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THE COMMUNIST LEGACY AND PUBLIC DISCOURSE IN CROATIA: THE EXAMPLES OF THE ARCHIVAL COLLECTIONS IN THE COURAGE REGISTRY

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This paper aims to explore the role of the archives in dealing with the communist past, that is, in regard to the public debates about the contested archival materials and the problems which researchers have been facing in Croatia over the last two decades. It will inquire into the past practice of Croatian historians in carrying out research on the communist period. The article examines the state of the archives in Croatia, especially with regard to the most critical archival fonds – the Central Committee of the League of Communists of Croatia (CK SKH) and the files of the State Security Service (SDS) of the Republic Secretariat of Internal Affairs, which are kept in the Croatian State Archives in Zagreb. Since the independence of Croatia, those archival materials have been the subject of many debates in Croatian public and political life. Finally, this article will showcase the practical consequences of the newly adopted legal changes, especially in the case of the Horizon 2020 project “COURAGE – Cultural Opposition: Understanding the Cultural Heritage of Dissent” (2016-9).

Keywords: *communist legacy; Croatia; dealing with the past; Council for dealing with the past; State Security Service; Central Committee of the League of Communists of Croatia; archives; COURAGE project*

1. Introduction: dealing (living) with a divisive past

Croatian society is still struggling to come to terms with the consequences of the legacy of undemocratic regimes and systems of the twentieth century.¹ In the Croatian public sphere, there are different interpretations of the past, which are not always rooted in scholarly research and debate. It may be said that Croatian society is deeply burdened by the past, with a “verbal civil war” (Ivo Banac) still being waged.² Newspapers and daily news programmes have been full of debates steeped in deeply polarised interpretations of the past, primarily the Second World War,³ but also of the subsequent communist period.⁴ A basic consensus on the interpretation of these historical events and phenomena is even absent in academia,⁵ but the lack of a genuine academic dialogue in the debates about these problems is genuinely troubling.

The evidence that this situation has become untenable is the fact that the Croatian Government, under Prime Minister Andrej Plenković, decided to establish the Council for Dealing with the Consequences of the Rule of Non-Democratic Regimes from World War II⁶ to Croatian Independence in March 2017, and thus finally begin the long-awaited process of officially dealing with the past. Eighteen persons with different worldviews and academic and institutional backgrounds, mostly legal experts, political scientists and historians, who had already dealt with these issues in their professional careers, were appointed to the Council, which was chaired by the President of the Croatian Academy of Sciences and Arts, Zvonko Kusić. The Prime Minister emphasised in the rationale for the Council’s establishment that “an understanding of the tragedy of the systematic violations of human rights during the reign of undemocratic regimes in

¹ The short version of this paper was presented at the international conference *Communist Legacy and Public Discourse on the Communist Past in Southeastern Europe*, which was held in October 2017 in Tirana.

² Ivo Banac, “Živimo u verbalnom građanskom ratu,” interviewed by Andrija Tunjić, *Vijenac* 22, no. 519 (January 23, 2014), accessed January 3, 2019, <http://www.matica.hr/vijenac/519/zivimo-u-verbalnom-graanskom-ratu-22765/>.

³ E.g. see the party proclamation of the Zagreb Mayor Milan Bandić during the 2016 parliamentary election campaign that the Second World War is over. M. Šu., “Bandićeva ‘ekskluziva’: Drugi svjetski rat je završio,” *Tportal.hr* (August 8, 2016), accessed January 3, 2019, <https://www.tportal.hr/vijesti/clanak/bandiceva-ekskluziva-drugi-svjetski-rat-je-završio-20160808>.

⁴ Danas.hr, “Burno u Otvorenom: oko Tita i promjene imena trga žestoko se posvadali povjesničar Klasić i Jonjić,” *Net.hr* (June 28, 2017), accessed January 3, 2019, <https://net.hr/danas/hrvatska/burno-u-otvorenom-oko-tita-i-promjene-imena-trga-zestoko-se-posvadali-povjesnicar-klasic-i-jonjic/>.

⁵ Dražen Ćurić, “Ne možemo povijest prepustiti samo povjesničarima kad su i oni podijeljeni na ‘ustaše’ i ‘partizane,’” *Večernji list* (February 23, 2016), accessed January 3, 2019, <https://www.vecernji.hr/premium/ne-mozemo-povijest-prepustiti-samo-povjesnicarima-kad-su-i-oni-podijeljeni-na-ustase-i-partizane-1062412>.

⁶ The Council was popularly called Council for dealing with the past.

the twentieth century must be conveyed to new generations.”⁷ Therefore, the main task of this Council was to provide the Croatian Government with recommendations on the preservation of the culture of memory, scholarly research, documentation, the policy for naming streets and squares, access to archival materials, and the education of children and young people about the violations of human rights and fundamental freedoms under undemocratic regimes. The point of departure in this Council’s work was supposed to be a clear break from every form of totalitarianism, both fascist and communist.

However, due to the rumours that not only the symbols, but also the nature of public discussion of these past systems will be regulated, a group called “Croatian intellectuals for the freedom of thought,” consisting mostly of historians, art historians and literary historians headed by Prof. Ivo Banac, issued a public appeal on October 11, 2017 asking the Croatian public and all responsible authorities to refrain from the political, legal and judicial restriction of academic research and any attempt to enforce a desirable and ideologically orthodox truth.⁸ The appeal opens with this statement: “For quite some time now, the Croatian public has witnessed the attempts of political leaders and parties to turn themselves into supreme interpreters of national and world history, especially that of the twentieth century, and then most especially of the Second World War. These attempts are manifest not only as endeavors to manipulate the public, but notably in aspirations to prescribe the historical truth by way of resolutions and declarations made by political institutions and their para-political offshoots, and sometimes in attempts to limit scholarly research and interpretations by decisions of judicial bodies that are relevant for individual, concrete cases.”⁹

In February 2018, the Council for Dealing with the Consequences of the Rule of Non-Democratic Regimes, which was set up earlier in 2017 after the dispute erupted, adopted two documents with recommendations to the Government for a comprehensive legal solution. The recommendations were called the *Dialogue Document*.¹⁰ They included suggestions on how to deal with the arduous past of the twentieth century, primarily the symbols of totalitarian regimes.

