

The Dictator's Secret Archives: Rationales for Their Creation, Destruction, and Disclosure

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In December 1992, a judicial team in Paraguay raided a police station on the outskirts of Asunción. It was the first of a series of raids during which several tons of sensitive documentation were discovered and confiscated, the so-called *archivo del terror*. This *archivo del terror* belonged to the nerve centers of repression under General Stroessner's 35-year dictatorship (1954–1989) and contained two types of sources. There were materials confiscated or stolen by the security forces—such as identity documents, personal correspondence, subversive political literature, or membership lists of political parties—and materials produced by the security forces themselves, such as surveillance reports (including photographs and transcripts of bugged telephone conversations), 8,369 files on political detainees, transcriptions of 400 statements extracted under torture, and records describing the internal administration of the repression apparatus, including personnel lists, documents of the pre-1954 years (the *archivo muerto*), and memoranda describing contacts with foreign security services.¹

When dictatorships are toppled, they leave a painful legacy of human rights abuses. A culturally interesting part of this legacy are the dictator's secret archives, with their sensitive, embarrassing, and incriminating content. Often they are disclosed, even if selectively, as in the Paraguayan case; sometimes they are destroyed. The intriguing question is: Why? Why are these explosive archives disclosed or destroyed during or after the fall of dictatorships, and why are they created in the first place?

Secret repression archives: definition, value, historical criticism

When speaking about 'the dictator's secret archives', we follow the classification elaborated by the Spanish archivist Antonio González Quintana, who headed an international team that studied the archives of the security services of former repressive regimes. They include the archives of two broad categories of repressive institutions: first of all, those in the traditional parts of the administration such as the armed forces, police and security bodies, civil tribunals, and the Interior, Defense, and Justice Ministries, and, second, those specifically created for repression purposes: intelligence services, paramilitary bodies, special tribunals, concentration camps, special prisons, and psychiatric centers for

¹ See R. A. Nickson, 'Paraguay's Archivo del Terror', *Latin American Research Review*, 1 (1995), pp. 125–129; *Amnesty International Report 1993* (London, 1993), p. 236; *Amnesty International Report 1994* (London, 1994), pp. 237–238.

‘reeducation’.² All contemporary repressive regimes without exception possess such archives, and they are usually very important and well organized. The Spanish Inquisition archives (1478–1820) are frequently mentioned as the forerunners of such contemporary repression archives.³ One of the biggest, the East German State Security (Stasi), had almost 90,000 staff members and at least 150,000 informal collaborators. Its archives contain six millions of individual files (180 kilometres).⁴

According to González Quintana, the secret archives, particularly those of the police and intelligence services that controlled the population, are the only sources that reflect the social confrontations inherent in repressive regimes.⁵ Even if this statement were only partially true, these archives are extremely important and should be subjected to critical external and internal scrutiny. External criticism verifies their coverage and completeness. Regarding their coverage, it can be said with certainty that repression archives are an index of the activities and the organizational infrastructure with which security services responded to perceived dangers. This implies three caveats. First, not all dangers are involved, but only the perceived ones. Perception depends on the systematic character of the observation, the perspicacity of the observer and the visibility of the observed: activities endangering the state may not be detected or not in time; in addition, the prevailing atmosphere of censorship discourages expression of oppositional opinion. Second, the archives do not reflect all the perceived dangers, only those to which the security services responded for some reason. Third, they do not necessarily cover all stages of repression. Several exceptional but most important moments of repression are unfavorable for recording: the very moment that crucial high-level decisions about repression campaigns are taken; the moment that the worst violations are committed; and the moment of large operations, when the scale of indiscriminate

² A. González Quintana, ‘Les archives des services de sécurité des anciens régimes répressifs: rapport préparé pour l’UNESCO à la demande du Conseil International des Archives’, *Janus*, 1 (1999), pp. 13–31; we quote from the English version, *Archives of the Security Services of Former Repressive Regimes: Report Prepared for UNESCO on Behalf of the International Council of Archives* (www-text; Paris, 1997), pp. 11–12. Truth commission archives, established during the transition from dictatorship to democracy, differ from secret repression archives in that the former include the latter whenever available (which is often not the case), and, in addition, create their own sources by interviewing eyewitnesses. See A. De Baets, ‘Archeologen van de repressie: De eerste stappen van waarheidscommissies op het pad van de geschiedbeoefening’ [Archeologists of Repression: The First Steps of Truth Commissions on the Path of History Writing], *Nieuwste Tijd*, 3 (2001), pp. 48–61.

³ González Quintana, *Archives*, p.4. See also H. Kamen’s analysis, *The Spanish Inquisition: A Historical Revision* (New Haven/London, 1997), pp. 174–213.

⁴ É. François, ‘Les “trésors” de la Stasi ou le mirage des archives’, in: J. Boutier and D. Julia eds., *Passés recomposés: Champs et chantiers de l’histoire* (Paris, 1995), pp. 145–146. Also B. Ackerman, *The Future of Liberal Revolution* (New Haven/London, 1992), pp. 80–89, 136–139; T. Garton Ash, *The File: A Personal History* (New York, 1997); J. Gauck, ‘Zum Umgang mit den Stasi-Akten—eine Zwischenbilanz’, in: B. Faulenbach, M. Meckel, and H. Weber, eds., *Die Partei hatte immer recht—Aufarbeitung von Geschichte und Folgen der SED-Diktatur* (Essen, 1994), pp. 38–40; J. Kocka, ‘Chance und Herausforderung: Aufgaben der Zeitgeschichte beim Umgang mit der DDR-Vergangenheit’, in: B. Faulenbach, M. Meckel, and H. Weber, eds., *Die Partei hatte immer recht—Aufarbeitung von Geschichte und Folgen der SED-Diktatur* (Essen, 1994), pp. 244–246.

