time.

I wanted to know why he had presented himself as a messenger for 'Mr Mihai' and he told me that it was a casual lie in order to draw me out of the house (did he photograph me?). He had detailed knowledge of my relations with Mihai D. Sturdza and of matters discussed at the Symposium on Geneology held at Iași on 12–14 May 1994.

He proposed a second meeting. The agreed date is Thursday 8 September 1994, the time to be established by telephone the evening before. He will ring between 9 p.m. and 9.30 p.m. The meeting will take place, at my request, in the morning. He remarked upon the provisional nature of contact and expressed the hope that he could give details at our next meeting. We took our leave of each other at 11.25 a.m.

Mihai-Răzvan Ungureanu, 6 September 1994.

## Declaration 2

I, the undersigned, Mihai-Răzvan Ungureanu, a teacher at the Faculty of History of the 'Al. I. Cuza' University in Iași, living at ..... declare the following on my solemn word:

At 9 a.m. on Thursday 8 September 1994, I met Chirilă again in front of Casa Dosoftei, as we had agreed at our first meeting (on Tuesday 6 September). After greeting each other, we agreed to have a coffee at the Orizont hotel. At 11 a.m. we took our leave of each other.

As I suspected that he wanted replies from me to the questions which had remained unanswered at our last meeting, I changed the subject every time I could, talking about history, politics, personal behaviour – subjects which he could talk about and which I could raise without too great a risk. At the same time I followed his arguments, in order to discover his political leanings, his role in the SRI, and his opinion about the present situation. Of the two hours spent together, only 20 minutes were spent discussing me.

1. The 1989 revolution took place with the backing of the *Securitate* and only succeeded because of the peaceful withdrawal of the security 'apparatus'. Those who seized power (Militaru, Iliescu) are Soviet spies and, at least in the case of the former and of General Ioniță – who died



in 1985 – their treachery is proven. To a large extent, those who are presently in power are pawns of the Soviets. Other foreign forces also took part in the revolution. Romania is threatened by her neighbours, that is by the Russians and Hungarians. Ceauşescu had both good points and bad ones. He ought not to have been punished for what he did in Romania. He did not sell Jews and Germans but ‘allowed them to leave, after they had paid their debts to the state’. The people have a right to ownership of what was built in the socialist period, but non-Romanians and those driven by negative interests should not be allowed to own property. At the present time, a firm hand is needed to run the country; it is not a question of a dictatorship, but of the rule of law – harsh laws with the heaviest of penalties. The law should also govern political relations; the opposition should unite with the government when the national interest is at stake. The present government is weak and permissive. Historians should be asked to serve the national interest. Treachery should be punished mercilessly. He is anti-Semitic.

2. I was asked whether I had been forced, in my relations with Maria Krempels at Freiburg University, to distort history in order to satisfy certain interests, whether I had been contacted by foreign propaganda organizations or intelligence agencies, or whether I had been asked in my writing to express concepts which were against ‘the national interest’. He returned to the story of the notes found in a foreigner’s baggage, adding that their informers had alerted them to my academic activity. My contacts with Germany were too frequent. He tried to find out what my relations were with Budapest and what I planned to work on with my Hungarian counterparts. His questions were designed solely to warn me. I was, in any case, under observation and they would make up their minds about my ‘patriotism’. What I was studying could be prejudicial to Romania and I was being asked to avoid mention of certain ‘embarrassing details’ which could serve the interests of hostile states such as minority relations in Romania, the position of the Jews, and the claims of the Hungarians. Should I reach ‘explosive’ conclusions, I was under an *obligation* not to make them public. I did not have the competence to pass judgement on ‘historical’ myths; it would be better if I followed a tamer line and safer subjects. After all, *others could deal with the history of the minorities in Moldavia.*

My financial position was known to him and he believed that I was vulnerable on this score. His mission was not his own initiative; he had received orders 'from a higher level' and the results would be relayed to Bucharest. I was duty-bound to talk to him when he sought me out. I had not taken his telephone number, even though he had offered it to me. He would ring in three weeks or a month. He avoided being seen in my company.

I am certain that he followed my departure from the block of flats where I live. He left after me, getting into a white Dacia car.

He gave me to understand that he knew the content of my conversation with Maria Krempels on the evening of 6 September 1994 when I congratulated her on her birthday. He wanted to know when I was leaving for Germany 'on business'.