⁷ “Predsjednik Vlade: Brinemo o budućnosti, a ne o prošlosti,” *Vlada Republike Hrvatske* (March 2, 2017), accessed January 23, 2019, <https://vlada.gov.hr/vijesti/predsjednik-vlade-brinemo-o-buducnosti-a-ne-o-proslosti-nadilazenjem-podjela-posvetit-cemo-se-bitnome/20249>.

⁸ Hina, “Hasanbegović, Banac i drugi apeliraju: Suzdržite se od propisivanja ideološki pravovjerne istine,” *Večernji list* (October 11, 2017), accessed January 23, 2019, <https://www.vecernji.hr/vijesti/hasanbegovic-banac-i-drugi-apeliraju-suzdrzite-se-od-propisivanja-ideoloski-pravovjerne-istine-1200267>.

⁹ “An Appeal of Croatian Intellectuals for the Freedom of Thought,” *Slobodamisljenja.com* (October 10, 2017), accessed January 23, 2019, <http://slobodamisljenja.com/appeal/>.

¹⁰ Vijeće za suočavanje s posljedicama vladavine nedemokratskih režima, “Dokument dijaloga: Temeljna polazišta i preporuke o posebnom normativnom uređenju simbola, znakovlja i drugih obilježja totalitarnih režima i pokreta,” *Vlada Republike Hrvatske* (February 28, 2018), accessed January 23, 2019, <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=2ahUKewjQ15TK-pXgAhU8BWWMBHanZD6gQFjAAegQIABAC&url=https%3A%2F%2Fvlada.gov.hr%2FU>

The slogan “For the home (land) – ready!” (*Za dom – spremni*), which was used during World War II by the Ustasha movement, was proclaimed unconstitutional, while communist symbols (e.g. the red star) were declared ambiguous, with the negative connotation of the human rights violations and mass crimes of the communists, but also a positive connotation in the antifascist struggle.

The value of the *Dialogue Document* lies in the fact that it normatively clarifies the concepts such as the “totalitarian” and/or “undemocratic regimes”, which presupposes that all totalitarian regimes were undemocratic, but all undemocratic regimes were not necessarily totalitarian. However, the practical purpose, meaning the next step by the Government, in the legislative sense, is still being awaited. Among many measures recommended in order to overcome the consequences of undemocratic regimes, the encouragement of historiographic research for a better understanding of the past together, with the opening, critical analysis, and publishing of all archival materials related to undemocratic regimes (especially the Kingdom of Yugoslavia, The Independent State of Croatia and the Socialist Federative Republic of Yugoslavia) particularly stand out.¹¹

This paper aims to explore the role of the archives in dealing with the communist past, that is, with regard to the public debates about the contested archival materials and the problems which researchers have been facing in Croatia over the last two decades. It will inquire into the past practice of Croatian historians in carrying out research on the communist period. Finally, it will showcase the practical consequences of the newly adopted legal changes on the case of the Horizon 2020 project “COURAGE – Cultural Opposition: Understanding the Cultural Heritage of Dissent” (2016-9). In the Horizon 2020 call “Reflective-4-2015: Cultural opposition in the former socialist countries” (2014-5) one of the focal points of investigation were “the archives of the secret police and other oppressive bodies of the socialist state”, which had to be explored “in order to understand the position of the communist regime vis-à-vis the outputs of the researched cultural opposition movements”.¹² The funded COURAGE project thus gave special attention to the legacy of the state and party apparatus,¹³ among which the case studies from the Croatian secret police files appeared for the first time.

erDocsImages%2FVijesti%2F2018%2F02%2520velja%25C4%258Da%2F28%2520velja%25C4%258De%2FDokument%2520dijaloga.pdf&usg=AOvVaw0L1w51vvMvQfXHKySubUqY.

¹¹ Vijeće za suočavanje s posljedicama vladavine nedemokratskih režima, “Dokument dijalog,” p. 15.

¹² European Commission, “Cultural opposition in the former socialist countries,” *European Commission* (March 25, 2015), accessed January 3, 2019, <https://cordis.europa.eu/programme/rcn/664968/en>.

¹³ Péter Apor et al., “Surveillance and Memory: Repositories of Cultural Opposition,” in *The Handbook of COURAGE: Cultural Opposition and its Heritage in Eastern Europe*, eds. Balázs Apor, Péter Apor and Sándor Horváth (Budapest: Hungarian Academy of Sciences, 2018), pp. 351-367.

2. The state of the archives in Croatia

As previously stated, one of the tasks of the above-mentioned Council was the recommendation of enabling access to the archival materials, which was an important issue in the process of dealing with the communist past. However, before the completely new Archives and Archival Institutions Act had been announced by the Ministry of Culture in June 2018, this issue was mainly resolved when The Law amending and supplementing the Archives and Archival Institutions Act was urgently passed at the beginning of May 2017 in the Croatian Parliament. This was done at the proposal of the relatively new political party Bridge of Independent Lists (Most nezavisnih lista, known as Most).¹⁴ This law lifted many limitations and regulations, which, in the previous period, rendered the complete insight in the archival materials impossible. Therefore, the COURAGE project came at the right moment, since it could present to the interested public collections of the state and party apparatus which had previously not been fully available to the public.

Open access to archives is a civilisational achievement of democratic societies. Unfortunately, the practice implemented in Croatia from its independence until 2017 – in the period of 27 years – did not entirely adhere to these principles. What acts as evidence to this is the fact that until recently, the amount of classified archival documentation from the socialist period in Croatia was much greater than in other EU countries.¹⁵ That was especially related to the records created by the former communist secret police. In most post-communist countries, which today are EU members, the communist secret-police records were accessible for research much earlier than they were in Croatia. Moreover, most of those countries established state-supported institutions for dealing with those records such as the Federal Commissioner for Records of the State Security Service of the former German Democratic Republic (*Bundesbeauftragte für die Unterlagen des Staatssicherheitsdienstes der ehemaligen Deutschen Demokratischen Republik*, BStU) in Germany (commonly known as the Stasi Records Archive). The German way of dealing with the past was based on the Law on the Stasi Records that was adopted in 1991 and the Stasi Records Archive has been open

¹⁴ Tea Romić, “Božo Petrov: Objavit ćemo sve komunističke dosjee,” *Večernji list* (February 4, 2017), accessed January 3, 2019, <https://www.vecernji.hr/vijesti/otvaramo-svu-drzavnu-i-partijsku-arhivu-dokraj-90-1147165>.

