



The Memorial to the victims of Communism (Pomník obetem komunismu) in Prague

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## Czech Republic: From the Politics of History to Memory as Political Language

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Dealing with the communist past was one of the constitutive elements of the new or reborn democracies of East Central Europe after 1989. 'Coming to terms with the communist past' was especially important as a means of securing the legitimacy of new democratic regimes. This article provides an overview of how this process was shaped in the Czech Republic and touches upon the most significant events and actors since 1989.

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## Czech Republic: From the Politics of History to Memory as Political Language

One of the fundamental paradoxes of the negotiated revolutions of 1989 in East Central Europe was an effort to create a democratic community consensus based on the clear rejection of communism, while striving towards political and pragmatic agreement with the communists at round tables in the name of peaceful societal change.

There was a basic discrepancy between the legitimization practices of the emerging regimes, which denounced state socialism as a "totalitarian order", i.e. the embodiment of historical evil, and the pragmatic needs of the political process, which was characterized by the politics of historical compromise and broad cooperation across the entire societal spectrum, including the communists.

### The Liberal Politics of History in the 1990s

This soon became an object of criticism in Czechoslovakia for distinct political streams and victims' organizations, such as the [Klub angažovaných nestraníků](#) (Club of Committed Non-party Members; KAN) or the [Konfederace politických vězňů](#) (Confederation of Political Prisoners). Even more importantly, the hesitant anti-communism of the leadership of the Občanské fórum (Civic Forum; OF) in Prague soon became unacceptable for many of its local district organizations, for whose practical political activities the political and economic struggle with local communist party officials and 'communist mafias' was central. The conflict over how to deal with the former communists and how to shape the politics of history in new democratic conditions divided the two major successor parties of the 1989 Občanské fórum democratization movement, namely the [Občanská demokratická strana](#) (Civic Democratic Party; ODS) and the Občanské hnutí (Civic Movement; OH).

Apart from rehabilitations and restitutions that were supposed to remedy past injustices, lustrations became a major issue in the early democratic politics of history.[2] Unbridled lustrations of members of the respective parliaments and governments (federal, Czech and Slovak) began as early as the spring of 1990 at the Federal Ministry of the Interior, forcing politicians to think about a more systematic approach to this process. The first unofficial lustrations actually sought to prevent the possibility of blackmailing members of the new political elite, whose past record was not untainted. However, in the context of growing anti-communist sentiment and an increasingly obsessive agentomania, from the second half of the year 1990, the motivation behind lustrations shifted to ridding public life of the supposedly malicious influence of the "old structures" (staré struktury). This led to a lustration act, which was ratified in the more radical form proposed by the ODS in the Federal Assembly in October 1991. It banned the following groups from higher administration offices and public functions: former notables of the Communist Party, members of the Lidové milice (People's Militia) and the Státní bezpečnost (State Security; StB), their secret collaborators, the alumni of certain Soviet universities, and other representatives of the former regime.[3]

The act, as well as the unofficial publication of an extensive but incomplete list of StB agents and collaborators by the former dissident and radical anti-communist Petr Cibulka, did not prevent further political games with lists of agents and collaborators, which continued to stir passions in political life well into the new century, especially in pre-election periods. Nor did these efforts to tackle the past induce a feeling of historical justice among the victims of communist persecution. The fight for historical compensation and the politics of publicly exposing past evils continued on a different plain.

One of the chief concerns of the anti-communist activists was the fact that the juridical rehabilitation process was based to a large extent on the practices of the reform communist rehabilitation commissions in the 1960s, which punished infringements of "socialist legality", but were not in a position to transmit the 'criminal essence' of the political regime as a whole. This should have changed with the "[Act on the Unlawfulness of the Communist Regime and about the Resistance against it \(Nr. 198/1993 Coll.\)](#)", which was ratified by the Czech Parliament in July 1993 and came to symbolize the most important legal measure in the Czech Republic with regard to the state socialist past.[4] It declared the former regime illegitimate and condemnable as opposed to the resistance against it, all forms of which were to be regarded as legitimate, morally warranted and respectable. The rhetoric of the act drew on a simplified theory of totalitarianism that had by that time become an integral part of Czech political and cultural discourse, something I allowed myself to call a "usable totalitarianism". According to this theory, the period of Czechoslovak communist rule from February 1948 to November 1989 was one of continuous totalitarian rule, which was an historical aberration from the supposedly natural path of Czech and European history. In the dichotomy it drew between the "democratic present" and the "totalitarian past", the act was meant to emphasize the democratic credentials of the new regime and foster a sense of belonging among Czech citizens. Despite the mainly declaratory and sanction-free character of the act, it did have important long-term consequences. For instance, the statute of limitation for some communist crimes was extended, with the exception of crimes against humanity. Above all, however, the act proved to have a significant symbolic value and was a frame of reference for all subsequent, mainly right-wing efforts in the politics of history in the Czech Republic.[5]