I was asked how the archives and the documents in the archives are used, and who is able to read them under the terms of our academic link. I accepted all the responsibility, trying to remove Maria Krempels from the equation so that she should not have any problems. I told him that I was the only person who deciphered the documents.

I declare the above to be true.

Mihai-Răzvan Ungureanu  
Iași, 8 September 1994, 2 p.m.

### **Declaration 3**

I, the undersigned, Mihai-Răzvan Ungureanu, a teacher at the Faculty of History of the 'Al. I. Cuza' University in Iași, living at ..... declare the following on my solemn word:

At 2.30 p.m. on Friday 21 October 1994, I again received a telephone call from Chirilă. After he introduced himself, he asked, as I expected, for me to set a date for a meeting. My firm refusal left him for a moment speechless, and then he took heart and asked me once again. He received the same categorical refusal. His reaction was, however, immediate: threats (I was irresponsible, that I couldn't imagine what my lack of interest in 'collaborating' would lead to, that my life would certainly be unpleasant from now on). I had even to tolerate his insinuation that I was a traitor to my country. Of course, he assured me that eventually I would be forced to reveal what I was concealing. He asked me when I intended to leave, leading me to understand that

he was very familiar with the discussion that I had had with Mrs Maria Krempels a few days earlier (Tuesday 18 October 1994).

In conclusion, he suggested that I should contact him if I felt that I had something to say. And he added: 'Before it is too late!' He left me a telephone number: 14.01.70. I rang that evening from the Central Post Office and another man's voice replied peremptorily; the sound confirmed my suspicion that it was an office number.

I declare the above to be true.

Mihai-Răzvan Ungureanu.

Iași, 22 October 1994, 10.30 a.m.

## Notes

1. See, for example, *Evenimentul Zilei*, 14 July 1993, p. 3; *România liberă*, 28 December 1993, p. 10.
2. *România liberă*, 27 December 1989, p. 1.
3. BBC Monitoring Service, *Summary of World Broadcasts* (henceforth SWB) EE/1074 (17 May 1991), B/7.
4. SWB, EE/1086 (31 May 1991), B/18.
5. *Evenimentul Zilei*, 24 May 1993.
6. Dennis Deletant, 'The Securitate and the police state in Romania, 1964–89', *Intelligence and National Security*, vol. 9, no. 1 (January 1994), pp. 35–42.
7. *România liberă*, 21 May 1991.
8. SWB, EE/0932 (27 November 1990), B/10.
9. Turcu disclosed that Mișu Negrițoiu, one-time Minister for Economic Reform and Strategy in the government sworn in on 20 November 1992 and from September 1993 economic counsellor to President Iliescu, was sent as head of the Romanian Commercial Bureau in Los Angeles. This position, Turcu alleged, was a Romanian intelligence one. He asked of Negrițoiu: 'if the man invested with the highly important and delicate problem of economic reform is merely a dummy, who are the people manipulating him?' Negrițoiu, in reply, said that his only connection with Romanian intelligence was a 'professional' one (L. Turcu, 'Biografia lui Mișu Negrițoiu', *Evenimentul Zilei*, 12 January 1993, p. 5).
10. Richard Bassett, 'Securitate still hold key to business deals', *The Times*, 22 May 1990, p. 10.
11. *Academia Cațavencu*, 13–19 April 1993, p. 3.
12. The three brothers were born in Oltenia and went to secondary school in Caracal. Valentin, the eldest, is the owner of the daily newspaper *Curierul National*. George Constantin worked for twelve years at the Romanian Commercial Agency in Milan in the late 1970s and early 1980s. Nicu Păunescu, the youngest, was manager of the Melody Bar in Bucharest until the revolution. After leaving Milan, George became export director of the Tractorul tractor plant in Brașov, a post he held until the revolution and from which he amassed large sums of money in commission.

