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National Memory Institutes in Germany, Poland and Czechia

By
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Abstract

Post Communist Memory as Democratic Pedagogy: National Memory Institutes in Germany,
Poland and Czechia

by

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This dissertation examines state-pedagogical efforts to foster a democratic political culture among post-communist citizens in Central Europe through public history. Specifically, it explores the histories of ‘national memory institutes’ in the region. Founded at various stages of the 1990s and 2000s, these hybrid-institutions control access to the defunct communist regimes’ secret police archives and administer transitional justice measures, including vetting public officials for collaboration. They also take leading roles in national civic education by creating memorial sites, producing teaching materials for high school instructors, and organizing teacher-training events. They were founded on the promise that a transparent reckoning with the past of the communist dictatorships could generate social healing and entrench democratic values. Giving citizens access to the archives of repression was supposed to give them a form of psychological closure, and vetting public officials for collaboration with the old regime was supposed to ensure lasting trust in democratic institutions. Paradoxically, the proliferation of memory-institutes across the region has coincided with a worsening crisis of democratization; rising illiberal and populist movements, restrictions on press and academic freedom, and attacks on independent judiciaries have been common features of the region’s recent history. Have post-communist states undermined democratic norms by trying to entrench them? The project addresses this question by comparing the histories of four institutions - Germany’s Federal Commission for the Stasi Archives (BStU), Poland’s Institute for National Remembrance (IPN), the Czech Republic’s Institute for the Study of Totalitarian Regimes (ÚSTR) and the transnational non-governmental organization called Platform of European Memory and Conscience (PEMC) that coordinates activities of analogous institutes across post-communist Europe.

I

Introduction

The hardest thing about being a communist is trying to predict the past.

Milovan Djilas, 1988

In the groundbreaking volume *On Collective Memory*, Maurice Halbwachs, star student of Émile Durkheim, proposed that human memory is *socially* conditioned. By studying variations in how individuals with different class backgrounds in France recalled historical events, he came to the conclusion that group identity could shape individual recollections. His other major finding was that groups selected, edited, repressed, and rationalized memories based on changing collective needs in their present. In what appeared a grand verification of Halbwachs' theory, the collapse of People's Democracies in Central and Eastern Europe and their transition to post-communist capitalism precipitated such a spike in the remaking of collective memory that scholars spoke of 'memory booms' and an 'overproduction of memory.'

Personal recollections, witness testimonies, professional histories, and artistic production all had parts to play in this boom, but the watershed occurred in Berlin-Lichtenberg in autumn of 1990. Protesting crowds gathered outside the old Stasi headquarters after seeing the smoke of burnt secret police files billowing from its chimneys. What followed is considered by many the 'Bastille-Event' of the anticommunist revolution; the headquarters was seized and the files of state repression were taken back by ordinary people, making possible an unprecedented reckoning with the past. A year later, the united German Bundestag passed a law creating a Federal Commission of the State Security Archives (BStU) to manage the recovered files, reconstruct shredded ones, grant special victim status certificates to those invigilated by the old regime's secret police, and to lustrate collaborators.

The first Federal Commissioner, an ex-dissident protestant pastor named Joachim Gauck, imagined that this reckoning would proceed in lockstep with the processes of transitional justice and democratization, leading to a grand collective catharsis.¹ Accounts would be settled, victims of human rights abuses would get restitution, the secrets and lies of the old regimes would be replaced by verifiable truths and evidence from the reclaimed archives of repression, and criminals would face justice. This collective catharsis, he hoped, would generate social reconciliation and lay the foundations for a moral community ensuring the stability of democratic values in years to come.

In a few years, the Commission also developed a civic education program whose vision was encapsulated by Commissioner Roland Jahn, another ex-dissident, in the terms :

¹ Joachim Gauck, *Die Stasi Akten: Das Unheimliche Erbe der DDR* (Reinbeck bei Hamburg: Rowohlt Taschenbuch Verlag, 1991) pp. 89-100.

If we, as a society, want to motivate and enable young people in the course of their education to create democracy today and in the future, the detailed study of our common past offers a great learning opportunity. This includes a keener understanding of how dictatorships work, even if their operations were not so brutal at first glance. It is crucial to me that young people can understand what dictatorship stands for, especially in the case of the GDR.²

Gauck and Jahn's visions were well intentioned, inspired, and full of promise. In fact, importing German memory-management practices became a de facto 'entry ticket to Europe' as the Eastern Enlargement approached.³ In the late 90s, institutions analogous to the Gauck Office appeared across Eastern Europe after legislators claimed the only path to full democratization was to follow the German lead.⁴ Before joining the CoE and the EU, Central European governments yielded to injunctions to adopt Western European standards of dealing with the past.