Finally, in January 1995 a new [Úřad dokumentace a vyšetřování zločinů komunismu](#) (Office for the Documentation and Prosecution of Communist Crimes; ÚDV) under the auspices of the Ministry of the Interior came into existence, headed by the former dissident and Catholic right-wing politician Václav Benda. In the field of penal prosecution, the Office concentrated on the most conspicuous cases of Communist Party and state security nomenclature offences, with very few cases, in the end, coming successfully to trial. However, in the longer term, the Office's documentation activities were more important. It documented hundreds of cases of crimes committed by the communist state administrative and political apparatus against its own citizens and described the mechanisms of state terror and repression.[6]

Yet, if we want to understand developments in dealing with the state socialist past in the the countries of Eastern Europe (including the differences between them), it is not enough to trace the various laws that were ratified, the institutions that were established, and their political backgrounds. We need to tap deeper into the particular cultural-political discourses that framed these processes and were, in many ways, decisive for their form and results.

In simple terms we can speak about a few main discursive traditions that shaped the way Czechs dealt with the communist past in the post-socialist period: the first one was international, the discourse of transitional justice; the other traditions were home-grown and involved the memory politics of former dissidents and the memory discourse of the victims of Stalinist repression, the former political prisoners.

## The International Discourse of Transitional Justice

In 1989, the new post-communist democracies could have been inspired by a long tradition of transitional justice procedures and mechanisms drawn from the rich historical experiences of post-war Germany and Japan, but also Belgium, Austria and France. They could also have looked to the



democratic transitions in Southern Europe in the 1970s and later in Latin America and, last but not least, to South Africa's coming to terms with the apartheid past.

Models of transitional justice ranged from mainly state-driven to society-driven and from mainly judiciary to non-judiciary. As for their various mechanisms, there were truth and reconciliation commissions, retribution trials, amnesties, purges and lustrations, financial compensation to victims, restitutions and reparations, public education projects, museums, as well as crime documentation programmes as an important supplement to larger procedures.

In general, international experts view transitional justice as one of the key factors in establishing viable and legitimate democracy. Transitional justice is thought to provide a solid foundation for building democracies because it occupies a middle ground between forgetting the past altogether and engaging in violent retribution, two unacceptable options that prevent new democratic regimes from gaining much-needed political legitimacy.<sup>[7]</sup> Similar to the so-called Washington consensus with regard to economic transformation, we can speak about a transitional-justice consensus that does not prescribe the precise means by which justice is sought, but urges states to develop transitional justice mechanisms to ensure a successful 'transition to democracy'.

Across East Central Europe - despite differences in the intensity of transitional justice and in its incorporation into political conflict in individual countries - fundamental similarities stem from the fact that, in all cases, the main target was the immense apparatus of the party nomenclature and, above all, the security forces. Thus, after 2000, most countries in East Central Europe passed some kind of lustration legislation; in many countries the archives of the political police were made accessible (albeit to very different degrees); and in a few countries trials of perpetrators of communist crimes and suspects of high treason were staged. So, in contrast to other cases in twentieth-century history, Eastern Europe's particular brand of transitional justice was based on the following procedures: lustrations, the opening of secret police archives, political trials (which addressed the question of the communist past and political and/or criminal guilt), and the documentation of communist crimes.<sup>[8]</sup>

Yet the intensity and the range of these procedures differed from case to case. Czechoslovakia was the first country in the region to introduce lustration legislation in October 1991 but, interestingly enough, there was quite a difference between the two successor states in terms of de-communization practices and their importance in the political struggle. Czechia - along with the former Eastern Germany - is generally considered to have undergone an exemplary de-communization process (despite criticism by Czech observers of the toothlessness of the procedures), whereas in Slovakia this issue clearly did not belong at the top of the political agenda in the years immediately after 1989. The low level of interest among political actors in de-communization meant that lustrations and other transitional justice mechanisms were much less developed in Slovakia than in neighbouring Czechia, where it became a central axis of political struggle.<sup>[9]</sup>

These differences cannot simply be explained by, for example, the supposed harshness of the regime in the late socialist period, which is emphasized in studies by political scientists. Equally, we should not accept the argument that some societies were more resolved than others to deal with their past. What clearly mattered was the configuration of political conflict, which did or did not allow the de-communization issue to be used for political mobilization. Yet the conceptual and semantic structures (such as civil society, anti-totalitarianism, national memory, etc.) that framed the political struggle in public discourse also mattered. Hence we need to dig deeper into the local cultural-political context and its languages of the historical to see how they have shaped the historical imagination and public

discourse about the recent past.

Obviously, if we wanted to understand the political and historical discourse about communism and de-communization in all its complexity, we would have to take account of various groups, political actors, expert fields and activist organizations, including the current Communist Party, professional historians, history teachers, museums and exhibitions, movies and TV series, etc. Since we are primarily interested in how the recent past became politicized and why historical memory developed into a distinctive political language in post-socialist Czechia, we shall focus only on few major bearers of potent historical imagery and its political framing: former dissidents and political prisoners from Stalinist times.