¹⁵ Hina, “Grmoja: Izmjenama Zakona o arhivu pridonijeti prevladavanju podjela u društvu,” *Jutarnji list* (April 5, 2017), accessed January 23, 2019, <https://www.jutarnji.hr/vijesti/hrvatska/grmoja-izmjena-zakona-o-arhivu-pridonijeti-prevladavanju-podjela-u-drustvu/5867154/>; Služba za medije, “Održan okrugli stol Kluba zastupnika Mosta nezavisnih lista o Prijedlogu zakona o izmjenama i dopunama Zakona o arhivskom građivu i arhivima,” *Hrvatski sabor* (April 5, 2017), accessed January 23, 2019 <http://www.sabor.hr/hr/press/priopcenja/odrzan-okrugli-stol-kluba-zastupnika-mosta-nezavisnih-lista-o-prijedlogu-zakona-o>.

to the public since 1992.¹⁶ Most former communist countries in Europe later followed that principle and started to found similar institutions “in order to safeguard the documents of the state security services, or in some cases, to also publicise the crimes of the past or pursue lustration”.¹⁷ In Hungary, the Historical Office (today the Historical Archives of the Hungarian State Security, *Állambiztonsági Szolgálatok Történeti Levéltára*, ÁBTL) was established in 1996 and it was open to the public by 1997. In Poland, the Institute of National Remembrance (*Instytut Pamięci Narodowej*, IPN) was established in 1998. The National Council for the Study of the Securitate Archives (*Consiliul Național pentru Studierea Arhivelor Securității*, CNSAS) in Romania was founded in 1999. The Nation’s Memory Institute in Slovakia (*Ústav pamäti národa*, UPN) opened in 2003, and the Institute for the Study of Totalitarian Regimes (*Ústav pro studium totalitních režimů*, ÚSTR) in the Czech Republic has been in operation since 2007. These last two institutions fulfil not only the role of the preservation of documents which belonged to the secret services, but they also have a kind of investigative role. In Bulgaria, the “Commission for the disclosure of documents and announcing affiliation of Bulgarian citizens with the State Security and the intelligence services of the Bulgarian National Army” was established in 2007.¹⁸

Since Croatia gained its independence at the beginning of the 1990s, it amended its legal framework regarding access to archival materials several times. Until the new Archives and Archival Institutions Act¹⁹ was adopted in June 2018, the previous one adopted in 1997 and amended in 2017 was still in force. It was later supplemented with the Regulation on the Use of Archival Materials (1999), the Personal Data Protection Act (2012), the Freedom of Information Act (2013, 2015), the Data Secrecy Act (2007, 2012) and the Information Security Act (2007). This framework placed many obstacles in front of researchers of the history of socialism in Croatia because some of these regulations collided and thus hampered their access to what were mostly post-WWII archival records.

Historians were constantly seeking open access to the archives because their profession necessitates the use of sources in order to support their interpretations with objective evidence. However, over the last ten years, there have been many complaints and objections from historians regarding the availability of archival materials created during the period of communist rule. The collision of the aforementioned legislation put archivists between “two fires”, that is, between users (mostly historians) and regulations, which limited access even to not par-

¹⁶ Uwe Sonnenberg, “Stasi Records,” *COURAGE Connecting Collections*, accessed April 23, 2020, doi: 10.24389/60269.

¹⁷ Apor et al., “Surveillance and Memory,” p. 352.

¹⁸ Apor et al., “Surveillance and Memory,” pp. 352-356.

¹⁹ Zakon o arhivskom gradivu i arhivima, NN 61/2018. This Act was amended in October 2019. Zakon o izmjeni Zakona o arhivskom gradivu i arhivima, NN 98/2019.

ticularly sensitive materials. A further aggravating circumstance for historians of communism was the fact that special permission for the use of materials of the Central Committee (*Centralni komitet*, CK) of the League of the Communists of Croatia (*Savez komunista Hrvatske*, SKH) had to be obtained from the current Social Democratic Party (*Socijalnodemokratska partija Hrvatske*, SDP), the legal successor of the League of Communists of Croatia.

3. The “Perković case”

A major event which focused public attention on the question of accessing the archives of the former Communist Party was the so-called “Perković case”.²⁰ In 2008, Germany launched the process by issuing a European Arrest Warrant for Josip Perković and Zdravko Mustać, former senior officers of the Croatian State Security Service (*Služba državne sigurnosti*, SDS) who were accused of involvement in the murder of Stjepan Đureković (1926-1983), a Croatian émigré in Wolfratshausen in 1983. The arrest warrant became legally binding for Croatia only after July 1, 2013, that is, after Croatia’s accession to the EU. A scandal broke out when the Croatian Parliament (when the SDP leader Zoran Milanović was prime minister) enacted an amendment to Croatia’s extradition law just a few days before the country’s formal EU accession, preventing the extradition of its citizens for crimes committed prior to 2002 when the new EU extradition rules came into effect. This amendment was even called *Lex Perković* (“the Perković law”) by its critics because they claimed that the law was amended explicitly to protect Perković himself. Under pressure from Brussels, that particular Croatian law was finally withdrawn. The European Justice Commissioner, Viviane Reding, accused the Croatian Government of “protecting the communist killers of Croatian dissidents”.²¹ After much haggling, Perković was extradited in January and Mustać in April 2014. Two years later, in August 2016, the court in Munich, presided over by Judge Manfred Dauster, issued a sentence of life in prison with this explanation: “This case was brought before this court only because there was no prosecution before in Croatia. We do not ask why this was so. We hope that countries that have emerged after the collapse of Yugoslavia will come to terms with this historical period in a reasoned manner. How neglected this field of history is there is demonstrated by the fact that we had to summon a

²⁰ More on the Perković case see: Jozo Ćurić, “Kronologija slučaja Perković-Mustać” *Hrvatska radio-televizija* (August 3, 2016), accessed January 23, 2019, <http://vijesti.hrt.hr/345554/kronologija-slucaja-perkovic-mustac-2>.

²¹ “Josip Perković,” *Večernji list* (December 1, 2016), accessed January 23, 2019, <https://www.vecernji.hr/enciklopedija/josip-perkovic-18260>. Croatia was also threatened with economic sanctions from Brussels.