Thirty years later, the memory-boom has not stopped booming. Collective Memory became more heavily disputed and more instrumentalized in political battles as time went on. Disputes over who was to blame for the abuses wrought by communism and who was responsible for its downfall - and conspiracy theorizing about recombinant power of ex-communist elites - began to infect and distort debates about the future. As the Czechs faced falling export profits due to dropping demand in the wake of the 2008 banking crisis in Europe, the ex-communist Social Democrats (CSSD) appeared poised to unseat the conservative-liberal Civic Democrat Party (ODS) with demands for higher social security transfers. The liberals' answer was to dig old Czechoslovak Secret Police (StB) files out of the Security Forces Archives (ABS) and tarnish their left-wing opponents as *ancien regime* collaborators. Likewise, when the Polish national pension fund (ZUS) wavered in 2015, accusations of corruption and connection to ex-SB mafia networks drowned out discussions of how to re-stabilize it with minimal damage. A year later, as Angela Merkel opened her door to Syrian refugees, voices emerged from the scrapyards of Saxony and Thuringia to ask why her heart and wallet had not been so open in the 90s to the legions of workers made redundant by the Treuhand. Thus the challenges of globalization, though they became greater in scope, started to be obscured by the prism of post-communist memory.

Months prior to the 2019 *Mauerfall30* festival in Berlin, the far-right party Alternative für Deutschland (AfD) led by a history teacher named Björn Höcke launched an electoral campaign under the slogan *Vollende Die Wende!* (Fulfil the Transition!.) They won significant numbers of seats in Landtags of the former DDR behind this slogan and became a meaningful force in German politics for the first time. Across the Oder river in Poland, the Law and Justice (PiS) government's Ministry of Culture cut funding for a festival called *Święto Wolności i Solidarności* celebrating the 1989 Round Table Accords in Gdańsk. To

² Roland Jahn, . *The Better We Understand Dictatorship The Better We Can Shape Democracy* in *REMEMBRANCE AND SOLIDARITY STUDIES IN 20TH CENTURY EUROPEAN HISTORY* Issue 3 June 2014. p. 103

³ See: James Mark, . *The Unfinished Revolution*. (Yale, 2010) pp. xvii-xix, Also: See: Assmann, Aleida. "Europe: A Community of Memory? In *GHI BULLETIN* NO. 40 (SPRING 2007), Malksoo, Maria (2009) 'The Memory Politics of Becoming European: The East European Subalterns and the Collective Memory of Europe.' *European Journal of International Relations*, 15:4, 653–680

⁴ Carola Lau, *Erinnerungsverwaltung, Vergangenheitspolitik und Erinnerungskultur nach 1989: Institute für nationales Gedenken im östlichen Europa im Vergleich* (Göttingen: Vandenhoeck & Ruprecht, 2016) p. 702-706.

mark the anniversary themselves, the party hosted a conference in Warsaw with a keynote address from the Catholic journalist Bronisław Wildstein, who concluded:

Let's think about the people who represented us, the Poles, at the Round Table? They were, in a way, self-proclaimed. This is not a charge. There were no democratic elections. There was no one else to represent the Poles. What a credit to them who have shouldered this responsibility. But they had their obligations to the Polish nation, to the Poles. They were obliged to lead the way towards democracy. If they felt more committed to their interlocutors at the Round Table, they should have quit the job because their posture questioned the fundamental role they should have played. Unfortunately, they started to perceive this role differently.⁵

Ever since winning the first parliamentary majority in the history of Polish democracy and the presidency in 2015, PiS was criticized for dismantling numerous pillars of liberal democracy; encroaching on the independent judiciary, capturing state media, and tampering with the electoral laws. They routinely legitimized these moves by claiming the institutions they targeted to be controlled behind the scenes by ex-communist mafias and their liberal ex-dissident cronies. Meanwhile in the Czech Republic, festivities commemorating the 30th anniversary of the Velvet Revolution were punctuated by protests in Prague's Letná Park against Prime Minister Andrej Babiš, a Slovak-born agrochemical magnate and former informant to the StB. Notwithstanding revelations of his secret police past, Babiš managed to patch coalition governments together and use his position to funnel EU structural funds into Agrofert and its various subsidiaries, using the money to buy up Czech media outlets and French villas. For Germany, Poland, and Czechia - the three most lauded cases of 90s era transition studies - the intensifying memory wars were clearly entwined with a severe crisis of democratic politics.