## Ex-dissidents and the Language of the Historical

One of the striking developments at the beginning of the democratic period in East Central Europe was the swiftness with which former dissidents - who had been catapulted to the centre of attention during the 1989 democratic revolutions - were cast aside in politics by economists, lawyers and pragmatic politicians. Yet they were clearly the most important actors in discussions about the recent past, transitional justice and potential de-communization practices. An idealized narrative that sees liberal dissidents such as Adam Michnik or Václav Havel as the typical representatives of dissidence often overlooks the fact that former dissidents actually shaped public debate about the communist past from both sides of the cleavage: as staunch anti-communists and as critics of political anti-communism.<sup>[10]</sup>

The former dissidents lacked a common view of the previous state socialist period, and the gulf between them in the 1990s can be traced back to the early 1980s, when fundamental contradictions became apparent in both the political and the historical languages of the opposition. There was a contradiction between, on the one hand, the doctrine of human and civil rights with its drive towards consensual politics and, on the other hand, the rhetoric of anti-communism and anti-totalitarianism that became an important tool of counter-propaganda and political mobilization against the regime, first in the Polish *Solidarność* (Solidarity) and from the late 1980s in other countries in the region.

This divide in the political rhetoric of the opposition was mirrored by the contradiction in oppositional memory politics between the project of civic or republican patriotism and the vision of a national reconciliation involving at least some communists (e.g. Jan Józef Lipski and Adam Michnik in Poland or Petr Pithart in the Czech Republic) on the one hand, and the cultivation of a traditional ethno-cultural concept of nation based on rather stereotypical historical images that became a pillar of the opposition's political mobilization against communist power on the other.<sup>[11]</sup>

In the Czechoslovak context, the latter position was promoted by a conservative, anti-communist section of the opposition scattered across different journals (e.g. *Střední Evropa*, *Paraf*) and unofficial education projects (e.g. *Kapmademie*). It introduced the notion of the "memory of the nation" as an important tool in opposing the amnesia of the official communist historical propaganda and the unscrupulous political manipulation of the population's historical consciousness. The most famous and controversial example of the opposition memory politics was the *Charta 77* document "The Right to History" from May 1984.<sup>[12]</sup> Incidentally, and significantly from today's point of view, the document was signed by the Catholic dissident Václav Benda, then one of the *Charta's* spokespersons, who later became a beacon of de-communization politics in the 1990s.<sup>[13]</sup> After he passed away in 1999, Benda became the main moral reference point of anti-communist activism of the young generation and the patron of the [Ústav pro studium totalitních režimů](#) (Institute for the Study of Totalitarian Regimes) established in 2007.<sup>[14]</sup>

In accordance with differences in political visions and political languages within the post-dissident political camp, two distinct interpretations of the legacy of dissidence/ opposition emerged during the 1990s. The first, which could be called liberal-republican, stressed the democratic consensus forged by the elites of the anti-communist opposition. From this point of view, represented in the Czech case by, for instance, the post-dissident liberal party Civic Movement (Petr Pithart, Jiří Dienstbier, etc.), it was not resistance against communism per se that was the cornerstone of the dissidence legacy, but the democratic negotiation process within Charta 77 and the opposition based on communal solidarity, critical democratic discussion, and civil society activism that created the conditions for a consensual and non-violent democratic opposition to the state socialist dictatorship. According to this view, the 1989 Round Table was a culmination or triumph of the consensual strategy that did not just lead to non-violent regime change, but also created incentives for a truly democratic political culture.

The second interpretation of the legacy of opposition/ dissidence could be called conservative-national (in Poland) or conservative-neoliberal (in the Czech Republic). While it also acknowledges the consensual or communitarian basis of the anti-communist opposition, in its anti-elitist thrust it gives credit not to the dissident elites, but to the nation or the people alone. The mass character of opposition (especially of *Solidarność* in the Polish case) is stressed as much as the role of the church and its moral teachings in the moral rejuvenation of the nation. This interpretation rejects the myth of the Round Table, suggesting that it was nothing more than a shady deal between the old (communist) and the new (liberal) elites. From this point of view, 1989 was not a watershed, because the communist perestroika reformism was replaced by a liberal pragmatism that was similarly elitist and immoral.

In order to illustrate the two positions clearly, I extrapolated here from the Polish case, which has been by far the most thoroughly documented in this respect. In the Czech context, the conservative orientation never had the same impact and the same outspokenly nationalist programme (among other reasons because Czech conservatives have tended to be Roman Catholic in their faith or outlook and therefore belonged to the "alternative stream" of Czech nationalism). Yet even here, the post-communist conservatives represented not only by various conservative think tanks but also by the *Křesťanskodemokratická strana* (Christian Democratic Party; KDS) of Václav Benda had a huge influence on the early liberal, post-socialist politics of history.<sup>[15]</sup> In the first half of the 1990s, the KDS was a minor coalition Party in the liberal-conservative governments of Václav Klaus until it fully merged with Klaus' *Občanská demokratická strana* (Civic Democratic Party; ODS) in 1996. In the latter party, *kdsáci* (KDS people) continued to play an important role in shaping its prevailing politics of history, as we shall see below.