⁵ González Quintana, *Archives*, p. 6.

violations itself and the shortage of time for administration are working against recording them.⁶ Conscious recording of repression typically requires routine. Regarding the completeness of the archives, the question remains, of how much of it has been destroyed during or after the dictatorship, and how much of it is still hidden. In this context, French historian Marc Bloch pointed to the advantages of discontinuity, when he wrote: '[L]a paisible continuité d'une vie sociale sans poussées de fièvre se montre beaucoup moins favorable qu'on ne le croit parfois à la transmission du souvenir. Ce sont les révolutions qui forcent les portes des armoires de fer et contraignent les ministres à la fuite, avant qu'ils n'aient trouvé le temps de brûler leurs notes secrètes'.⁷ But even when crises favor the survival of records, it remains to be seen how representative and important the available archives are.⁸

Internal criticism differentiates between the two main types of repression documents already mentioned. The materials confiscated or stolen by security forces document the opposition against the dictator, or more precisely, those individuals and groups perceived as opposition. Because coverage of oppositional activities can only be partial, as noted above, reconstruction of an accurate picture of such activities presupposes that the archives are supplemented with undetected sources produced during the dictatorship, proceedings of post-dictatorship trials, and accounts of survivors.⁹ In the case of conflicting information, it is usually not simple to conclude whose versions are the more reliable.¹⁰ The second type of sources, the materials produced by the security forces themselves, raises at least three questions of historical criticism. First, how accessible are they? Are they sorted or in chaos? Do heuristic tools such as catalogs exist? Second, how uniform are they? Robert Gellately, a specialist in the history of the Gestapo, tells us that the surviving Gestapo dossiers are extremely heterogeneous: 'some contain only a tiny scrap of paper, while others run to many pages, complete with the transcript of interrogations, so-called confrontations between the accused and witnesses, an account of trial and punishment meted out, and even at times correspondence from the concentration camp'.¹¹ Third, and most important, how reliable are the different subtypes of information collected by the security forces? Political denunciations, the sources of which are citizens whose identity is mostly unknown or undisclosed, raise questions of false testimony.¹² As Henry Kamen, a specialist in Inquisition history, reminded us,

⁶ Compare with Kamen, *The Spanish Inquisition*, p. 198.

⁷ M. Bloch, *Apologie pour l'histoire ou métier d'historien* (originally 1949; Paris, 1967), p. 31.

⁸ Compare with R. Gellately, *The Gestapo and German Society: Enforcing Racial Policy, 1933–1945* (Oxford, 1990), pp. 14, 130.

⁹ Compare with François, 'Les trésors', p. 149.

¹⁰ J. Cherry has convincingly demonstrated the complexity of establishing the historical truth with contradictory and sanitized evidence. See her 'Historical Truth: Something to Fight for', in: C. Villa-Vicencio and W. Verwoerd, eds., *Looking back, Reaching forward: Reflections on the Truth and Reconciliation Commission of South Africa* (Cape Town, 2000), pp. 137–142.

¹¹ Gellately, *The Gestapo*, p. 130.

¹² For a definition of denunciation, see S. Fitzpatrick and R. Gellately, eds., *Accusatory Practices: Denunciation in Modern European History, 1789–1989* (Chicago/London, 1997), p. 91. Eric Johnson writes about the wide variety of motivations to collaborate with the secret police: 'Angry neighbors, bitter in-laws, and disgruntled

denunciations based on suspicion lead to accusations based on conjecture. Observation reports, the second subtype, pose questions of the observer's status, interest, and language. Was the observer an agent or a paid informant? Was the report the result of coercion or cooperation?¹³ Was it in the observer's interest to impress his superiors with his efficiency or to shield himself?¹⁴ What does the observer's often coded or ideological language exactly mean?¹⁵ The risks of distortion or fabrication are high. Some have argued that observation reports tell us more about the observers than about the observed.¹⁶ Internal reports, the third subtype, possess language characteristics similar to observation reports. Torture reports are a special category of this subtype and their availability is widely diverging. According to Kamen, Inquisition records give us *verbatim* reports of torture, while Gellately signals that there is no mention of torture or even of the officially condoned 'intensified interrogation' in the Gestapo records.¹⁷ Confessions by prisoners, whether handwritten or not, or signed or not, constitute a fourth subtype. Were they spontaneous, extorted, or concocted? Robert Conquest, specialist on the Great Terror in the USSR, has described how confessions, preferably hand-written (and sometimes even posthumous!), were almost obligatory in Stalin's prisons, as a faint reflection of legalism meant to impose on everyone the acceptance of official falsehood.¹⁸

External and internal historical criticism leave room for only one conclusion: as an incomplete, chaotic, and corrupt set of sources, repression archives are utterly ambiguous but also utterly fascinating. Even from the most distorted files enough truth can be squeezed to tell us something about the fate of the victims of repression and the cast of mind of the perpetrators and their superiors. With this preliminary conclusion in the back of my mind, I have tried to identify rationales for the creation, nondisclosure, destruction, and disclosure of the dictator's secret archives. The following table summarizes the results. The rest is commentary. Within each of the two chronological layers (during/after dictatorship), a division is made between creation/nondisclosure, destruction, and disclosure. As the table of rationales presented here is chiefly based on post-1945 data about archives worldwide, compiled within the framework of the author's broader study of the censorship of history¹⁹ and comparatively put into context, it soon appeared that a further distinction between individual-related and system-related rationales might be enlightening. Grouping under these specific headings may,

work colleagues frequently used the state's secret police apparatus to settle their personal and often petty scores'. See his *Nazi Terror: The Gestapo, Jews, and Ordinary Germans* (New York, 1999), p. 15.

