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Stasi archives official Joerg Stoye examines the now-famous shoot-to-kill order. The Stasi Record Authority has become a world leader in making information assembled for the purpose of national security available to the public.

A state and its secrets

While the sensationalized shoot-to-kill order catches headlines, Germany's remarkable effort to uncover the Stasi files holds valuable lessons about security and human rights

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So the secret East German government order to shoot to kill its citizens trying to escape to the freedom of West Germany existed after all.

It has been 18 years since the Communist regimes in eastern Europe were falling like domino stones and 17 since the files of the East German state security apparatus, the Stasi, came under the control of the government of reunified Germany. That vast archive has yielded much information since then, but the shoot-to-kill directive dated Oct. 1, 1973, found in June in a part of the Stasi record held in the city of Magdeburg, has only just now been released. It represents an ultimate proof that the East German state trampled on the basic rights of its citizens quite thoroughly.

The Stasi files have been a source for a steady, already morbid fascination in Germany since Europe changed in 1989. All the eastern European regimes had their state security ministries, but the other regimes brought down that year had successor governments which were in no hurry to do much with the police secrets they now controlled. Only East Germany ceased to exist as a separate country and its police archive acquired somewhat the status of a rare object in a museum suitable for a close, objective examination.

It wasn't long before a prominent East German dissident, Joachim Gauck, a pastor, no doubt tormented for years by the Stasi, was put in charge of managing the process of opening up the files. The group established by the German parliament, popularly known as the GauckBehörde, the Gauck Authority, did its work methodically, painstakingly, scientifically. Their first task was to figure out how the complex, arcane archive could be manipulated. The Stasi had not trusted even themselves and the system of filing was designed so that no one alone could access information.

Another complication was a Stasi love for cover names. Who could The Prophet be? Who was The Lioness? Mr. Gauck oversaw the preparation of highly detailed archival studies and arranged an orderly process to open the files to citizens who believed the Stasi had spied on them.

Those with files learned that the Stasi had done grotesque things to their private lives. Neighbours, friends, relatives, churchmen, colleagues at work, all kinds of trusted people had actually snooped with abandon. Untold numbers of reports were passed by such "unofficial collaborators" to their Stasi control officers. The Oscar winning German film,

The Lives of Others, provides a chilling picture of what daily life was like for many essentially apolitical East Germans.

In 2000, the Stasi Record Authority had a changing of the guard. The new person in charge was Marianne Birthler, also a human rights activist in former East Germany. It continues to publish detailed accounts of its work. The 2007 report to the German Parliament contains some startling numbers. For example, up to the end of 2006, altogether 2,370,424 private citizens had put in requests about files on them. The average

monthly rate of applications that year was 8,000. About two-thirds of them learned they have a file. The state security apparatus seems to have kept track of around 10 per cent of the population.

The authority has become a world leader in making information assembled for the purpose of national security available to the public. Within this context — that is, searching out human rights violations — it has been sharing its experiences with organizations in Poland, Romania, Slovenia, Czech Republic, Hungary, and even Spain. In December 2005, the U.S. government brought a delegation of Iraqis to Berlin for the same purpose.

And yet, the Stasi Records Authority is not without blemishes. An independent investigation earlier this year concluded that it has more than 50 former Stasi workers in its ranks. It seems former Stasi agents are involved in the management of their own archives, seriously calling into question the authority's objectivity. As a result it is now accused of having had political motivations when it announced that it had found the shoot-to-kill order, that it was done to counter the slippage of its legitimacy.

Another question raised is why the find was announced just before the anniversary day of the beginning of the construction of the Berlin Wall, weeks after the document had been actually located. A publicity stunt?

Moreover, it seems the find may not have been so spectacular after all, because the authority has admitted that an almost identical document had been found in the main Stasi files in Berlin as early as 1993. For some reason it just didn't receive much attention back then.

Voices reverberate in Germany about what should happen with the authority. Numerous individuals who once worked for the Stasi believe that the myopic file studying should end, that the authority should be closed down. Other groups, less self-interested, believe that the authority bungled when it proved itself incapable of keeping Stasi agents and informants out of its own ranks. They also say that the authority should be closed down, the records becoming part of Germany's Federal Archives.

Concerning the shoot-to-kill order, Wolfgang Thierse, Vice-President of Germany's parliament and a former East German dissident, remarked that the existence of the Magdeburg document merely confirmed what everyone always knew anyway. The real problem has been one of linking the order to senior people in the East German regime so as to bring them to justice.

A leader in the far left party in Germany, Dietmar Bartsch, claims for his part that the Magdeburg document does not constitute legal proof, because it has no letterhead and wasn't signed. Whereas Egon Krenz, one of the few members of the East German Politburo who has served time in prison for his political role in leading a regime practising a steady disregard for citizens' rights, continues to claim — with interesting logic — that there could not have been an order to shoot to kill, because it would have been contrary to East German law.

Although within Germany the heritage of the Stasi archive continues to be dynamic, and controversial, an outsider can only respect how the government and society is coming to grips with its secrets.

Why do numerous other states want to understand the Germany experience? At work is a desire to understand and copy the underlying German motive, namely the need to illuminate how a state made human rights a secondary, insignificant reality, and how to the extent possible this can be afterwards corrected.

The Stasi archive is dead — rather like a cadaver on a dissection table. Yet it is also a kind of case study for governments managing active files on their people. In Canada, too, we have seen that the state can be fairly cavalier about citizens' rights, but then deny it under the rubric of national security. When such state behaviour comes out, as happens eventually, it incinerates a state's historic legacy.

And if the transgression is found out more quickly, people simply become cynical about their current government, which in the long term is corrosive for any democratic state. Much better, on the continuum between national security and citizens' rights, to draw the line much closer to the latter.