## Former Political Prisoners as Challengers of the 'Post-dissident Liberal Narrative'

Nevertheless, the conservative ex-dissidents and their followers were surely not the only ones who were constantly dissatisfied with what they perceived as an overly lenient and tardy approach on the part of most Czechs and liberal politics vis-à-vis the 'totalitarian past' in the early 1990s. After lying dormant for several decades, a distinct layer of collective historical memory of Czechoslovak Stalinism rose somewhat unexpectedly to prominence towards the end of the century as the memory of the so-called third resistance.

The complex story of the memory of the third resistance has been superbly described by the French sociologist Françoise Mayer in her book [Češi a jejich komunismus](#) (Czechs and their Communism).<sup>[16]</sup> The chapter of her book that deals with this particular memory layer is pertinently titled "Labour Camp as their Past, Resistance as their Memory". It shows that the memory of resistance

originates in the hopeless situation of the mostly innocent victims of Stalinist repression who found themselves in jail or labour camps in the late 1940s and the early 1950s. With reference to labour camp memoir literature, Mayer highlights the fundamental difference between ex-communist victims of Stalinist show trials and non-communist victims. For the former, exemplified by Arthur London's well-known memoir *Doznání (Confession)*,<sup>[17]</sup> the processing of the labour camp experience culminates in the conversion of the believing communist into a democrat and opponent of the totalitarian order. For the latter though - exemplified by famous novels such as Jiří Mucha's *Studené slunce (Cold Sun)*<sup>[18]</sup> or Karel Pecka's *Motáky nezvěstnému (Secret Notes to the Missing Person)*<sup>[19]</sup> - the moment of conversion is lacking and the camp therefore stands as a gloomy metaphor for the whole of society. The tragedy of their situation and the human effort to make some sense of the evil absurdity of their fate leads the non-communist inmates - the figure of Karel Pecka is particularly illustrative here - to conceptualize their situation not primarily from the point of view of the 'innocent victim', but rather from the point of view of the 'political prisoner'. Accepting the status imposed on them by the absurd political trials, they start to view the world from the point of view of the 'resistance fighters against communism'. This leads to the creation of an authentic world of anti-communist values and viewpoints, which predetermined the political and societal engagement of many former political prisoners for the rest of their lives. The third resistance, virtually non-existent in Czechoslovakia at the time of the communist takeover, was invented as a memory of the Jáchymov uranium mines and similar communist labour camps and jails.<sup>[20]</sup>

Mayer also describes how the political prisoners started to organize themselves as a distinct yet isolated political force after the amnesties of the early 1960s. The so-called K 231 (Club 231; the number referred to the paragraph of the Penal Code that had brought most of them several years of undeserved imprisonment) tried to profit from the more liberal atmosphere brought about by the reform movement during the 1968 Prague Spring, yet they felt alienated, at the same time, from its reform communist representatives, who metaphorically speaking were their former prison guards. The same distrust of the same people - former reform communists - kept former prisoners away from *Charta 77* and similar opposition activities of the late state-socialist period, in which a significant number of ex-communists took part. If the former political prisoners wanted to justify their own past, they felt bound by their anti-communist persuasions (not accepted by most Chartists) and insisted on their full political rehabilitation not on the basis of human rights, but on the basis of their status as "resistance fighters against communism".<sup>[21]</sup>

After 1989, the *Konfederace politických vězňů* appeared on the Czech political scene as a distinct and powerful pressure group and it managed to achieve some of its major goals very soon after the dictatorship broke down, such as en bloc rehabilitation. Yet they too felt alienated by the liberal politics of history, which they saw as toothless. They believed that lustrations were insufficient and saw the ex-dissident, left-wing and liberal historical imagery about the communist past that prevailed in the 1990s as a distortion of the past. Together with a few related organizations - such as the *Klub angažovaných nestraníků* (Club of Committed Non-Party Members; KAN) or the *Svaz pomocných technických praporů* (Union of Auxiliary Technical Military Units, notorious units, where most of the 'class-unreliable' conscripts served in horrible conditions during Stalinist times) - the Confederation kept pressuring especially the right-wing parties for more consistent de-communization, official recognition of the third resistance movement, and a change in the national historical narrative to clearly show the historical evil and highlight the resistance against it.<sup>[22]</sup>

In the 1990s only very few politicians, including those from right-wing parties, were ready to accept the notion of the third resistance movement. Institutional historiography was also not willing to accept it. Historians working on the Stalinist repressions considered 'anti-communist resistance' to be a secret

police invention for the purpose of political trials. Yet there were a few amateur historians outside academic institutions (e.g. Zora Dvořáková, Petr Radosta or Ota Rambousek) who studied a variety of anti-communist activities throughout the communist period and promoted a toned-down version of the third resistance narrative. Their narrative was centred around Czech democratic politicians and cultural figures who had been annihilated by the communists, such as Milada Horáková (1901-1950), and it was based on the traditional Czech historical master narrative that portrayed the Czechs as a fundamentally democratic nation.<sup>[23]</sup>

However, from the beginning of the new millennium, the memory of the third resistance, which was inscribed into an overall project of re-educating society about the true nature of communism, started to score important points in the public debate. It has been an integral part of the intensifying identity politics struggle and came to prominence in the context of a conservative turn in Czech politics in the early 2000s, which followed a broader regional trend.