¹³ Ackerman, *The Future*, p. 85.

¹⁴ François, 'Les trésors', pp. 95, 148.

¹⁵ *Ibidem*, 150.

¹⁶ S. Wolle, 'Die Akten der DDR-Archive: Giftmülldeponie oder Fundgrube für den Historiker?', in: R. Eckert, I. Kowalczyk, and I. Stark, eds., *Hure oder Muse? Klio in der DDR: Dokumente und Materialien des Unabhängigen Historiker-Verbandes* (Berlin, 1994), pp. 153, 155.

¹⁷ Kamen, *The Spanish Inquisition*, p. 191; Gellately, *The Gestapo*, p. 130.

¹⁸ R. Conquest, *The Great Terror: A Reassessment* (New York, 1990), pp. 130–131.

however, be debatable: when individuals (the victims or perpetrators of past abuses) are perceived as groups, individual-related rationales verge on system-related ones.

<p>—Synoptic table— <i>Rationales for the creation, disclosure, nondisclosure, and destruction of secret repression archives</i></p>		
<p style="text-align: center;"><i>Creation during dictatorship</i></p> <p style="text-align: center;"><i>Individual-related</i></p> <p>1 Information on opposition outside the regime 2 Control over collaborators 3 Proof of obedience and zeal by repression personnel</p> <p style="text-align: center;"><i>System-related</i></p> <p>4 Infrastructure sustaining security system 5 Ideology of just war leading to feelings of impunity</p>	<p style="text-align: center;"><i>Destruction during dictatorship</i></p> <p style="text-align: center;"><i>Individual-related</i></p> <p>6 Remove evidence of abuses and their perpetrators (often last-minute)</p> <p style="text-align: center;"><i>System-related</i></p> <p>7 Remove evidence of command chains and of repression and surveillance mechanisms (often last-minute)</p>	<p style="text-align: center;"><i>Disclosure during dictatorship</i></p> <p style="text-align: center;"><i>Individual-related</i></p> <p>8 Provide evidence of abuses and their perpetrators</p> <p style="text-align: center;"><i>System-related</i></p> <p>9 Provide evidence of command chains and of repression and surveillance mechanisms</p>
<p style="text-align: center;"><i>Nondisclosure after dictatorship</i></p> <p style="text-align: center;"><i>Individual-related</i></p> <p>10 Risk of incomplete and corrupt contents 11 Risk of questionable legal use 12 Risk of political intrigues (leaks) 13 Members of old or new regime hiding incriminating evidence</p> <p style="text-align: center;"><i>System-related</i></p> <p>14 Risk of recycling when dictatorial relapse 15 Risk of reopening old wounds 16 Risk of contradicting new official view of history</p>	<p style="text-align: center;"><i>Destruction after dictatorship (specific rationales in addition to those for nondisclosure)</i></p> <p style="text-align: center;"><i>Individual-related</i></p> <p>17 Members of old or new regime destroying incriminating evidence 18 Privacy</p> <p style="text-align: center;"><i>System-related</i></p> <p>19 Ethical reasons (reputations) 20 Popular rage expressing ritual cleansing 21 Ideology depreciating remnants of old regime</p>	<p style="text-align: center;"><i>Disclosure after dictatorship</i></p> <p style="text-align: center;"><i>Individual-related</i></p> <p>22 Moral interest of former victims and relatives (answers) 23 Legal interest of all implicated in the archives (reputations, claims, charges) 24 Political interest (leaks)</p> <p style="text-align: center;"><i>System-related</i></p> <p>25 Social interest (trial or disqualification of ex-collaborators) 26 Cultural interest (patrimony) 27 Historical interest (research)</p>

¹⁹ A. De Baets, *Censorship of Historical Thought: A World Guide, 1945–2000* (xviii + 695 pp.; Westport/London, 2002). See also *Idem*, ‘Archives’, in: D. Jones ed., *Censorship: A World Encyclopedia*, vol. 1 (London/Chicago, 2001), pp. 76–82.