Danish and a German historian as experts. Future generations will pass judgment on why the process of dealing with this strange history has not yet happened.”²²

It was this trial that highlighted the issues regarding access to the party and state security archival materials created during communist rule because the evidence *pro et contra* the suspects had to be deduced exactly from there.

4. The contested archival materials

Therefore, the most critical archival fonds and the primary objects of dispute, were the collections of the Central Committee of the League of Communists of Croatia (CK SKH) and the files of the State Security Service (SDS) of the Republic Secretariat of Internal Affairs, which are kept in the Croatian State Archives (*Hrvatski državni arhiv*, HDA) in Zagreb. Since the independence of Croatia, those archival materials were the subjects of many debates in Croatian public and political life. Moreover, some scholars claim that these antagonistic debates were connected with the design of national identity, and the production of emotions which established a binary division between Yugoslavs/Communists and Croats.²³

The collection of documents of the State Security Service for Croatia was formed on the basis of their formal transfers from the public authorities and the security and intelligence services of the Republic of Croatia in the period from 1991 to 2015. The last significant acquisition was in 2015 when the Security and Intelligence Agency (*Sigurnosno-obavještajna agencija*, SOA) handed over a large amount of documents from the socialist period to the HDA. The documentation covered various areas of the prior service's activities: internal affairs, émigré issues, foreign intelligence services, the service's operations, analytical reports and assessments, significant information and other materials, including files on dissidents, the opposition and state enemies.²⁴

It should be noted that most of the documentation was originally marked by degrees of confidentiality. In September 2015, the SOA issued a decision on the declassification of the SDS materials in the HDA. As stated in the Agency's 2016 report, “the SOA's intention is to make those valuable archival materials available to the scholarly and general public and to provide greater insight into that period

²² M. D., and Hina, “Pročitajte kako je sudac obrazložio presudu Perkoviću i Mustaću,” *T-portal* (August 3, 2016), accessed January 23, 2019, <https://www.tportal.hr/vijesti/clanak/procitajte-kako-je-sudac-obrazlozio-presudu-perkovicu-i-mustacu-20160803>.

²³ Viktorija Kudra Beroš, “Dosjei UDBE kao problematični objekt (re)konstrukcije hrvatskog nacionalnog identiteta,” *Etnološka tribina* 48, no. 41 (2018): pp. 159-173.

²⁴ Sigurnosno-obavještajna agencija, “Javno izvješće 2016,” *Sigurnosno-obavještajna agencija*, p. 42, accessed January 23, 2019, <https://www.soa.hr/UserFiles/File/pdf/Javno-izvjesce-2016.pdf>.

of Croatian history”.²⁵ The archival fonds (collection) became more accessible to the public and the media reported on this event.²⁶ In a statement dated September 25, 2015, published on the SOA website, it was also stressed that the submission of the SDS archival materials to the HDA “is a departure from linking the SOA with the operations, methods and traditions of the former SDS”.²⁷ The year 2015 was especially dynamic as far as public pressure for the declassification of materials is concerned, which may be related to the publicity given to the Perković case and the willingness of the Social Democratic Party government to clear their name and prove its commitment to democratisation processes.

It should be also noted that the use of SDS intelligence files before the 2015 declassification and the 2017 legislative amendments was complicated and limited, but was not completely prevented. The materials created by the work of the SDS, including the intelligence files of citizens, were used in accordance with a special regulation (“Pravilnik o načinu davanja na uvid dosjea nastalih radom Službe državne sigurnosti, koji se čuvaju u Arhivu Hrvatske, osobama na koje se dosje odnosi”) as of 1993. Historians and other researchers could use the files, but they had to obtain the consent of the persons to whom the files relate or from members of their families, and approval from the SOA, which declassified and made an edited (blackened) copy of the files available. In such cases, the user’s request for insight should have contained appropriate information such as an explanation of the purpose for which the materials will be used, if it is a scientific research project – the name of the project and project manager and the name of the institution within which the project is being conducted, etc.²⁸

The other important archival collection (fonds) is that of the Central Committee of the League of Communists of Croatia (CK SKH). The CK SKH collection is a massive body 1630 l/m of archival materials. It was taken over by

²⁵ Sigurnosno-obavještajna agencija, “Javno izvješće 2016,” p. 42.

²⁶ “Josip Perković”; Martina Borovac, “SOA predala javnosti arhiv Udbe.” *Večernji list* (September 26, 2015). Accessed January 23, 2019. <https://www.vecernji.hr/vijesti/soa-predala-javnosti-arhiv-udbe-1027014>; Dubravka Blaško, “Tajni dokumenti nekadašnje Udbe predani Hrvatskom državnom arhivu,” *Telegram* (September 26, 2015), accessed January 23, 2019, <https://www.telegram.hr/politika-kriminal/tajni-dokumenti-nekadasnje-udbe-predani-hrvatskom-drzavnom-arhivu/>.

²⁷ Sigurnosno-obavještajna agencija, “Vijesti,” *Sigurnosno-obavještajna agencija* (September 25, 2015), accessed January 3, 2019, <https://www.soa.hr/hr/obavijesti/?newsId=114>.

²⁸ Croatian State Archives, Registry, “Pravilnik o načinu davanja na uvid dosjea nastalih radom Službe državne sigurnosti, koji se čuvaju u Arhivu Hrvatske, osobama na koje se dosje odnosi,” Klasa: 012-02/93-01/01, ur. br: 565-10-93-1, May 20, 1993; “Korištenje arhivskog gradiva: Izvod iz Pravilnika o načinu uvida u dosjee Službe državne sigurnosti RSUP-a SR Hrvatske,” *Hrvatski državni arhiv*, accessed July 10, 2020, <http://zagreb.arhiv.hr/hr/koristenje/fs-ovi/dosjei.htm>; Marinko Jurasić, “Državni arhiv uklonio pravilnik koji je tjerao žrtve Udbe da štite tajnost dosjea,” *Večernji list* (April 14, 2017), accessed July 10, 2020, <https://www.vecernji.hr/premium/drzavni-arhiv-uklonio-pravilnik-koji-je-tjerao-zrtve-udbe-da-stite-tajnost-dosjea-1163180>; Goran Penić, “Treba otvoriti arhive jer više nema osnove da budu tajni,” *Jutarnji list* (February 7, 2017), accessed July 10, 2020, <https://www.jutarnji.hr/vijesti/hrvatska/treba-otvoriti-arhive-fer-vice-nema-osnove-da-budu-tajni-5601291>.

the HDA in two ways: by merging the former archives of the Institute for the History of the Labour Movement (*Institut za historiju radničkog pokreta Hrvatske*, IHRPH) and by directly taking it over from the current Social Democratic Party (SDP), the legal successor of the League of Communists of Croatia (both in 1995). In the Handover Protocol, a clause was added stating the access conditions and that the use of some segments of the materials require the permission of the SDP. The disputable materials were explicitly listed and, among other things, included the documents on the members of the SKH and other personal files. Furthermore, there was a restriction on classified materials (labelled “confidential”). Due to a negative public image and the announced amendments to the Archives and Archival Institutions Act, the SDP relinquished this right in March 2017.