## The Conservative Political Turn of the 2000s and the Re-politicization of Memory

In the first years of this century a qualitatively new politics of memory and a new, positively formulated notion of patriotism came to the fore in East Central Europe. The former consciously promotes certain historical memories and seeks to incorporate them into civic education.<sup>[24]</sup> Politically, this politics of memory was connected to the harsh criticism of the liberal transition politics of the previous decade. Given that liberalism has never been a political mainstream in the region, there was strong criticism of the social, cultural and economic dimensions of liberal transition politics throughout the 1990s, even in 'exemplary' and 'successful' transition countries such as Czechia, Hungary or Poland. However, around the turn of century with the transition dynamics weakening and, at the same time, the chance of EU accession growing, anti-liberal criticism developed into a more general critique of the liberal consensus of the early post-communist era. This criticism was connected mostly with consolidating conservative political parties and movements that, in contrast to the various left-wing radicals, did not express anti-liberal criticism in social, but rather in cultural and symbolic terms. According to the Bulgarian political theorist Ivan Krastev, the 1990s neo-liberal transformation connected with the EU accession process excluded, for a time, much of the social and economic conflict from the political struggle, thus opening up a space for political mobilization based on symbolic and identity issues.<sup>[25]</sup>

The most illustrative example in the region was Poland, where criticism of the 1990s transition was already mounting well before 2000. In the most radical revisionist reinterpretation, the 1989 Round Table Talks amounted to nothing more than an unacceptable historical compromise, if not "a dirty deal" between the Solidarność leaders, mostly left-liberal in their political leanings, and the former Polish communist party bosses. This compromise was interpreted as a betrayal of the legacy of the anti-communist opposition, and thus of the nation as a whole. The logical consequence of this position was a commitment to rid the new Polish democracy of the sinister effects of the compromise. This was seen after 2003 in the Kaczyński brothers' project to replace the post-1989 Third Polish Republic with a new, fourth republic in the political programme of their [Prawo i Sprawiedliwość](#) (Law and Justice Party; PiS), which came to power in 2005.

While the resolute rejection of transition liberalism in Poland is unique in the region (and matched only by recent developments in Hungary), a new politics of memory embodied in the desire to complete the "unfinished revolutions" (J. Mark) and a renewed stress on "national historical sovereignty" (R. Jaworski) was common to most post-communist countries in East Central Europe. The Czech situation, however, was quite peculiar. Here, the critique of the liberal consensus could not go very far. It was the Civic



Democratic Party (ODS), which had grown more conservative and nationalist by the end of the 1990s, that took up the agenda of the new politics of memory. This was the party that had played a crucial role in liberal transition politics after 1989. When Klausian economic transition politics made them the most successful centre-right mass political party in the country, the civic democrats could hardly start bashing their founding father, even if he had distanced himself from the party when his political adversary, Mirek Topolánek, succeeded him as chairman.

In addition to the conservative turn in mainstream Czech right-wing politics in the early 2000s, the time has come again for the numerically small but intellectually and ideologically influential conservative, anti-communist stream within the party connected with Václav Benda's Christian Democrats and some other conservative branches around Topolánek. They interpreted the fact that the Komunistická strana Čech a Moravy (Communist Party of Bohemia and Moravia; KSČM) was still thriving within the Czech political system as proof that society had not dealt radically enough with its communist past. In their view, the essentially correct politics of liberal economic transformation should have been supplemented by an uncompromising politics of memory that strove to re-educate the nation about the 'totalitarian past'.<sup>[26]</sup>

This new stage in the politics of memory in the Czech Republic and East Central Europe coincided with a symbolic shift towards memory in public debate elsewhere. The "upsurge of memory" (P. Nora) has meant that victim testimonies have been receiving far more attention in public debate than ever before. And since the memories of participants in historical events - above all the victims - gradually became an arbiter of historical credibility, which challenged the traditional academic production of knowledge, it became necessary for political actors to include the victims' memory discourse in their new symbolic political programmes. The paths of the third resistance memory of the *Konfederace politických vězňů* and the political anti-communism of certain branches of civic democrats finally crossed here.

With the establishment of Institutes of National Memory in Poland and Slovakia and a similar institution in the Czech Republic in 2007 (the Institute for the Study of Totalitarian Regimes; ÚSTR), the concept of 'national memory' or the 'memory of the nation' has gained a new dimension.<sup>[27]</sup> From a dissident emancipation tool, it has become a state-supported civic education project that stresses the voices of the victims of and resisters to communist rule. Their testimonies were ascribed the highest authenticity in contrast to those supposedly 'tainted' by the former regime mentality. Similar to other institutes of national memory in the region, the Czech ÚSTR is above all a politically motivated memory project that was supposed to provide a basis for conscious, active, engaged and historically informed democratic citizenry.