13. The head of the SRI between 1990 and 1997 was Virgil Măgureanu. His First Deputy Director was Lieutenant-General Victor Marcu who resigned at the end of July 1995 and was replaced by Major-General Mihai Lupu. There were two Deputy Directors: Lieutenant-General Ion Popescu and Major-General Marin Iancu.
14. The creation of this service was announced in the Romanian press in May 1994 (*Evenimentul Zilei*, 12 May 1994, p. 8).
15. This service is mentioned in article 9, paragraph 1 of law no. 51 of 1991 as a service specializing in the gathering of information within the prison system. Although some analysts have stated that it has taken over the tasks of the former Sixth Directorate of the DSS, responsible for penal investigation and interrogation of suspects, changes in procedures in penal investigation mean that there is no longer a statutory involvement of officers of UM 0400 in interrogation. The role of this service appears to be rather in gathering information from convicted prisoners in order to prevent breakouts or disturbances in jails.
16. This service was created by a resolution of the government (no. 229) in 1993. It is responsible for ensuring secret radio and telephone communications for the presidency and government. It is alleged to be involved in tapping for the security services and if true, its activity would overlap with that of the technical monitoring section of the SRI.
17. The activities of some of the security services have been discussed by V.G. Baleanu, *The Enemy Within: The Romanian Intelligence Service in Transition*, RMA Sandhurst: Conflict Studies Research Centre, 1995, 11 pp., and by C. Ivanciuc in a series of articles in the Bucharest weekly 22, nos 17–23 (May–June 1995). The brief of DSOI is the combating of organized crime within Romania and cross-border crime such as drug- and arms-trafficking. Although its head claims independence from 0215, it receives technical support from SRI. The number of personnel working in this agency is not in the public domain.
18. The Committee is made up of nine members of parliament who are not supposed to be concurrently either members of another parliamentary committee or of the government. Charges were only brought against the miners' leader, Miron Cosma, for his part in the invasion of Bucharest in September 1991 after the election of President Constantinescu (*România liberă*, 13 June 1998, p. 1).
19. Măgureanu came from a humble background and details of his career, published in 1992, cast an interesting light on the workings of the *Securitate*. Born Virgil Asztalos in March 1941 in the county of Satu Mare at a time when it was under Hungarian rule (hence the Hungarian spelling of his father's name, Astaliş), his secondary schooling was pursued in a textile apprentice school where he was made Communist Youth secretary. In 1964, he enrolled at the Faculty of Philosophy at Bucharest University. In his third year he was given a six-month bursary to study in Moscow where, some sources suggest, he was recruited by the KGB. At this time, it is alleged, he was already working for the *Securitate* in unit UM 0626 (Third Directorate responsible for internal counter-espionage) and his recruitment may have been prompted by the fact he had an uncle called Iloc who was a *Securitate* officer in the Bucharest directorate (*Academia Cașavencu*, V, no. 8 (28 February–6 March 1995, p. 3). After graduating in 1969, he was appointed assistant lecturer in

political science at the Party Academy 'Ștefan Gheorghiu' in Bucharest. At the same time, he adopted his mother's maiden name, Măgureanu, to avoid the suspicion that he might be of Hungarian background. In autumn 1969, after Colonel Gaddafi seized power in Libya, Măgureanu was sent to Libya where he worked with KGB officers, presumably to help with the reorganization of the security services. Măgureanu's close relations with the KGB officers were monitored by the counter-intelligence department of the *Securitate* and he was recalled to Romania. In summer 1971, he was transferred to the department of scientific socialism at the university and it was from here that he was recruited to work under cover in the DIE on 1 September 1972 with the rank of captain. He was given the conspiratorial name of Mihai Mihăilă and underwent three months of training before moving onto the documentation section. On 31 March 1973, he was placed on the reserve on the grounds of having been 'appointed to a civilian job'. He returned to the 'Ștefan Gheorghiu' Academy, presumably working under cover since he signed an official secrets document on 27 March 1973 pledging himself not to reveal anything about the DIE or his work there. This document provides the only clue that Măgureanu might have carried out missions abroad: 'I undertake to maintain total silence concerning the cover name of the office where I work and over the telephone numbers of UM 0626, as well as concerning the clinic which serves this unit, and not to discuss with anyone under any circumstances the fact that I carried out certain missions abroad or that I worked under cover abroad' ('Dosarul de securitate al domnului Măgureanu', *Tinerama*, no. 70 (27 March–2 April 1992, p. 7).