Regarding the usage of the CK SKH archival collection (fonds) in the period from 1995 to 2016, the record keeping shows that a total of 996 users used those documents in the reading room of the HDA without limitation. The HDA received a total of 214 written requests pertaining to their collection, out of which 28 requests were forwarded to the aforementioned SDP and their written consent was requested. The SDP refused to give consent in 16 cases,²⁹ seven requests were approved, three were partially approved, and two requests did not receive any response. Negative responses from the SDP were related to the requests for using classified documents and documents containing personal data, on the grounds that the conditions for their use were not met under the applicable legal provisions.³⁰

5. The “cleansing” of the archives

In Croatia, rumours have been circulating for years that a major part of the party and secret service documents was “purged” before they were delivered to the HDA.³¹ These archival materials received a lot of public attention in gen-

²⁹ A prominent historian Davor Marijan spoke in public that his requests were rejected from SDP several times. Žarko Ivković, “Davor Marijan: Već deset godina ne daju mi pristup arhivskoj građi SKH,” *Večernji list* (February 8, 2017), accessed January 23, 2019, <https://www.vecernji.hr/vijesti/vec-deset-godina-ne-daju-mi-pristup-arhivskoj-gradi-skh-1148034>.

³⁰ Croatian State Archives, Registry, “Podatci o korištenju građiva arhivskog fonda HR-HDA-1220. Centralni komitet Saveza komunista Hrvatske,” Klasa: 612-06/17-10/219, Ur. br: 565-08/9-17-3, October 16, 2017 (answer of the User Service of the Croatian State Archives on the author’s question).

³¹ Ivica Miškulin, “Tajne tajne policije,” *Vijenac*, no. 624 (February 1, 2018), accessed January 23, 2019, <http://www.matica.hr/vijenac/624/tajne-tajne-policije-27485/>; Damir Šarac, “Arhivi su prazni, sve što vrijedi je uništeno,” *Slobodna Dalmacija* (February 28, 2016), accessed January 23, 2019, <https://slobodnadalmacija.hr/novosti/hrvatska/clanak/id/303766/arhivi-su-prazni-sve-sto-vrijedi-je-uništeno>; Katarina Marić Banje, “Mračne tajne partije: Dio dokumenata iz Državnog arhiva je falsificiran, nitko ne zna gdje su Udmini mikrofilmovi, a SDP nikad nije predao ključne dokumente sa sjednica SKH,” *Slobodna Dalmacija* (February 6, 2017), accessed January 23, 2019, <https://www.slobodnadalmacija.hr/novosti/hrvatska/clanak/id/467271/mracne-tajne-partije-dio-dokumenata-iz-drzavnog-arhiva-je>

eral. While the historians strove to emphasise their importance for the understanding of the recent history of Croatian society, they were also often used in daily political debates, producing a so-called “dossier war”.³² The Croatian media often spoke about the “cleansing” of the archives.

The rumour peaked after Siniša Pavlović, the lawyer of the family of the murdered émigré Stjepan Đureković, stated in November 2014 that the archives of the former “party committee” were obviously cleansed and censored because they do not contain essential documents of interest needed for the trial of the former SDS leaders Josip Perković and Zdravko Mustać, despite indications that such documents should exist. He said that 65 minutes of Central Committee sessions from the 1980s were missing. It is possible to conclude, said Pavlović, that primary censorship was carried out at the time of the creation of those documents, while secondary censorship was subsequently carried out in a way that the documents relating to certain sessions were simply removed from the files submitted to the HDA.³³ When the authors of this article inquired about the facts related to these allegations for the purpose of this paper, the HDA user services replied that it was evident that the meeting minutes were not complete, but that the exact number and amount of inadequate documentation is unknown because of the ongoing processing and consolidation of the session materials.³⁴

The media coverage on the “cleansing” of the SDS archives was intensified particularly after the Amendments to the Archives and Archival Institutions Act were adopted in May 2017. There were even rumours that after 1990, the

falsificiran-nitko-ne-zna-gdje-su-udbini-mikrofilmovi-a-sdp-nikad-nije-predao-kljucne-dokumente-sa-sjednica-skh; Danas.hr, “Tko se stvarno boji otvaranja arhiva? SDP se naslađuje, a struka ističe da se ništa bitno neće promijeniti,” *Net.hr* (February 5, 2017), accessed January 23, 2019, <https://net.hr/danas/hrvatska/tko-se-stvarno-boji-otvaranja-arhiva-sdp-se-nasladuje-a-struka-istic-da-se-nista-bitno-nee-promijeniti/>; Darko Hudelist, “Kako je politički očišćen državni arhiv: Hrvatski državni arhiv prepun je ‘rupa’ koje ni novi zakon ne može zakrpati,” *Globus* (July 23, 2017), accessed January 23, 2019, <https://www.jutarnji.hr/globus/Globus-politika/kako-je-politicki-ociscen-drzavni-arhiv-hrvatski-drzavni-arhiv-prepun-je-rupa-koje-ni-novi-zakon-ne-moze-zakrpati/6394589/>.