The rest of the region was no closer to catharsis, with Hungary banning gender studies in its universities because they were too Marxist, Ukraine embroiled in a hybrid war against Russia, Belarus still governed by the dictator Lukashenko and the Baltic states becoming increasingly apprehensive about a Russian invasion and return to totalitarian Gehenna. For his part, Vladimir Putin became increasingly obsessed with memory as the post-communist period unfolded, remarking that the collapse of the USSR was the worst tragedy of the twentieth century, organizing increasingly extravagant commemorative rituals dedicated to the Great Patriotic War,⁶ and making efforts to politicize the Immortal Regiment movement. The Freudian term *cathexis* (*Besetzung*)⁷ designating an unhealthy investment of psycho-emotional energy into a single object, person, or idea, seems a precise description of post-communist Central Europe's relation to its recent past thirty years after the *Wende*. Why has this cathexis developed instead of the deeply desired catharsis? Why is the memory of communism more, not less, relevant to the politics of postcommunist liberal democracy as time goes on? Why did the project of reconciliation and healing conceived by Gauck have a paradoxical effect?

⁵ Bronisław Wildstein, Keynote Address at „Jak upadał komunizm. Rok 1989 w Europie Środkowo-Wschodniej” Warsaw, April 4th, 2019. <https://www.prezydent.pl/aktualnosci/wydarzenia/art,1359,w-1989-r-mialem-poczucie-ze-zblizamy-sie-do-wolnosci.html>

⁶ Sergei Ushakin, “Remembering in Public: On the Affective Management of History.” *Ab imperio* 2013, no. 1 (2013): 269–302.

⁷ Josef Breuer and Sigmund Freud. *Studies on Hysteria*. Harmondsworth, Eng: Penguin Books, 1974.

Memory Regime and Memory Resistance

The key to understanding the collective cathexis of Central Europe, I propose, is a comparative history of the region's leading national memory institutes (NMIs.) Every post-communist capitalist polity in the region now has an NMI modeled on BStU responsible for promoting a certain *memory-regime*. Memory-regimes are defined by political scientists Michael Bernhard and Jan Kubik as the set of practices, techniques, and discourses that a national state uses to generate a consensus in society about the important moments in its past, and the meanings the past holds for democratic life in the present. Generally, the memory-regime is exercised across three social fields; 1) public rituals, commemorations and the calendar of civic holidays 2) the naming and statuary of urban spaces 3) public education. In most industrialized democracies, these fields exist independent of one another, but in Central European post-communist states, all three are controlled centrally by the NMIs.

Bernhard and Kubik's 2014 study of debates over the commemoration of 1989 in 2009 advances a theory of memory-politics, wherein three kinds of memory-regime are possible: *unified regimes* where the consensus is unquestioned, *pillarized regimes* where a plurality of perspectives on the past coexist, and *fractured regimes* where there is intense conflict over the past. These 'memory-regime-types' are determined by the configuration of 'memory-actors' - political players struggling for hegemony by trying to shape collective memory. Bernhard and Kubik outline three categories of actors - *memory warriors* who question the current consensus and try to bring about a new one, *memory pluralists* who recognize that numerous interpretations of the past will exist, and *memory abnegators* who claim that the future is more important for public life than getting the historical record straight. The presence of warriors, they find, always generates a fractured regime. Crucially, it also destabilizes democratic governance, as warriors portray their opponents as illegitimate participants in democratic competition, and demand institutional reform to maintain their own power.⁸

Bernhard and Kubik's categories correspond roughly to the three types of memory-actors described by the historian James Mark's account of collective memory practice in post communist Central Europe. Mark observed a triangular classification struggle over the meaning of 1989 between *ex-communist*, *radical-national anticommunist*, and *liberal-moderate anticommunist* memory actors - abnegators, warriors, and pluralists respectively. Their narrations of the transition were, respectively: a) rebirth of ex-communists as democratic socialists b) a failed/unfinished revolution and c) a fulfilled revolution.⁹ The high political performance of ex-communists in the early 90s was predicated on their general abnegation of memory-wars and hence their claim to stand for the future. Responding to this, radical-anticommunists set up memorial museums at sites of terror like the Sighet Memorial in Romania and Budapest's *Terror Háza* to mobilize constituencies to cleanse the public sphere of totalitarian residues. For their part, liberal anticommunists transformed the state-socialist secret police archives into National Memory Institutes with the aim of promoting a democratic identity. As Bernhard and Kubik maintain, the European memory-regime was *pillarized*, meaning a plurality of voices had their places. But they shared basic assumptions – that totalitarian communism was vanquished, that commemorating its victims would heal the

⁸Michael Bernhard and Jan Kubik *Twenty Years after Communism* (Oxford: Oxford Scholarship Online, 2014) pp. 292-293.