Repression archives during the dictatorship

The cases studied reveal that secret record-keeping by dictators is systematic and widespread, despite its potential to undermine the dictatorship once the records are captured by its adversaries. This comes as no surprise for the two classical cases, Nazi Germany and the former USSR. In Germany, meticulous records were held, but, unfortunately, relatively intact sets of Gestapo records exist only for Düsseldorf, Würzburg, and a few other cities.²⁰ In the case of the USSR, the Chief Archival Administration was under direct control of the Soviet secret police NKVD/KGB from 1938 to 1960. A similar situation existed in Romania, where the General Directorate of State Archives operated under direct Securitate control from 1948 to 1990. Even in countries less known for their traditions of bureaucracy—Brazil's dictatorship (1964–1985), Ethiopia's Dergue regime (1974–1991), Cambodia's Killing Fields (1975–1979), Serbia's armed conflict in Kosovo (1999), or, indeed, Stroessner's Paraguay (1954–1989)—extensive repression archives have been discovered.²¹

In view of the high security risks of keeping secret records, our analysis starts with the most enigmatic question: Why did dictators create secret records of repression in the first place? The reasons are complex and partly contradictory. To begin with, there is the obvious need to be informed about the opposition outside (and sometimes inside) the regime, and about its motives, plans, and actions (*rationale 1*). The archives, however, also serve very different ends. Given the atmosphere of distrust common under dictatorships, they serve as a tool of control over collaborators of repression who are pressured to leave traces of their actions and blackmailed with them (*rationale 2*). Military, security, and police officials for their part utilize them as proof of their obedience, legal formalism, and zeal (*rationale 3*). There is ample evidence that many of them—interrogators and documentation workers alike—became obsessed with the bookkeeping of death.²²

At system level, archives constitute a tool for survival. An illegal and profoundly illegitimate regime maintained by force and continuously challenged by forces of resistance and subversion, needs a system of security, surveillance, and repression, which will largely be secret to avoid criticism and further loss of legitimacy (*rationale 4*). A documentary framework of secret records is the necessary infrastructure for sustaining this security system and establishing routine procedures.²³ In addition, dictatorships often

²⁰ Johnson, *Nazi Terror*, p. 495 n.32. Sets of Gestapo case files for some former East German cities are possibly to be found in Moscow.

²¹ For Brazil, see L. Weschler, *A Miracle, a Universe: Settling Accounts with Torturers* (New York, 1990), pp. 15–16; for Ethiopia, see T. S. Engelschijn, 'Prosecution of War Crimes and Violations of Human Rights in Ethiopia', *Jahrbuch für afrikanisches Recht*, 8 (1994), pp. 41–55; for Cambodia, see D. P. Chandler, *Voices from S-21: Terror and History in Pol Pot's Secret Prison* (Berkeley/Los Angeles, 1999), p. 49; for Serbia, see J. Sweeney, 'Seized Serb Documents Link Milosevic to Mass Killings', *Observer*, 27 June 1999; for Paraguay, see Nickson, 'Paraguay's Archivo', p. 128. For earlier examples, see Kamen, *The Spanish Inquisition*, p. 183 (Inquisition), and Conquest, *The Great Terror*, p. 107 (tsarist Russia).

²² Weschler, *A Miracle*, pp. 15–16; Conquest, *The Great Terror*, p. 130.

²³ François, 'Les trésors', pp. 145–146; Article 19, *The Public's Right to Know: Principles of Freedom of Information Legislation* (London, 1999), p. 2; Kamen, *The Spanish Inquisition*, p. 183.

display an ideology of self-confidence and impunity. The world outlook of the regime—the self-portrait of an avant-garde fighting a just war against internal and external enemies of the state—justifies secrecy, and their unshakeable convictions of doing the right thing lead to feelings of impunity and overestimation of the duration of their own absolute power (*rationale 5*).

All this may not sufficiently explain the presence of explosive documents such as torture reports, confessions, and lists of torturers. Why are they kept? David Chandler is the only scholar who explicitly asks this question, in his study of Khmer Rouge archives at the Tuol Sleng torture center. In these archives (partly destroyed when the regime was toppled), the forced confessions of prisoners were preserved, despite the fact that their contents were kept secret, so much of the material was untrue, and all the prisoners were killed. He mentions many of the above motives or variants thereof, but, still baffled, looks for additional motives, thereby illustrating the complexity of the question. Chandler suggests that the Tuol Sleng archive also provided the leaders with the raw material for a massive, unwritten history of the Khmer Rouge through confessions which proved the detailed accounts of conspiracies—numerous but ineffective—by enemies. In addition, they testified to the Khmer Rouge’s omniscience and power over its opponents, thus assuaging the fear of the leaders and appealing to the regime’s psychological need for reassurance that it was in control. Interrogators at Tuol Sleng acted like therapists for their leaders, vindicating them by excavating the buried ‘memories’ of their prisoners. Reading the confessions, Chandler says, takes us inside the thought processes of the regime: the confessions provide a narrative of the leaders’ evolving fears and obsessions when centralizing control.²⁴

Not unexpectedly, scores of examples prove that dictators destroy their secret archives themselves, either during their rule, notably in times of instability, or—a classic censorship case—during last-minute interventions in the turmoil of their downfall. We are not dealing here with destruction as a normal and justifiable feature of official information policies, for reasons of insufficient space or budget, but with destruction of secret records for political reasons (although such destruction normally occurs under nonpolitical pretexts). Bertram Wolfe provided the basic explanation for this archival cleansing: ‘Shall the Dictator...be less harsh with facts and records than with men? Should he be more tender with the traditions and men of other lands and other times than he is with the men of his own land and time?’²⁵ Therefore, the reasons for destruction are straightforward: remove traces of abuses and their perpetrators (*rationale 6*), and, at system level, remove the traces of command and obedience chains, and of repression and surveillance operations and mechanisms (*rationale 7*). Records may be either totally destroyed or selectively cleansed. The very existence of records which are secret and destined to be wilfully destroyed is profoundly undemocratic but they clearly go together: the risk of destruction is always greater for secret archives than for others. Here we are confronted with a paradox: although

²⁴ Chandler, *Voices from S-21*, pp. 49–51, 104–109.