³² Ivana Mikuličin, “Rat oko dosjea: ‘Bez obzira na Mostov zakon o arhivima Udbe, u saborsku proceduru ide naš prijedlog zakona,’” *Jutarnji list* (May 25, 2017), accessed January 23, 2019, <http://www.jutarnji.hr/vijesti/hrvatska/rat-oko-dosjea-bez-obzira-na-mostov-zakon-o-arhivima-udbe-u-saborsku-proceduru-ide-nas-prijedlog-zakona/6123423/>; Marinko Jurasić, “Tko manipulira arhivom Udbe? Pitajte one kadrove koji su upravljali bivšim, a prikrili se u ovom sustavu,” *Večernji list* (March 23, 2017), accessed January 23, 2019, <https://www.vecernji.hr/vijesti/drazen-kusen-tko-manipulira-arhivom-udbe-pitajte-one-kadrove-koji-su-upravljali-bivsim-a-prikrili-se-u-ovom-sustavu-1158201/>; “Tajne državnog arhiva: Dostupno 60.000 dosjea Udbe – nedostaje popis suradnika,” *Zagrebački list* (June 11, 2017), accessed January 23, 2019, <https://www.zagrebacki.hr/2017/06/11/tajne-drzavnog-arhiva-dostupno-60-000-dosjea-udbe-nedostaje-popis-suradnika/>.

³³ SEEBiz/H, “Odvjetnik obitelji Đureković: Arhiv CK SKH je cenzuriran,” *SEEBiz* (November 5, 2014), accessed January 23, 2019, <http://www.seebiz.eu/odvjetnik-obitelji-durekovic-arhiv-ck-skh-je-cenzuriran/ar-98637/>.

³⁴ Croatian State Archives, Registry, “Podatci o korištenju gradiva arhivskog fonda HR-HDA-1220. Centralni komitet Saveza komunista Hrvatske.”

SDS manipulated some files,³⁵ it was even claimed that it kept more than 2,000 intelligence files of „individuals who were close to the Service, the files of the highest-ranking state officials, individuals from public and cultural life, etc.”³⁶

The SDS archival collection at the HDA is thus most probably incomplete because there are some intelligence files which were not handed over to the HDA or were destroyed prior to the time when the documents were handed over to the HDA. The HDA did not receive the original lists of persons who were under surveillance and on whom files were opened by the SDS, but instead only a compiled list of intelligence files which were actually handed over to the HDA.³⁷ Today, the SDS archival collection, which includes intelligence files on 68,800 citizens, is open to the public and described in the COURAGE registry.

In short, it can be said that the intelligence files on citizens were “abridged,” this is especially true in regard to the files of prominent people. That is why some historians think lustration in Croatia is impossible, although there are many others who think that this process is still feasible.³⁸ These debates are still ongoing.

6. The COURAGE project and the contested archival material

“Since the collapse of the party-states in Eastern Europe, secret service archives have swelled to crucial, almost mythical positions as the alleged ‘repositories of the truth,’ which will finally be able to reveal the true story of the socialist dictatorships,” a group of authors argue in the *COURAGE Handbook*.³⁹ A similar statement holds true for the material of the party and secret service archives in Croatia. But, what we need to keep in mind is that this archival material mostly provides “a one-sided, limited perspective on their subjects, selecting a few, forgetting others – and thus they are far from being the balanced holders

³⁵ Ivanka Toma, “Slučaj Vladimira Šeksa: razgovarali smo s bivšim šefom službe nastale transformacijom UDBe,” *Jutarnji list* (November 27, 2017), accessed January 23, 2019, <https://www.jutarnji.hr/vijesti/hrvatska/slucaj-vladimira-seksa-razgovarali-smo-s-bivsim-sefom-sluzbe-nastale-transformacijom-udbe-jutarnji-je-objavio-original-i-szup-ga-je-posjedovao/6785001/>; Nenad Bukvić, “68 000 Intelligence Files of the State Security Service for Croatia,” *Courage*, accessed January 23, 2019, <http://cultural-opposition.eu/registry/?uri=http://courage.btk.mta.hu/courage/individual/n41145>.

³⁶ Hudelist, “Kako je politički očišćen državni arhiv”; Bukvić, “68 000 Intelligence Files”.

³⁷ Bukvić, “68 000 Intelligence Files”.

³⁸ N1 Hrvatska, “Od ove vlasti nisam čuo što bi lustracija trebala biti?” N1 Hrvatska (February 19, 2016), accessed January 23, 2019, <http://hr.n1info.com/Vijesti/a105093/Od-ove-vlasti-nisam-čuo-sto-bi-lustracija-trebala-biti.html>; Dražen Ciglenečki, “Ivo lučić: Lustracija je nužna jer su stare komunističke strukture ovladale institucijama,” *Novi list* (14 March 14, 2017), accessed January 23, 2019, <http://www.novolist.hr/Vijesti/Hrvatska/Ivo-Lucic-Lustracija-je-nuzna-jer-su-stare-komunisticke-strukture-ovladale-institucijama>; Kresimir, “Odjeci tribine ‘Lustracija u Hrvatskoj – nužnost ili ne?’,” *Kamenjar* (June 6, 2015), accessed January 23, 2019, <http://www.historiografija.hr/news.php?id=1956>.

³⁹ Apor et al., “Surveillance and Memory,” p. 351.

of knowledge on socialist societies”.⁴⁰ Focusing exclusively on secret service archives does not provide a complete picture of an individual’s actions. In order to understand the individual motives and actions, it is necessary to consult other sources, public and private archives, and collections and publications, in order to achieve an insight that is as wide and deep as possible.⁴¹ The public presentation of the secret service material necessarily requires a scholarly approach guided by the ethical principles where the ultimate purpose should be the understanding of historical actions and processes, and not the discrediting of the individuals. The archival collections include a lot of previously unknown data that can be used as a means of political and personal assault, as well as material for media sensations, as the recent experience in Croatian public life shows.⁴²

Today, when these archival collections are finally completely open to the public, the COURAGE project has stressed these facts and tried to implement a science-based approach and ethical principles through the descriptions of case studies from these collections in the COURAGE Registry, and through the exhibition entitled “The Archaeology of Resistance: Discovering Collections of Cultural Opposition in Socialist Croatia”.⁴³ In the Registry, four *ad-hoc* collections on cultural opposition and dissent have been created that are in fact the subdivisions (series) of a single archival collection (fonds) of the State Security Service: 1) 68 000 Intelligence Files of the State Security Service for Croatia, 2) The Operation Tuškanac collection, 3) The Collection on Religious Communities, 4) The Collection on Djilas Supporters in Croatia. These descriptions try to contextualise the material and to show its social role in the past, but also nowadays.