20. *România liberă*, 30 March 1994, p. 8.
21. The career of Colonel Ovidiu Ținca showed that Măgureanu allowed some *Securitate* officers to make spectacular comebacks. In the summer of 1995, Ținca, having been pensioned off from the *Securitate* after the revolution, was appointed head of the zonal operational centre for Transylvania of the SRI in Oradea (*România liberă*, 3 October 1997, p. 24).
22. *22*, 30 November 1990.
23. *România liberă*, 21 May 1991.
24. Baleanu, *op. cit.*, pp. 3–4.
25. *România Mare*, 21 January 1994, p. 8.
26. Diaconescu entered the *Securitate* in 1957 as an officer in the counter-espionage directorate. In 1985, he was made deputy head of the Third Directorate dealing with the United States (*Evenimentul Zilei*, 12 March 1994, p. 3). Diaconescu was replaced by Colonel Mihai Lupu. The latter had served from 1983 as deputy head of UM 0110 of the *Securitate*'s Foreign Intelligence Directorate with responsibility for counter-espionage operations against Soviet and other communist intelligence agencies and had been appointed in March 1990 as Diaconescu's deputy (*Evenimentul Zilei*, 25 March 1994, p. 3).
27. Pancea was accused of being a spy for the French secret services in revelations made by the mass-circulation daily *Evenimentul Zilei* in its issue of 14 March 1994. For details of Pancea's activity in Romanian intelligence see Dennis Deletant, 'The Post-Communist Security Services in Romania', *Occasional Papers in Romanian Studies*, no. 2, ed. R. Haynes, London: SSEES, 1998, p. 181, note 16.

28. Until the overthrow of Ceaușescu, Maravela worked in the Third Directorate (counter-espionage) of the Department of State Security. (*Evenimentul Zilei*, 4 March 1994, p. 3).
29. Baleanu, *op. cit.*, p. 5.
30. These included Toloș's four deputies – Coifescu, Chira, Cârănescu and Lipan.
31. 'Scandalul "Terasa Anda"', *Evenimentul Zilei*, 5 July 1995, p. 3.
32. 0215 set up many front companies behind which it exploited its intelligence capability to profit from the breaking of the UN embargo on Serbia. Its head was General Dan Gheorge, a former officer in USLA. Gheorge began his career in the Second Directorate of the DSS, then moved to the Bucharest DSS, and was later transferred to USLA. He was made head of the SRI anti-terrorist brigade in March 1990, head of counter-espionage in SIE (November 1992 – February 1993), and moved to 0215 in February 1993. He was promoted to Major-General in May 1993. 0215 comprised four sections: counter-espionage, intelligence, economic investigation and surveillance. The counter-espionage section combated any attempts by foreign intelligence service to recruit agents in the Ministry, the intelligence section was charged with combating organized crime, the investigations section monitored the arms industry, and the surveillance section's function was to investigate any illegal activities in which MI officers were suspected of involvement.
33. Gelu Voiculescu Voican was alleged by General Nicolae Militaru to have a criminal record. 'He was a crook, a good friend of Petre Roman's brother, Raul Roman', said Militaru of him in an interview given in December 1996 ('Vă dau dracului pe toți!', *Lumea Magazin*, 12, 1996, p. 11).
34. Militaru was suspected of being a GRU agent. For details see Dennis Deletant, *Ceaușescu and the Securitate. Coercion and Dissent in Romania, 1965–1989*, London: Hurst, 1995, pp. 89–91.
35. Dan Ionescu, 'UM 0215: A Controversial Intelligence Service in Romania', *RFE/RL Research Report*, vol. 3, no. 30, 29 July 1994, p. 28.
36. *Cuvîntul*, 10 March 1992, p. 6.
37. *Zig-Zag*, 18–24 February 1993, p. 4. Some analysts believe that General Gheorge was the controller of Sorin Roșca-Stănescu when he worked as an informer for USLA, the counter-terrorist unit of the *Securitate* in the 1980s, and that Gheorge feeds information to Stănescu for publication in *Ziua*.
38. *România liberă*, 25 April 1994, p. 16.
39. *Ibid.*, 24 May 1994, p. 3.
40. Ionescu, *op. cit.*, p. 30.
41. *Ziua*, 9 December 1995, p. 1.
42. *România liberă*, 26 May 1998, p. 24.
43. *Ibid.*
44. *Ibid.*, 25 May 1998, p. 2.
45. Interview given by Gelu Voican Voiculescu in *Curierul Național*, 24 August 1992. Caraman was suspected of being a GRU agent (see Chapter 6).
46. Ioan Talpeș was born on 25 August 1944 in the village of Topleț, Caraș-Severin. After graduating with a degree in history from Cluj University, he was recruited into the army in 1971 and joined the Centre for Historical Study, Research and Military Theory. When Lieutenant-General Ilie Ceaușescu became president of the Romanian Commission of Military History, Talpeș was taken on as a member of his staff, occupying the position of vice-president of the Commission. In 1985 he was made an editor of the