## The ÚSTR: Documentation, Research and Civic Education

There are many issues surrounding the activities of the ÚSTR, including much publicized affairs such as that of Milan Kundera and his alleged role as an informant for the secret police in the early 1950s, or the hoax about the supposed planned assassination of Klement Gottwald by the Mašín brothers. Yet from the point of view of the general development of memory politics in Czechia, it is enough now to focus on two aspects: the institute's promotion of the concept of 'third resistance' and its civic education programme.

The first is a notion around which the ÚSTR's research and education activities are centred. As I mentioned already, the third resistance movement is a highly controversial historical concept.<sup>[28]</sup> In contrast to the 'first', anti-Habsburg resistance during the First World War and the 'second' anti-Nazi resistance movement during the Second World War (both notions broadly accepted in historical

scholarship), the third resistance against communism after 1948 lacked the unquestioned authority at home and among exiled Czechs (e.g. the Czechoslovak government in exile) that would have given it a legitimizing force. Furthermore, most anti-communist resistance activities - with the exception of the military actions of the Mašín brothers - did not leave many historical traces or documents behind that would have substantiated the notion of an organized third resistance engaged in systematic efforts to overthrow or seriously challenge the communist regime. Thus mainstream historians tended to claim that while the individual and diffuse resistance activities of certain segments of the population in late 1940s and early 1950s certainly deserved the attention of historians, they could hardly be subsumed into the notion of a third resistance movement.

By contrast, ÚSTR research and the publications of some well-known historians such as Václav Veber and younger historians such as Tomáš Bursík, have not only clearly advocated the notion, but also tried to organize the first systematic research in this field.<sup>[29]</sup> In the meantime, the biographies of important and well-known personalities with clear anti-communist credentials, such as the former Archbishop of Prague Josef Cardinal Beran, or publications devoted to famous victims of the regime, such as the martyr Jan Palach, have appeared.<sup>[30]</sup> Other monographs or studies published in the institute's quarterly *Paměť a dějiny* tried to bring to light the fate and deeds of some - indeed - hitherto 'unknown heroes' of Czech and Czechoslovak history.<sup>[31]</sup>

The efforts of the ÚSTR to raise awareness about the third resistance among the population have been supported by its political patrons from right-wing political parties. They issued and ratified a law about the third resistance that, among other things, sought to rehabilitate and to financially compensate the representatives of active anti-communist resistance. The law stirred up a heated debate in the Czech Parliament at the beginning of 2011, particularly because it gave preference to armed resistance over any other forms (some ex-dissidents such as Petr Uhl, the icon of the Charta 77's non-violent anti-communist struggle, were particularly critical of this aspect). Furthermore, the law distinguished between *odboj* (resistance fight) and *odpor* (resistance), and only people who had been engaged in the first form of resistance were entitled to the status of war veteran and the social advantages that went with that status. This distinction was later dropped following strong criticism.

Eventually, the law was ratified and came into effect on the symbolic date of 17 November 2011 (the anniversary of the 1989 Czechoslovak revolution and a state holiday). The first resistance fighters (a few dozen) were rewarded at the beginning of April 2012. Another almost 4000 requests for compensation had been lodged by the end of 2012, and the process of dealing with them took a long time.

Rather surprisingly, the civic educational role of the ÚSTR has not yet aroused significant public debate, even though education - by means of ÚSTR-produced didactic materials and educational activities such as lecture series or teacher seminars - has become one of the institute's main focuses.

As a service provided by the state, civic or political education needs a long-term plan. It should be embedded in a historically informed curriculum based on democracy, respect for human life and dignity, and critical thinking. Within this general framework, however, it should remain as politically neutral as possible. A collective identity based on the dichotomous categories of a usable totalitarianism (such as perpetrators - victims, captivity - freedom, totalitarian past - democratic present) is perhaps useful in the short term, but it is counterproductive in the long run.

From this point of view, it was highly questionable to entrust the ÚSTR, an institution representing a specific historical memory, with a broad civic educational task. To be sure, the institute provides some

useful material on CD-ROMs, DVDs, or online, which might be of help to history teachers. In general, however, the first ÚSTR-produced education materials provided a rather one-sided picture of the state socialist past. They concentrated primarily on the repressive and ideological side of the communist regime and the heroic resistance acts against it, omitting the issues of social welfare, the role of the paternalistic state in late state socialism, intellectual history, the history of mentalities, everyday life under state socialism, etc. This has changed over time and, in reaction to external criticism, the educational departments of the ÚSTR have begun to paint a more balanced picture of the communist dictatorship and describe its broader social and cultural aspects.<sup>[32]</sup>

The publications of the ÚSTR are in many ways a continuation of the former dissident and later post-communist historiography in Czechia. Despite the overall politicization of the institute's activities, it has not strayed far from its 'positivist' research programme of filling in the 'gaps' in political history and the history of state repression, while also focusing on national history (and national memory) and the nation state as the 'natural' central historical object.