The series named *68,000 Intelligence Files of the State Security Service for Croatia* includes intelligence files on 68,800 citizens.⁴⁴ The Secret Service monitored all the persons whose activities were assessed as a threat to the state’s political and security system. A significant number of files pertain to members of religious communities, political émigrés, participants in the Croatian Spring, as well as other political and intellectual dissidents.⁴⁵ The Operation Tuškanac collection covers the topic of the student movement and includes various materials: operational reports, transcripts of conversations, anonymous letters and pamphlets, as well as other written materials collected by the Croatian State Security Service during Operation Tuškanac. The operation was conducted against students and

⁴⁰ Apor et al., “Surveillance and Memory,” p. 351.

⁴¹ Miškulin, “Tajne tajne policije”.

⁴² Miškulin, “Tajne tajne policije”.

⁴³ Nenad Bukvić and Teodora Shek Brnardić, *Arheologija otpora: Otkrivanje zbirke kulturne opozicije u socijalističkoj Hrvatskoj: Katalog izložbe* (Zagreb: Hrvatski državni arhiv, 2018).

⁴⁴ The number in the title of the collection in the Registry was simplified to 68,000, although it contains files on 68,800 citizens.

⁴⁵ Bukvić, “68 000 Intelligence Files”.

professors at the University in Zagreb in the early 1970s, “based on charges of nationalist and hostile activities against the communist regime in Croatia”. The operation was a part of the activities conducted by the Croatian State Security Service against members of the Croatian Spring, a national movement which included student reform demands among its essential elements.⁴⁶

The Collection on Djilas Supporters in Croatia includes files on the case of the most prominent Yugoslav dissident, Milovan Djilas, and his reception in Croatia. The collection includes different analyses and reports on operational measures conducted by the Croatian State Security Service against the Djilas supporters (Djilasovci) in Croatia until the beginning of 1960s.⁴⁷ The Collection on Religious Communities contains documents collected or produced by the State Security Service on the activities of certain religious communities and their members. Most of the documents pertain to the Catholic Church and their organisations.⁴⁸

The archival collection of the Central Committee of the League of Communists of Croatia is described through two collections as case studies. The Ideological Commission of the League of Communists of Croatia (*Ideološka komisija Saveza komunista Hrvatske*, IK SKH) (1956-1965) had the task of monitoring, analysing and directing overall activity in cultural creativity, the media, education and science in Croatia. This commission was the deciding factor in cultural policy in Croatia and reacted to ideological currents that were not approved by the Party.⁴⁹ The Commission for the examination of nationalist phenomena in the Emigrant Foundation of Croatia (*Matica iseljenika Hrvatske*, MIH) is a thematic collection that documents the work of the special body of Executive Council of the Central Committee of the League of Communists of Croatia (*Izvršni komitet Centralnog komiteta Saveza komunista Hrvatske*, IK CK SKH). It was established solely to monitor the activities of the MIH’s president,

⁴⁶ Nenad Bukvić, “Operation Tuškanac in the Croatian State Security Service Collection (1971),” *Courage*, accessed January 23, 2019, <http://cultural-opposition.eu/registry/?lang=en&uri=http://courage.btk.mta.hu/courage/individual/n43250&type=collections>.

⁴⁷ Nenad Bukvić, “Collection on Djilas Supporters in Croatia,” *Courage*, accessed January 23, 2019, <http://cultural-opposition.eu/registry/?uri=http://courage.btk.mta.hu/courage/individual/n37494&type=collections>.

⁴⁸ Nenad Bukvić, “Croatian State Security Service Collection on Religious Communities,” *Courage*, accessed January 23, 2019, <http://cultural-opposition.eu/registry/?lang=en&uri=http://courage.btk.mta.hu/courage/individual/n509&type=collections>. Besides these four *ad hoc* collections described as case studies in the Courage Registry, the SDS archival fonds also contains other units relevant to the topic of cultural opposition.

⁴⁹ Tatjana Šarić, “Ideological Commission of the League of Communists of Croatia (1956-1965),” *Courage*, accessed January 23, 2019, <http://cultural-opposition.eu/registry/?lang=en&uri=http://courage.btk.mta.hu/courage/individual/n29916&type=collections>.

Većeslav Holjevac (1917-1970), and his associates, who were considered to be opposition figures and nationalists.⁵⁰

7. Conclusion

Unfortunately, practice during the first two decades of Croatia's independence shows that there were severe obstacles in Croatia if one wanted to carry out research in the history of the socialist period (1945-1990). This was primarily caused by the unavailability of the relevant archival materials. These obstacles were a consequence of the serious lack of political will of the most prominent political parties to approach this matter seriously. However, the Munich trial (2014-2016) instigated a new political and social development in Croatia. Soon, a relatively new political party (MOST) took the initiative in Croatian political life to open the archives, setting in motion the amendments to the Archives and Archival Institutions Act. At their initiative in May 2017, the Croatian Parliament enacted the Amendments to the Archives Act. The Amendments formalised the tendency to make the materials produced during the communism period accessible whenever possible and put an end to many former restrictions. In July 2018, the new Archives and Archival Institutions Act based on these amendments was adopted.⁵¹

According to the data from the Croatian State Archives, the use of previously described archival collections significantly increased after the legislative changes in the last couple of years, especially after the changes in May 2017.

⁵⁰ Tatjana Šarić, "Commission for the examination of nationalist phenomena in the Emigrant Foundation of Croatia (1964-1967)," *Courage*, accessed January 23, 2019, <http://cultural-opposition.eu/registry/?uri=http://courage.btk.mta.hu/courage/individual/n23156>.

⁵¹ Zakon o arhivskom gradivu i arhivima, NN 61/2018. This Act was not considerably changed in 2019. Zakon o izmjeni Zakona o arhivskom gradivu i arhivima, NN 98/2019.

Table 1: Number of uses of the archival fonds at the Croatian State Archives (1991-2019)⁵²

Year	Archival fonds of the State Security Service	Archival fonds of the Central Committee of the League of Communists of Croatia
1991	33	–
1992	4	–
1993	142	–
1994	91	–
1995	95	–
1996	170	1
1997	70	4
1998	89	15
1999	73	59
2000	100	17
2001	108	135
2002	123	79
2003	175	39
2004 (1 January – 20 October) ⁵³	115	26 ⁵⁴
2005	Data not found	Data not found
2006	Data not found	Data not found
2007	311	86
2008	199	87
2009	207	165
2010	145	157
2011	131	95

⁵² Table 1 shows the number of uses of these archival fonds but the data is not complete. Records on usage for both fonds in periods before 2012 were not kept in digitised form, but after we requested the User Service of the Croatian State Archives, archivist Boris Suljagić voluntarily searched and checked the existing paper records for each year separately (1991-2011) on which we are more than grateful, because it was not an easy task. A letter from Boris Suljagić to the Arhivski vjesnik Editor-in-Chief Rajka Bućin, August 18, 2020; E-mail answers of the User Service of the Croatian State Archives on the questions asked by the authors on January 16, 2019, March 16, and April 30, 2020.