Military Publishing House and, two years later, editor-in-chief. In January 1990, he was appointed director of the Military Publishing House. In September 1990, he was named head of the Department of National Defence and Public Order at the Presidential Palace and on 1 December promoted to the rank of Colonel. As presidential counsellor for security problems, Talpeş amassed political intelligence on Iliescu's opponents, and when Caraman was dismissed, Iliescu saw Talpeş as a reliable successor.

47. A Romanian journalist who had investigated the affair ascribed it to manipulation on Caraman's part. Caraman, he said, was a shadowy figure. His wife had claimed that her husband had not left the country since 1989 but the reporter alleged that he had travelled frequently on a diplomatic passport under the name of Mihai Neagu: 'Un jurnalist român denunță manipularea', *Jurnalul Național*, 10 December 1996, p. 15.
48. *Ziua*, 17 July 1997, p. 1. General Decebal Ilina, Head of Military Intelligence (*Direcția de Informații Militare*), announced on 22 July that he wished to step down. At the same time, in an allusion to Prime Minister Ciorbea's statement about the removal of Soviet influence, he declared that no Romanian officer had been sent for specialist training in the former Soviet Union since 1962, and that 75 per cent of the personnel in military intelligence had been recruited since 1989.
49. *Ibid.*, 18 July 1997, p. 3.
50. Cătălin Harnagea was born on 1 April 1958. A graduate of the Institute of Construction in Bucharest, he worked as an engineer until the 1989 revolution. In June 1990, he embarked on a new career, as a journalist and foreign affairs commentator. He completed a Masters degree at the Central European University in Prague in 1992, and in the following year was invited by the European Commission and the British Foreign Office on a training course held in Brussels, Strasbourg and London. In 1994, he was made chief editor of the AR Press news agency, an experience which led in spring 1996 to his appointment as coordinator of Emil Constantinescu's election campaign.
51. *Ibid.*, 22, 15–21 June 1999, p. 6.
52. *Adevărul*, 9 June 1999, p.1.
53. *Ibid.*, 14 June 1999, p. 1.
54. R. Kirk and M. Răceanu, *Romania versus the United States*, New York: St. Martin's Press, 1994, pp. 237–8.
55. *Adevărul*, 14 June 1999, p. 1.
56. *Curierul Național*, 10 March 1995, p. 2.
57. *România liberă*, 16 March 1995, p. 16.
58. *Ibid.*, 13 March 1995, p. 3.
59. Among those who advised Ungureanu on what course of action to take against Chirilă were Liviu Antonesei, Nicolae Manolescu, Ștefan Augustin Doinaș, Andrei Pleșu and Gabriel Liiceanu (*Monitorul*, 16 March 1995, p. 1, and *România liberă*, 16 March 1995, p. 16). Ungureanu's first meeting with Chirilă was on 5 September 1994. Chirilă summoned him on the pretext that Ungureanu's name had been found in the papers of a foreigner in Bucharest who was suspected of being a spy. Chirilă used this allegation to bring up the subject of 'traitors' and advised Ungureanu to stop writing about minority issues in Romania. In an interview given to an Iași newspaper, Ungureanu surmised that he had probably become a target of the SRI because