Yet the Institute and its political steering also aroused a lot of criticism and protest among historians. In contrast to the early 'transition period', today there appears to be an even bigger gulf separating historians at various academic institutions from those at the ÚSTR, whose main task is to provide a kind of top-down politics of history. Or to put it in a less dichotomous way, there seems to be less historical consensus than there was in the 1990s. Due to the 'historical wars' of recent years, it became important for many historians to reassert their academic independence and find their own voice in both expert and political discussion. Moreover, this development also has a generational aspect, with a new generation of scholars emerging who were educated during the post-communist period and, in many cases, gained degrees from universities abroad.

A state-run institution whose main aim is to cultivate 'national memory', whatever the source base might be, is a problematic concept in itself, even leaving its pretensions to re-educate Czech citizenry to one side. So far, it seems that there has been no far-reaching re-education in the Czech Republic, as the ÚSTR research and education activities have been balanced out and sometimes actively fought against. We see this in both the academic field and the sphere of education, where the activities of other research and educational institutions with a different or no clear-cut political bind have become more visible.

In general, it looks as if the heyday of anti-communist memory politics as a usable political tool in the Czech Republic is over. The centre of the political conflict - due to the impact of the economic crisis and severe budget restrictions - is shifting once again to the realm of social and economic issues. Yet, this does not mean that political anti-communism is completely losing its allure for various political and civil society groups. Given that memory politics has gained the status of a distinctive political language in recent years in the Czech Republic and elsewhere in East Central Europe, and given the existence of a significant political power bearing the name "communist" in its name, there is still a real potential to explore the communist past in Czech politics.

## Footnotes

1. The first version of the paper was presented at the 13th Annual Czech Studies Workshop on 27-28 April 2012 at the University of Texas at Austin. For a slightly different take on the same issue, focusing on the relationship between the Czech politics of history and the domestic historiography of recent history, see also: Michal Kopeček, *Von der Geschichtspolitik zur Erinnerung als politischer Sprache: Der tschechische Umgang mit der kommunistischen Vergangenheit nach 1989*, in *Geschichtspolitik in Europa seit 1989: Deutschland, Frankreich und Polen im internationalen Vergleich*, edited by Etienne François, Kornelia Kończal, Robert Traba and Stefan Troebst, Göttingen: 2013, pp. 356-395.
2. See e.g. Nadya Nedelsky, *Czechoslovak and the Czech and Slovak Republics, in Transitional Justice in Eastern Europe and the former Soviet Union: Reckoning with the Communist Past*, edited by Lavinia Stan, London: 2008, pp. 37-75.
3. See David Kosař, *Lustrace a běh času*, in *Komunistické právo v Československu. Kapitoly z dějin bezpráví*, edited by Michal Bobek, Pavel Molek and Vojtěch Šimíček, Brno: Mezinárodní politologický ústav, Masarykova univerzita 2009, pp. 228-258.
4. The law e.g. *Zákon ze dne 9 července 1993 o protiprávnosti komunistického režimu a odporu proti němu*, Sbíрка zákonů č. 198/1993, URL: <http://www.ustrcr.cz/data/pdf/normy/sb198-1993.pdf>.
5. For a broader picture of the Czech politics of history in the first democratic decade, see Jacques Rupnik, *The Politics of Coming to Terms with the Communist Past: The Czech Case in Central European Perspective*, *Tr@nsit online* 22 (2002), retrieved 11 February 2015, URL: <http://www.iwm.at/read-listen-watch/transit-online/the-politics-of-coming-to-terms-with-the-communist-past-the-czech-case-in-central-european-perspective/>. For a legal point of view on the lustration law and its longer-term impact in the Czech legal system, see David Kosař, *Lustrace a běh času aneb (jak dlouho) mohou české lustrační zákony ještě přežít?* Jurisprudence, Praha: 2008.
6. For the current activities and the production of the office working in the framework of the Ministry of the Interior, see <http://www.policie.cz/clanek/urad-dokumentace-a-vysetrovani-zlocinu-komunismu-679905.aspx>
7. See e.g. Noel Calhoun, *Dilemmas of Justice in Eastern Europe's Democratic Transitions*, New York: 2004.
8. See Lavinia Stan, ed., *Transitional Justice in Eastern Europe: Reckoning with the communist past*, London, New York: 2009 and esp. Lavinia Stan, Introduction: Post-communist transition, justice, and transitional justice, in *ibid.*, pp. 1-14.
9. See e.g. Jan Pauer, *Die Aufarbeitung der Diktaturen in Tschechien und der Slowakei*, *Aus Politik und Zeitgeschichte* 42 (2006): 25-32, Cf. also Nadya Nedelsky, *Czechoslovakia and the Czech and Slovak Republics: Transitional Justice in Eastern Europe and the Former Soviet Union: Reckoning with the Communist Past*, New York: 2009.
10. For the Czech case, see Adéla Gjuričová et al., *Rozdělení minulostí: Vytváření politických identit v České republice po roce 1989*, Praha: 2012; Françoise Mayer, *Češi a jejich komunismus: Paměť a politická identita*, Praha: 2009.
11. For the full argument, see Michal Kopeček, *Human Rights facing a National Past: Dissident 'Civic Patriotism' and the Return of History in East Central Europe 1968-1989*, *Geschichte und Gesellschaft* 38, no. 4 (2012), pp. 573 -602.
12. See Vilém Prečan and Blanka Císařovská, eds., *Charta 77: Dokumenty 1977-1989: Vol. 2.*, Praha: 2007, pp. 625-657.
13. See Adéla Gjuričová, *Dvě cesty křesťanské politiky: Československá strana lidová a Křesťanskodemokratická strana v první polovině devadesátých let*, *Rozdělení minulostí*, pp. 217-248.
14. The initial name of this institute, the Ústav paměti národa (Institute of National Memory), was similar to that of existing institutes in Poland and Slovakia.
15. Gjuričová, *Dvě cesty*.
16. Mayer 2009.
17. Arthur London (1915-1986), a Czech communist politician of Jewish origins, fought with the international brigades in the Spanish Civil War. After Second World War, he became deputy minister of foreign affairs in Czechoslovakia. He was sentenced to life imprisonment in the notorious Slánský trial of 1952 and released in 1955. He moved to France with his wife, where they wrote the 'Confession' together, which became one of the most famous witness accounts of its kind and was made into a movie by director Costa-Gavras in 1970.
18. Jiří Mucha (1915-1991), a Czech journalist and writer and son of art-nouveau painter Alfons Mucha. During Second World War, Jiří worked as a BBC war correspondent. In the early 1950s he was tried for alleged espionage and sentenced to work at the uranium labor camp Jáchymov, which he described in the semi-fictional diary 'Cold Sun' published in Czech in 1968.
19. Karel Pecka (1928-1997), a Czech writer, who is connected more than any other Czech writer with the experience of unjustly persecuted Stalinist prisoners, especially in his superb autobiographical novel 'Secret Notes to the Missing Person', which was first published in Toronto in 1980. In this book, he vividly described his eleven-year long experience of the communist labor camps and prisons.
20. Mayer 2009, 166-191.
21. *Ibid.*
22. There is no detailed study about the memory politics of these organizations, with the exception of KAN: See Jiří Hoppe and Jiří Suk, *Dvojitá identita Klubu angažovaných nestraníků: před invazí 1968 a po pádu komunismu 1989*, Praha: 2008.