²⁵ B. D. Wolfe, ‘Totalitarianism and History’, in: C.J. Friedrich ed., *Totalitarianism* (New York, 1964), p. 265.

archival cleansing may hamper secret power-consolidating operations, it is frequently part of the regime's strategy to enhance legitimation, and hence power, by sanitizing and embellishing its own historical record and disguising that of others.²⁶

Despite all the security measures to protect the dictator's secrets, repression archives are not always immune to leaks or theft by personnel or their superiors, or by outsiders who illegally access them. Once the secret records are copied or smuggled out of the archives, they may be published abroad, either by the smugglers themselves, if they are fleeing the country, or by their contacts, if they are not. A recent example was the publication of the *Tiananmen Papers*, which allegedly contain secret documents from the Chinese Communist Party (CCP) in the period April–June 1989 concerning the Tiananmen massacre of 4 June 1989. They were collected and smuggled abroad by Zhang Liang (a pseudonym), who said that he was a CCP member.²⁷ The main problem here is the authenticity of the smuggled material. A special case is the seizure of archives in periods of political upheaval. In Iraq, eighteen tons of official state documents, especially from the secret police, were captured by Kurdish parties in the March 1991 uprising (after the Gulf war) and shipped to the United States for safekeeping and analysis. They contained evidence of gross human rights violations, including the use of chemical weapons, against the Kurds in the 1987–1989 period, particularly during the 1988 Anfal campaign.²⁸ The examples abundantly illustrate that reasons for disclosure are the reverse of reasons for destruction: documents are captured to provide evidence of abuses and their perpetrators (*rationale 8*), and to provide evidence of command and obedience chains, and of repression and surveillance operations and mechanisms (*rationale 9*).

Repression archives after the dictatorship

The new regime succeeding the dictator may be democratic, dictatorial, or somewhere between both, and be eager or reluctant to deal with the traumatic past. Part of the archives may remain in the hands of representatives of the old regime, who may hide, destroy, selectively disclose, or recycle them. Obviously, reasons for a certain archival treatment become only public when it is in the caretaker's interest to make them public. When the successor regime is a democracy, it is not so strange that, in view of the explosive nature and uneven reliability of the dictator's secret archives, fierce debates about the degree of disclosure and accessibility of these archives characterize the transition period, e.g., in Central and Eastern Europe, or Spain. Every conceivable option—complete access, restricted and conditional access, complete sealing, or destruction—finds its own advocates. In most cases, the

²⁶ For scores of examples, see De Baets, 'Archives'.

²⁷ *Keesings historisch archief*, 2001, pp. 116–117; *Index on Censorship*, 2 (2001), p. 100. For other examples (Dmitri Yurasov in the USSR; the *Nunca Mais* report in Brazil), see De Baets, 'Archives'.

²⁸ Human Rights Watch, *Bureaucracy of Repression: The Iraqi Government in Its Own Words* (Washington, 1994), pp. ix–x.

outcome of such debates is access of selected groups of users to specific and partially censored documents.²⁹

Reasons given for nondisclosure are not hard to find. Indeed, some naturally question the historical accuracy of the archives' contents and find their files incomplete, unsorted, and corrupt (*rationale 10*). Czech President Vaclav Havel and Polish historian and journalist Adam Michnik have often emphasized this point.³⁰ Others, like political philosopher Bruce Ackerman, question the value of illegally seized evidence (*rationale 11*). Ackerman pleads not to admit at trials this evidence captured in violation of legal, even constitutional, guarantees of privacy and dignity.³¹ Writing on the GDR, he also points to the risk of operations whereby reputations are damaged or incriminatory material is leaked to the press, leading to the risk of trial by newspaper. 'In my moral calculus', he writes, 'the risk of damaging living reputations outweighs whatever insights the future may gain in an encounter with the Stasi's version of the historical facts'.³² If the leak is traced, it sometimes appears that poorly paid archivists have sold the records. But often representatives of the new regime blackmailing the opposition, or, alternatively, key members of the *ancien régime*, are behind the manoeuvre (*rationale 12*). A last possibility—close to the preceding one—is the silent interventions by members of the old or new regime, when they prefer to hide instead of destroy incriminating evidence (*rationale 13*). This rationale is classified under individual-related rationales because it usually aims to protect individuals, large-scale hiding having become impossible (for the old regime) or undesirable (for the new regime) at this stage.³³

Ackerman detects a fifth motive, the risk of recycling the repression archives when society relapses into dictatorship (*rationale 14*). This motive covers two rather different situations: either the archives are in the possession of the successor regime but are subsequently captured by those staging a coup (to which representatives of the old regime may belong), or they were never discovered in the first place because members of the old regime kept them hidden while biding their time. This last possibility was the very reason why the *archivo del terror* still existed for almost four years after Stroessner's downfall: the old guard expected to return to power.³⁴ The Paraguayan example also teaches us another lesson: all these years, the repression archives had been at risk of destruction by the old guard. Recycling may go

²⁹ For the GDR, see Ackerman, *The Future*; for Spain, González Quintana, *Archives*, p. 6. For Chile, see M. J. Errázuriz, 'Piden Regular Acceso: Preocupa Uso de Archivos de C. Rettig', *El Mercurio* (Santiago de Chile), 22 September 1996, pp. A1, A13.