- of his actions during the revolution. On 19 December 1989, he left Iași for Cluj and on the morning of 21 December was given shelter in the flat of Professor David Prodan. He was wounded in the street protests and taken to hospital. After the revolution, his telephone was tapped and his mail intercepted ('Îngerii Securității. De la Soare la Chirilă', *Gaudeamus*, 27 March – 8 April 1995, p. 4). See the annex to this chapter for a translation of the declaration Ungureanu submitted to the Parliamentary Commission for Control and Supervision of the SRI.
60. *Cartea Albă a Securității*, Bucharest: SRI, 1995, vol. V, Anexă, no. 165, pp. 238–9.
  61. 11 April 1996.
  62. *România liberă*, 5 January 1996, p. 9.
  63. *Ibid.*
  64. *Ziua*, 6 January 1996, p. 1.
  65. *Lupta*, 22 January 1996, p. 2.
  66. *Cașavencu*, 5–11 March 1996, p. 3.
  67. *Evenimentul Zilei*, 22 April 1996, p. 3.
  68. BBC Romanian Service, 1600 hrs GMT, 15 May 1996.
  69. *Ibid.*
  70. Emil Berdel, 'Șefii Serviciilor Interceptare și Redare recunosc că interceptările telefonice denunțate de cpt. Bucur au fost făcute de SRI', *Ziua*, 10 February 1997.
  71. *România liberă*, 24 December 1997, p. 3.
  72. *Cartea Albă a Securității*, vol. I, Bucharest: SRI, 1994, p. 1.
  73. *Ibid.*, p. 3.
  74. *Ibid.*, vol. II, Anexă, p. 84.
  75. *România liberă*, 16 June, p. 3.
  76. *Academia Catavencu*, 30 June – 6 July, 1998, p. 4.
  77. *România liberă*, 4 July 1998, p. 2.
  78. *Ibid.*, 18 June 1998, p. 1.
  79. Romanian Acasă TV report, 25 June 1998. If the 1870 files were simply removed from the *Securitate's* central computer, it would still be possible to reconstitute them from the records held by the resident officer who ran each informer and also from the files of the directorate to whom the resident was attached, assuming that the latter also escaped destruction.
  80. *România liberă*, 26 June 1998, p. 2.
  81. Under President Iliescu, the Supreme Defence Council had the following composition: Ion Iliescu himself, the Prime Minister, the Minister of Defence, the Minister of the Interior, the heads of the SRI, the SIE, the SPP, the DIM (Military Intelligence), and Army General Vasile Ionel, the head of the President's Department of Political Analysis, who was essentially Iliescu's advisor on internal security matters. The Council's secretary from March 1990 to March 1994 was Lieutenant-General Marin Pancea. Pancea was accused of being a spy for the French secret services in revelations made by the mass-circulation daily *Evenimentul Zilei* in its issue of 14 March 1994. He was forced to resign his position and was replaced by General Ion Magdalena.
  82. I am grateful to Mircea Gheordunescu, Deputy Director of the SRI, for his kindness in acceding to my request for information about the activity of the Control Commission.



83. Nicolae Anghel was born on 7 November 1952. He graduated from the Military Academy and rose to become a battalion commander. He went into the reserve in 1986 with the rank of Lieutenant-Colonel. He completed studies at the National Defence College in 1995 (*România liberă*, 20 December 1996, p. 3). Anghel resigned in April 1998 in the wake of revelations that a senior SPP officer, Colonel Gheorghe Truțulescu, was wanted for questioning in connection with a cigarette-smuggling racket centred on Bucharest's Otopeni International Airport. Constantinescu accepted Anghel's resignation and on 4 June appointed in his place Major-General Anghel Ștefan Andreescu, commander of the 11th battalion of *jandarmi*. Born on 5 September 1950 at Valea Iașului in the county of Argeș, Andreescu graduated from the Ministry of the Interior officer school in 1975 and joined the *Securitate* troops (*România liberă*, 5 May 1998, p. 1).
84. The Supreme Defence Council met for the first time since the elections on 18 December 1996. Its members were President Emil Constantinescu, Prime Minister Victor Ciorbea, Foreign Minister Adrian Severin, Minister of Reform Ulm Spineanu, Minister of Industry and Commerce Călin Popescu Tăriceanu, Defence Minister Victor Babiuc, Director of the SRI, Virgil Măgureanu, Director of the SIE, Ioan Talpeș, Chief of the General Staff, Dumitru Cioflină, and Presidential Counsellor for Problems of Defence, National Security and Public Order, Dorin Marian. The SDC's secretary remains General Ion Magdalena, a former member of the army political council under Ceaușescu who was allegedly involved in the repression of 22 December.
85. *România liberă*, 13 January 1997, p. 24.
86. Șerban Orescu, 'Noul regim și d-l Măgureanu', 22, no. 50, 11–17 December 1996, p. 3.
87. Virgil Măgureanu, 22, no. 51, 17–23 December 1996, p. 3.
88. *România liberă*, 13 January 1997, p. 1. The membership of the Commission for Control and Supervision of the SRI was approved by a joint session of both chambers of parliament on 19 December 1996. Its president is the deputy Constantin Neculae Ionescu-Galbeni (PNȚCD), vice-president Ovidiu Corneliu Petrescu (PDSR), secretary Corneliu Rusu (USD). The other six members are Vasile Văcaru (PDSR), Costel Păunescu (PNȚCD), Daniela Buruiană (PRM), Verestoy Attila (UDMR), Vasile Matei (PUNR), and Vasile Mândroviceanu (PNL). All nine senators and deputies swore that they had not been members of the *securitate* or members of any other security service.
89. Dan Ionescu, *OMRI Daily Digest II*, no. 20 (29 January 1997).
90. *Ibid.*
91. Colonel Dan Moise, deputy head of 0215, took over from Gheorghe until 31 March when Colonel Constantin Dângă, former head of the Control Commission of the General Inspectorate of Police, was transferred to lead 0215 (*România liberă*, 1 April 1997, p. 1). General Gheorghe was made head of the frontier police but resigned from this position on 19 August 1997. The current (summer 1999) head of 0215 is General Ardelean.
92. Roxana Iordache, 'Virgil Măgureanu și schimbarea', *România liberă*, 3 May 1997, p. 1.
93. These declarations were made available to the author in the original Romanian by Mihai-Răzvan Ungureanu, and were translated by the author.

