

JUSTICE, MEMORY AND REDRESS IN ROMANIA.
NEW INSIGHTS – A REVIEW

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‘There is no natural ‘end’ to understanding the recent past; there is no ultimate story.’ – is one of the very many ideas on which the collection of academic essays *Justice, Memory and Redress in Romania. New Insights*, edited by Lavinia Stan and Lucian Turcescu (Cambridge Scholars Publishing, 2017). As one of the main topics approached in the various articles in the book is memory, the idea above represents a safe and reasonable path to approaching the past and thus memory itself as well as its ways into the present. Memory can be and is multifaceted, the past is not a fixed line of events, but rather a sum of stories, which can all lead to a deep understanding of the past. In this configuration, the term ‘transitional justice’ is a reflection of how people can manage to deal with their past, with the stories of the past – either theirs or others’, and how all this can finally lead to healing, which is something post-Communist Romania definitely needs. The articles represent different approaches to what this idea actually means in the Romanian context.

The collection is made up of an *Introduction*, written by Lavinia Stan, three parts, and a *Conclusion* signed by both editors. The three different parts of the book contain different articles signed by researchers from Romania, the UK, France, the United States or Canada, and offer different perspectives upon the relation between memory, past, justice, victims and collaborators, in the Romanian context but also with references to other former communist countries in Eastern Europe.

The first part of the book, entitled *Memory, Reckoning, Legitimacy, and Justice: Theoretical Considerations*, as the title shows, gives a rather theoretical approach via the four articles it encompasses. They clarify and establish the possible definitions of social/collective memory in a Communist context, resistance and collaboration under dictatorial regimes, starting with what ‘collaborationists’ meant in the Nazi regime in France, the resistance through culture in Romania and the various situations of resistance – some controversial in their acceptance in Romania, and even refuted. An interesting and very useful article makes the

one signed by Cynthia M. Horne – *Evaluating Measures and Their Outcome* – in which the term transitional subject is analysed in a larger Central, Eastern European and Balkan context. Romanian transitional justice measures or the lack of them is placed in this context. The chapter contains also an article on transitional justice with a more accurate description in the Romanian context. The conclusion thus drawn by Alexandru Gussi is as relevant as it could be: ‘The Romanian case illustrates the vicious case of deligitimization caused by transitional justice expectations that grow faster than the elites’ political and the state’s ability to fulfil such expectations. The issue of timing is fundamental, as some transitional justice programs came too late to boost trust in the government and rather showed the country’s ambiguous position toward its undemocratic communist past.’ (p. 98)

The second part is named *Transitional Justice in Practice: Successes, Failures, and Challenges*, and contains four articles. The first article, *Retrospective Justice and Legal Culture*, authored by Raluca Grosescu and Agata Fijalkowski, deals with the idea of legal culture in Romania, and how it gradually changed after 1990 from a rather Soviet influence to a more independent judiciary and a separation of powers. That also meant the introduction of crimes against humanity in the Criminal Code, which was adopted only in 2014; yet this was a crucial moment for the debates regarding retrospective justice in Romania. Probably one of the most interesting articles in the collection is *Memory, Commemorative Landscapes and Transitional Justice* by Duncan Light and Craig Young. It focuses on how commemoration and memorialization play an important role ‘in healing the wounds of the communist past’. Moreover, as the authors declare, ‘memorialization is a means of giving recognition to those who suffered hardship, repression, exile, or death under communist regimes.’ (p.145) The article, on the other hand, shows the dangers which public memory can face, especially under political pressure or changes, underlining how public memory started to be erased at the moment when the communists took over in 1946. However, one of the concluding recommendations of the articles is that ‘a focus on the popular reception, negotiation and contestation of memorialisation intended to right the wrongs of the communist era is an important research agenda for the scholars of transitional justice.’ (165) The role of art in revisiting the communist past in Romania is presented in the next article signed by Caterina Preda. She discusses the main cinema productions dedicated to communism, emphasising the major role that the Romanian cinema has played in dealing with the Romanian amnesia/remembering, to this adding the role of theatre, painting or performance arts. Yet the author fails to notice that even though Romanian cinema has proved to be very successful in both approaching the hard themes of the communist regime as well as its aftermath, the Romanian public is not amongst the great fans of Romanian cinema of that kind. Romanian cinema has not found yet a place in its own country, the reasons for

this possibly being many, one of which probably even the resurrection of a past that Romanians either want to run from or simply want forgotten.

The third part of the book is dedicated to *Victims and Collaborators*, and represents a deeper cut into what Romanian communism meant from the point of view of abuses against human rights in all layers of society. The article *Nostalgia, Identity and Self-Irony in Remembering Communism*, by Cristina Petrescu, touches a problem specific especially for the communist countries in Eastern Europe *i.e.* the feeling of nostalgia towards the past, in spite of the atrocities it represented for the Romanians, for example. On the other hand, the article dedicated to the religious representations and practices in the Gulag such as recollections of imprisonment in the communist prisons analyses, beyond the cases of exceptional personal accounts in prisons such as that of Nicolae Steinhardt, for example, also analyses the role of the Orthodox church both during communism and after 1989. The article entitled *Coming to Terms with the Controversial Past of the Orthodox Church* underlines the extent to which Communism affected one of the most important institutions of the society, the Orthodox Church, seen also in comparison with the Greek Catholic Church or with the Roman Catholic one. However, in the subchapter dedicated to Valeriu Anania's memoirs, the author does not offer an academic perspective, but rather attempts to make presumptions and suppositions about the time Valeriu Anania spent in Hawaii as well as the personal history Anania offers, which is quite 'unorthodox' from the point of view of research practices and discourse and also from the way memoirs and autobiographical texts are usually seen and analysed.

The *Conclusions* signed by Lavinia Stan and Lucian Turcescu are relevant not only for the book itself, but also for the situation in which Romania finds itself today, with a transitional process in development, interrupted, with a past not dealt with nor assumed, and represent an invitation for further research and interpretation for the unique case Romania embodies especially from the point of view of exit from communism as well as of transitional justice.