³⁰ But when Havel in March 2002 signed legislation expanding access to the police files of the communist regime, he said that the need for truth prevailed over the risks of releasing information. See D. Banisar, *Freedom of Information and Access to Government Records around the World* (WWW-text; Privacy International Report; London, 2002), 11–12.

³¹ Ackerman, *The Future*, pp. 81–83.

³² *Ibidem*, 88n.

³³ Those who emphasize the authoritarian and dictatorial aspects of colonization and occupation may wish to make the forcible transfer of archives by colonizers and occupiers at the end of, or after, their domination a special subcategory of this rationale. The French did it in Algeria in 1962 (see D. C. Gordon, *Self-determination and History in the Third World* [Princeton, 1971] p. 159), the United States in Grenada in 1983–1985 (see *Index on Censorship*, 5 [1985], p. 65).

further. In what was called *Operation Spider*, Czechoslovak communist officials in the 1950s ordered their secret police to assemble lists of Czech and Slovak Jews in order to put pressure on them: the lists were partly based on Nazi occupation registers.³⁵ In late 1997 President Eduard Shevardnadze of Georgia categorically opposed the opening of the former archives of the security service KGB, arguing that it would give rise to ‘a new wave of resistance, mistrust and hatred’ and would ‘reopen old wounds’.³⁶ In the long term, the archives with their dubious contents may poison the climate and, given the ever-present risk of witch hunts, be a catalyst for political revenge and conflict, not for reconciliation (*rationale 15*). A last system-related motive is the removal of challenges to the rewriting of history (*rationale 16*). The Vietnamese who drove out the Khmer Rouge allowed no exhaustive examination of Khmer Rouge records, perhaps because they did not reflect the demon theory the Vietnamese sought to teach.³⁷ In Nasser’s Egypt, documents pertaining to the history of revolutions and national movements were kept under lock and key in the presidential palace archives ‘because’, as official historian Muhammad Anis declared, ‘they are seething with snakes and scorpions and the authorities do not want to have accidents’.³⁸

Reasons for nondisclosure are sometimes invoked as arguments for destruction as well. Ackerman, for example, would wish the repression archives to be sealed if his preferred option of burning should not prove realistic, and he offers the same set of arguments for both. As he puts it succinctly: ‘The secret police should not be allowed to rule liberal revolutionaries from the grave’.³⁹ Many reasons for nondisclosure are indeed valid as rationales for destruction as well, but destruction has an additional array of motives. Destruction is the only sure way for representatives of the old and the new regime to remove embarrassing information and so prevent future blackmail or leaks (*rationale 17*). While the interest of the old guard in destruction is obvious, members of the new regime may have participated in the old dictatorship or committed intolerable abuses during the takeover itself and thus be keen on removing incriminating traces. The Chadian case seems to correspond to this situation. Human Rights Watch suggested that those responsible for thousands of extrajudicial executions during the government of Hissène Habré (1982–1990) enjoyed impunity, because many ranking officials of the current Idriss Déby government, including Déby himself, were involved in them: they were not interested in digging out that sensitive past.⁴⁰ For the same reasons as applies in the case of hiding (*rationale 13*), destruction at this stage is normally individual-centred.

³⁴ ‘Paraguay: Hitler im Brunnen’, *Der Spiegel*, 1993, no. 18, p. 170.

³⁵ Peter S. Green, ‘Czechs Seek to Indict Officials Who Assembled Lists of Jews: Communists’ Registries Used Some Nazi-Period Data’, *International Herald Tribune*, 9 October 1998, p. 13.

³⁶ *Index on Censorship*, 2 (1998), p. 90.

³⁷ W. Shawcross, *Cambodia, Holocaust and Modern Conscience* (Glasgow, 1984, 1985), p. 360.

³⁸ N. Rejwan, *Nasserist Ideology, Its Exponents and Critics* (New York, 1974), p. 15.

³⁹ Ackerman, *The Future*, pp. 81, 88.

⁴⁰ Human Rights Watch, *World Report 2001* (Washington, 2000), p. 483, and *Idem*, *World Report 2002* (Washington, 2002), pp. 596–98.

Other motives are privacy and professed ethics (*rationales 18 and 19*). These rationales, the one individual-oriented, the other systemwide, are closely related. In Greece, for example, the documents of repressive bodies who were active under the junta of the colonels (1967–1974) were used as evidence for administrative purposes (such as purging those responsible for the repression) and then destroyed for ethical reasons: it was judged undesirable to keep references, in registries and public archives, relating to people who had been vindicated for activities or attitudes considered illegal in the previous regime.⁴¹ This was not the only time that such a view has prevailed. On 29 August 1989, the fortieth anniversary of the official end of the civil war (1946–1949) was celebrated by burning all the police files from the postwar period. Greek historians, however, denounced it as an act of historical vandalism.⁴² Although it draws a line under the past, this solution obviously imposes a burden of frustration upon the future. The two remaining motives stem either from the liberated masses or from the new elite. When the masses feel the winds of change, their actions may become unpredictable, and popular rage may lead to symbolic and ritual cleansing (*rationale 20*). Who does not remember the occupation, in January 1990, of the Stasi archives as a hated symbol of East German repression? In Romania, state control over Bucharest University central library was seen as a symbol of Ceausescu's rule. During the December 1989 revolt, the building was set on fire, resulting in the loss of over half a million volumes.⁴³ In the Dominican Republic, after Trujillo's assassination in 1961, records were burned to 'cleanse the country of all traces of the hated tyrant'.⁴⁴ The new elite's ideology is usually markedly different from the old one, or at least it pretends to be so, especially when the new regime displays dictatorial traits itself and when the change involves foreign intervention or a governmental volte-face. The historical perception of the abolished, often demonized, regime oscillates between neglect, rejection, and hate, and its remnants are depreciated (*rationale 21*). Such reactions are found where Islamic regimes (Khomeini's Iran, ul-Haq's Pakistan) take over from secular ones. A notorious case of archival neglect for political reasons was the early Nasserist republic which replaced the Egyptian monarchy. Nationalist archive custodians regarded pre-1952 history as a long period of foreign domination, the sources of which were allowed to perish. But there were also other, more conventional motives at play. The archives were allegedly purged of controversial or embarrassing records.⁴⁵