⁵³ Data on the number of uses in 2004 are not complete because the available CSA's Reading Room Register on usage (*Dnevnik čitaonice*) covers only the period January 1 – October 20 (CSA, User Service).

⁵⁴ In the period January 1 – October 20, 2004 the number of uses was 26, but according to the Register of the copying of the archival records (*Knjiga fotokopiranog gradiva*) the archival fonds was used at least 8 more times in the period October 21 – December 31 (CSA, User Service).

Year	Archival fonds of the State Security Service	Archival fonds of the Central Committee of the League of Communists of Croatia
2012	34	55
2013	65	49
2014	38	64
2015	67	72
2016	122	223
2017	814	174
2018	674	437
2019	501	431

However, we must wait for a couple of more years before we see the fruits of this increased usage. The full impact of these legislative changes regarding the archival records still needs to be seen in research practice, that is, in new books and articles written by historians. Some important new books and articles based on the research of those archival collections have already been published. If we look at the production of the Croatian Institute of History (*Hrvatski institut za povijest*, HIP), the largest public institute in the field of historical science, we can see that in 2019 alone, four significant books based on the aforementioned records were published: Nikica Barić, *Split 1980-ih: Društveni sukobi u sutonu samoupravnoga socijalizma*; Davor Marijan and Nikica Barić, *The Fall of Yugoslavia and the Creation of the Croatian State*; Margareta Matijević, *“Između partizana i pristojnosti”: Život i doba Svetozara Rittiga (1873.-1961.)*; Zdenko Radelić, *Obavještajni centri, Ozna i Udba u Hrvatskoj (1942.-1954.)*. However, only in the coming years will it be seen how many Croatian and other historians will take advantage of the increased availability of the archival materials and how many of them will find documents that will form the basis of some new and different interpretations of a troubled past. Time will show how important archival accessibility is to deal with the socialist past. It is certainly important as a practical step, but even more so as one of the democratic and civilisational principles advocated for a long time by almost all the historians in Croatia.

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Sažetak

KOMUNISTIČKO NASLJEĐE I JAVNI DISKURS U HRVATSKOJ: PRIMJERI ARHIVSKIH ZBIRKA U REGISTRU COURAGE

Rad govori o problemu javnoga tretmana povijesnoga naslijeđa iz vremena vladavine komunizma te nastoji prikazati ulogu arhiva u suočavanju s komunističkom prošalošću u Hrvatskoj. Uz prikaz nesuglasja i polemika u široj javnosti o osjetljivom arhivskom gradivu iz razdoblja socijalizma (1945.-1990.), članak prikazuje probleme s kojima su se istraživači, primarno povjesničari, suočavali prilikom istraživanja u proteklih više od dvadeset godina. Prikazani su uvjeti u kojima je istraživano navedeno razdoblje, dostupnost arhivskoga gradiva, ponajprije u vezi s fondovima koji su najčešća tema javnih debata – fond Centralnoga komiteta Saveza komunista Hrvatske (CK SKH) i fond Službe državne sigurnosti (SDS) Republičkoga sekretarijata unutrašnjih poslova (RSUP) Socijalističke Republike Hrvatske (SRH), koji su pohranjeni u Hrvatskom državnom arhivu u Zagrebu (HDA). Od osamostaljenja Hrvatske to je arhivsko gradivo bilo tema brojnih rasprava u javnosti, pogotovo u onoj političkoj, čak i na najvišoj razini. Povjesničari su naglašavali važnost toga gradiva za spoznavanje recentnije hrvatske povijesti, no ono je istodobno bilo korišteno i u dnevopolitičkim raspravama, koje su dovodile do stanja tzv. rata dosjeima. U hrvatskim medijima često je spominjano “čišćenje” arhiva, što je najviše bilo izraženo u tzv. slučaju Perković. Praksa u prvih dvadesetak godina hrvatske samostalnosti pokazala je da su postojale ozbiljne poteškoće u istraživanju socijalističkog razdoblja hrvatske povijesti, prvenstveno zbog nedostupnosti relevantnoga arhivskoga gradiva. Poteškoće su bile posljedica nedostatka političke volje najvažnijih političkih stranaka za ozbiljnim pristupom toj problematici. No, Münchensko suđenje (2014.-2016.) nekadašnjim visokopozicioniranim djelatnicima Službe državne sigurnosti Josipu Perkoviću i Zdravku Mustaću pokrenulo je nove političke i društvene promjene u pogledu dostupnosti toga gradiva. Uskoro je jedna relativno nova politička stranka Most pokrenula inicijativu za otvaranjem i onih dijelova arhiva koji su dotad bili nedostupni ili čija je dostupnost bila ograničena. Inicijativa je 2017. rezultirala izmjenama Zakona o arhivskom gradivu i arhivima, a u srpnju 2018. donesen je potpuno novi Zakon o arhivskom gradivu i arhivima temeljen na prethodnim promjenama. Prema podacima Hrvatskoga državnoga arhiva, korištenje tih arhivskih fondova znatno je povećano nakon navedenih zakonskih izmjena. Ipak, potpuni utjecaj tih zakonskih promjena vidjet će se tek u budućnosti, odnosno u novim znanstvenim radovima povjesničara i drugih istraživača. Članak je predstavio praktične posljedice primjene tih zakonskih promjena na primjeru rezultata projekta *COURAGE: Kulturna opozicija – razumijevanje kulturne baštine neslaganja u bivšim socijalističkim državama*, koji je u trogodišnjem razdoblju od 2016. do 2019. financirala Europska unija u okviru programa Obzor 2020.

Ključne riječi: *komunističko nasljeđe; Hrvatska; suočavanje s prošlošću; Vijeće za suočavanje s prošlošću; Služba državne sigurnosti; Centralni komitet Saveza komunista Hrvatske; arhivi; projekt COURAGE*