23. See e.g. Zora Dvořáková, *Z letopisů třetího odboje*, Praha: 1992; Petr Radosta, *Protikomunistický odboj: historický nástin*, Praha: 1993. For a very helpful insight into the 'third resistance' category and its usage in Czech politics and historiography, see Vitězslav Sommer, *Cesta ze slepé uličky "třetího odboje": Koncepty rezistence a stadiu socialistické diktatury v Československu*, *Soudobé dějiny* 1 (2012), pp. 9-36.
24. For a broader picture that analyses the roots of the new memory politics in the political and memory processes from the mid-1990s, see James Mark, *The Unfinished Revolution: Making Sense of the Communist Past in Central-Eastern Europe*, New Haven, London: 2010.
25. Ivan Krastev, *The strange death of the liberal consensus*, *Journal of Democracy* 18, no. 4 (2007): 56-63.
26. For detailed analysis, see Kopeček 2013.
27. For the laws and other documents establishing the ÚSTR and determining its field of work, see *Právní normy, Ústav pro studium totalitních režimů*, retrieved 24 August 2013, URL: <http://www.ustrcr.cz/cs/pravni-normy>.
28. See Sommer.
29. Václav Veber and Jan Bureš, *Třetí odboj: Kapitoly z dějin protikomunistické resistance v Československu v 50. letech 20. století*, Praha: 2011; id., *Odboj a odpor proti komunistickému režimu v Československu a ve střední Evropě*, Praha: 2010; Tomáš Bursík, *Osud odbojové organizace Černý lev 777: Příspěvek k historii ozbrojeného odporu proti komunistickému režimu v Československu*, Praha: 2007.
30. Stanislava Vodičková, *Uzavírám vás do svého srdce: Životopis Josefa kardinála Berana*, Praha: 2009; Petr Blažek, Patrik Eichler and Jakub Jareš, *Jan Palach 69*, Praha: ÚSTR, 2009.
31. See the programmatic article in the 2007 newly established popular historical journal: Pavel Žáček, *Editorial, Paměť a dějiny - Revue pro studium totalitních režimů* 1 (2007): 3-4.
32. See e.g. *DVD Česká společnost 1969-1989*, Praha: ÚSTR, 2013