With the last part of the analysis—the identification of the motives to disclose repression archives—we are treading well-known paths. Most of the following motives apply as criteria in any archival

⁴¹ González Quintana, *Archives*, p. 6.

⁴² G. Pridham and S. Verney, 'The Coalitions of 1989–90 in Greece: Inter-Party Relations and Democratic Consolidation', *West European Politics*, 4 (1991), pp. 59, 69.

⁴³ World University Service, *Academic Freedom* (London, 1990), p. 180; H. van der Hoeven, *Lost Memory—Libraries and Archives Destroyed in the Twentieth Century*, Part I: *Libraries* (www-text; Paris, 1996), pp. 17–18.

⁴⁴ R. M. Malek, 'Rafael Leonidas Trujillo: A Revisionist Critique of His Rise to Power', *Revista/Review Interamericana*, 1977, p. 440.

⁴⁵ Rejwan, *Nasserist Ideology*, p. 15.

selection policy, but they figure poignantly here. There is the moral interest of the former victims of surveillance or repression, or in their absence, of their relatives (*rationale 22*). They are entitled to know the answer to such questions as: Who spied on me? Who tortured me? What is in my file? Can I rectify lies? Is our disappeared relative dead or alive? If he is alive, where is he? If he is dead, how and when did it happen and can he be (re)buried? The answers found in the archives may function as a form of historical and moral justice and facilitate the rehabilitation or mourning process. Closely related thereto is the legal interest of citizens looking for evidence to substantiate charges and complaints against members of the former administration or their security forces (*rationale 23*). Access may be vital to exercise individual rights of amnesty, removal of offenses from the criminal record, compensation, indemnity, pension, inheritance, and restitution of property. More broadly, all those implicated in the archives may want to restore their reputations.⁴⁶ Political intrigue (*rationale 24*) or disclosure *à la carte* at opportunistic moments is a form of blackmail with authentic or with forged evidence of complicity in the repressive structure (see also *rationale 12*). The most notorious example was the *noc teczec* (night of the long files) in Poland. In December 1991 former dissident and historian Antoni Macierewicz became interior minister and in June 1992 he sent to the Sejm a list with sixty-four names of politicians and officials—including the prime minister’s most important political adversaries, among them the then-President Lech Walesa—suspected of having been former security police agents during the period 1945–1990. The list was drawn up on the basis of secret police files. In the controversy that followed, Macierewicz was expelled from the political party ZChN. In July a Sejm committee investigating the list concluded that only six of the sixty-four had signed any agreement to collaborate. It accused Macierewicz of actions which could have led to the destabilization of the state. But still, the affair led to the dismissal of Jan Olszewski’s government. In September 1993 Macierewicz was charged with publishing state secrets.⁴⁷ Recently, the *International Herald Tribune* reported that, in the early 1980s, the secret police formed a special team, including professional forgers, to doctor documents and discredit then-Solidarity leader Walesa as a police agent.⁴⁸

Individual interests are matched by the social interest in trying those bearing responsibilities for the human rights violations or screening and disqualifying them whenever they occupy or seek public office (*rationale 25*). In the first four months of its existence, the Gauck authority managing the Stasi archives

⁴⁶ González Quintana, *Archives*, pp. 4, 7.

⁴⁷ For the *noc teczec*, see, among other sources, T. Rosenberg, *The Haunted Land: Facing Europe’s Ghosts after Communism* (New York, 1995), pp. 250–251; T. Garton Ash, ‘The Truth about Dictatorship’, *New York Review of Books*, 19 February 1998, p. 38. In January 1996 Polish Prime Minister Jozef Oleksy resigned after he had been accused of spying for the KGB since 1983. Three months later, prosecutors dropped the charges after finding that the evidence was flawed and insufficient. Oleksy accused Walesa of having concocted the charges. See *Keesings historisch archief*, 1996, pp. 251–252, 613–614.