# Conclusion

*Kieran Williams*

The three countries covered in this book have followed very different paths of change since 1989, yet in the realm of security intelligence a great deal unites them. There has been a break with the political police of the communist period, even if some of the personnel have been retained and scandals suggest a persistence of habits. New institutions of legislative oversight and executive control have been established. Above all, the services are the frequent object of coverage, commentary and criticism in the mass media of all three countries.

Returning to Keller's criteria for evaluating the behaviour of a security intelligence service, as mapped out in Chapter 1, we find that the Czech BIS and Romanian SRI (since Măgureanu's retirement in April 1997, in particular) have displayed low autonomy in that, by and large, their activities are determined by the democratic policy process (legislative mandate, government programme and tasking). If drift from low toward moderate autonomy has occurred at times, it would be more likely the result of cabinet indifference than of agency assertiveness. The Slovak SIS under Lexa exhibited medium autonomy, its activities largely coinciding with the preferences of the government, and of Mečiar personally, but this overlap ensued from intimate personal and party connections rather than systematic executive control like that exercised by security coordinators in cabinet offices or ministers responsible for one or all of the services.

On the issue of insularity, all of the services rate low thanks not so much to legislative oversight (which leaves much to be desired in all three cases) as to the ease with which intimate details can be leaked to, and reported by, the media. That it was easy for us to find more than enough open-source material with which to write this book suggests that

in these, and many other post-communist states, much information enters the public domain that elsewhere never would. This proliferation of detail is symptomatic of the evolving, undefined relationship between the state, media and public in Eastern Europe. It is too early to celebrate a blossoming of investigative journalism, by which reporters extract information vital to the public interest. Rather, the ongoing revelation of the state's most secret workings is driven by those within the institutions, who officially disclose less than they might in West European states but are also more likely to seek out a journalist when a leak would assist them in some intramural battle. In turn, the reporters they select are in little or no danger of prosecution because of the fresh memory of communist censorship and public anxiety about the security apparatus. We will know that East European institutions are generating a more cohesive corporate culture, the trauma of communism is softening and the revolution is over when it becomes more difficult to write books like this one.

As regards oversight, in all three countries there is a body of parliamentarians well versed in security matters, but they remain hamstrung by poor legislation. Even within the constraints of parliamentary democracy, in which ruling parties or coalitions dominate proceedings and try to minimize challenges to their authority, there is scope for closer supervision of the security intelligence community, in particular for access to live files. Experience suggests that when a damaging leak to the media has occurred in Eastern Europe, oversight committees are the least likely source, and that they could be trusted not to endanger ongoing operations. In view of promising moves, such as putting the Romanian intelligence service and UM 0215 under supervision, and proposals for reform in the Czech Republic, it is our hope that the next decade of change in Eastern Europe will bring a considerable enhancement of the democratic accountability of security intelligence.

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