⁴⁸ T. Rosenberg, ‘Political Intrigue and Poland’s Past’, *International Herald Tribune*, 14 August 2000, p. 8; P. Finn, ‘Smear Campaigns Target Post-Communist Leaders in Eastern Europe’, *International Herald Tribune*, 14 August 2000, p. 7. Another case involved Czech Foreign Minister Jan Kavan.

received half a million requests for information about state employees.⁴⁹ Repression archives can also be perceived as an inalienable part of the national cultural patrimony and the world's documentary heritage (*rationale 26*). Several international bodies have recently developed guidelines in this respect.⁵⁰ One vital reason to regard repression archives as cultural (and not individual) property to be preserved is that the questions asked by future generations will probably be different from those asked today. Archives can only be searched in a new light when they have not been destroyed by a generation believing that all had been said about the traumatic past. Preservation for future use points to a further rationale for disclosure: these archives constitute a vital substratum for research into the history of the dictatorship and opposition to it (*rationale 27*).⁵¹ Research questions asked sooner or later are: How did the repression apparatus work? What were the objectives and strategies of those responsible? How were national security doctrines translated into day-to-day practice? How did the dictatorship take power? How did it survive crises? What was its place in the international arena? What was its real nature? Official and nonofficial research into these questions with the help of repression archives may in the end uncover some truths, and, therefore, conclusively refute those claims denying or falsifying the past. Dilemmas of ownership, however, still remain, as an example from Portugal will illustrate. In April 1996, a controversy took place there about the accessibility of the secret PIDE archives of the Salazar–Caetano epoch and the possible restitution of stolen letters, secret photographs, and telephone conversation recordings in these archives.⁵² If we suppose, now, that archival items are reclaimed by, and restituted to, their former owners, what is there to prevent some individuals or groups at the receiving end from destroying, then or later, these traces of an unsavoury past? Respect for legal property, expressed in restitution, may threaten the survival and integrity of record groups and form obstacles for cultural property and historical research. Such, however, is the dilemma when legal and social factors are in conflict with cultural and historical ones.⁵³ Offering a partial solution to the dilemma, United Nations Rapporteur Louis Joinet has pleaded for allowing anyone implicated in the archives to add a right of reply to their file.⁵⁴

⁴⁹ Ackerman, *The Future*, p. 86. It also received half a million requests from former GDR citizens wishing to inspect their own dossiers.

⁵⁰ See International Council on Archives, *Code of Ethics* (Beijing, 1996); González Quintana, *Archives*, pp. 10–11; L. Joinet, *Question of the Impunity of Perpetrators of Human Rights Violations (Civil and Political): Revised Final Report Prepared by Mr. Joinet Pursuant to Sub-Commission decision 1996/119 (E/CN.4/Sub.2/1997/20/Rev.1; Geneva, 2 October 1997)*, pp. 12–13; Article 19, *The Public's Right to Know*, 4. Also see A. Pork, 'History, Lying and Moral Responsibility', *History and Theory*, 1990, pp. 329–330. Article 19 emphasises that to prevent any attempt to doctor or otherwise alter records, the obligation to disclose should apply to records themselves and not just the information they contain (p. 3).

⁵¹ Compare González Quintana, *Archives*, p. 8.

⁵² *NRC-Handelsblad*, 25 April 1996, p. 6.

⁵³ Even cultural and historical factors may be sharply at odds with each other, as recent conflicts about human remains between archeologists and indigenous peoples have shown.

⁵⁴ Joinet, *Question of Impunity*, pp. 4, 13.

Conclusion

Secret repression archives are widespread and the range of rationales for creating, destroying, or disclosing them is substantial. Three conclusions can be drawn from our analysis. First, however tempting it is to conclude from the synoptic table that dictatorial rationales are less numerous, diverse, or complex, than postdictatorial ones, some of these dictatorial rationales may nevertheless be hard to identify without extensive and intimate knowledge of the dictatorial system, as Chandler's reflections on the Tuol Sleng archives in Pol Pot's Cambodia suggest. Second, when one divides the rationales according to their use—intrinsic, when directly concerning the specific evidence and its contents; instrumental when concerning the use of the archives for ends other than preservation, access, and consultation—we find both uses at every level and stage, with the qualification, however, that instrumentality seems to increase after the dictatorship, especially at system level. If this implies anything significant at all, then it is, finally, that repression archives have a meaning which goes far beyond their sole intrinsic contents, even at the very time that they are created. Secondly, when the subject of a democratic debate, they reflect not only legal, historical, and cultural interests, but also the political, moral, and psychological considerations of numerous decision-makers and lobbies.⁵⁵ Third, comparison of dozens of post-1945 data on repression archives with archives from the Inquisition, NKVD, and Gestapo allows for the hypothesis that rationales for their creation or destruction are basically the same even in different historical periods, while rationales for disclosure and nondisclosure are linked to a recent archival awareness, developed during the last fifty years as part of the development of a broader human rights awareness. Creation or destruction seem to be the result of perennial motives, disclosure and nondisclosure of contemporary motives. The future, however, may stop the macrohistorical continuity in rationales for creating repression archives. New developments such as the establishment of an International Criminal Court with its universal jurisdiction will inevitably discourage the bookkeeping of death.

Almost fatally, secret repression archives are invaluable historical sources which makes their preservation in safe conditions obligatory. The historical criticism applicable to them and the manipulations to which they may have been subjected constitute a warning: preserving and analyzing of the records should be done by experts. To regulate access to the records, victim-related rationales should prevail: as long as the victims (and third parties) are alive, their protection should be the governing criterion. Considerations of national security and of privacy for all persons who created or are the subject of these records should, however, be duly balanced against the public interest in disclosing the information. *Archivos del terror* are crucial for historical research, because, amidst the snakes and scorpions, truthful answers may be found to tantalizing questions about life and death.

⁵⁵ I identified rationales 1, 4, 6–10, 13, 17–18, 22–23, and 27 as intrinsic, 2–3, 5, 11–12, 15–16, 19–21, 24, and 26 as instrumental, and 14 and 25 as both intrinsic and instrumental.