⁹James Mark, *The Unfinished Revolution*. (Yale, 2010) pp. xvii-xix

wounds of the Stalinist terror, and teaching about its demise were preconditions of democratization. At the same time, the German model was hegemonic. At the height of hopes tied to the Arab Spring, British journalist Timothy Garton Ash wrote:

For out of the experience of dealing with two dictatorships – one fascist, one communist – contemporary Germany offers the gold standard for dealing with a difficult past. Modern German has characteristically long words such as *Geschichts.Aufarbeitung* and *Vergangenheitsbewältigung* to describe this complex process of dealing with, working through and even (the latter implies) "overcoming" the past. Using skills and methods developed to deal with the Nazi legacy, and honed on the Stasi one, no one has done it better. Just as there are the famous DIN standards – German industrial norms for many manufactured products – so there are DIN standards for past-beating.

Indeed, the Polish Institute for National Remembrance (IPN) under the lawyer Leon Kieres and the Czech ABS under Vaclav Benda faithfully adhered to the teaching of Gauck and Jahn. These 'second-wave'¹⁰ institutes were brought under the transnational umbrella of a European Network of Official Authorities in Charge of the Secret Police Files formed under BStU auspices. Meanwhile the *Europe For Citizens Initiative* offered funding to civil society actors concerned with memory according to European (German) criteria.

In the global cultural field, the hegemony of the liberal-anticommunist German model was expressed in Florian Henckel von Donnersmarck's 2006 Oscar winning *Das Leben Der Anderen*. In the film's final scene, a playwright finds his Stasi file in the reading room of BStU and proceeds to write a best-selling novel about how he came to forgive the Stasi and let bygones be bygones. Highly poignant, however, is the scene preceding this pathetic reconciliation. The playwright faces an ex-party boss who ordered his invigilation and, with disgust, utters 'I can't believe people like you once ran this country' and walks off. The boss looks at the ground, smiling to himself, then breaks the fourth wall as he adjusts the tie on his immaculate Italian suit and gives a knowing look as if to confirm to viewers

¹⁰ Lau, p. 11.

‘Doesn’t he understand? I *still* run this country.’



The seed of doubt planted by von Donnersmarck in this brief scene speaks to inherent paradoxes of the German model, ones that were felt palpably in the *Länder* of the former GDR. The language of social healing used by Gauck was backed up with a lustration drive that hit low-level civil servants much harder than the ex-Communist hierarchs. Was this justice? Was this social healing? Did this contradiction eventually unfold into growing support for a far-right party led by a history teacher calling on the East to stand up, fulfill the transition, and get freedom in place of a putatively enduring socialism?



I address these questions in the first chapter, *Antinomies of Aufarbeitung*. Subsequent chapters travel east, where a faithful reproduction of the German model in ‘New European’ states like Poland, Czechia, Slovakia, and Romania was complicated. Without the possibility of importing bureaucratic, police, and military cadres from a consolidated liberal state like West Germany, the East Europeans were unable to execute adequately cathartic purges of the state. A lag of several years between the collapse and the establishment of memory institutes on the German scale meant that in the eyes of the public, ex-communists had had enough time to maintain powerful networks controlling banking, industry, and commerce, trading the state apparatus of repression for ties to Russian mafias. Furthermore, the failure of prosecutors to generate high profile convictions of ranking leaders equivalent to Egon Krenz or Erich Mielke led rightwing journalists and their reading publics to formulate the conspiracy theory that communists had maintained control of the courts as well.

In places like Poland, the conclusion to *The Lives of Others* generated scornful irony. Already in 1993, the director Wladyslaw Pasikowski showed a dark side of reckoning with the past to audiences with the film *Psy* (Cops) wherein the retraining of the old secret police (UB) into the security forces of the liberal democratic republic is a time spent mostly destroying records in between shady dealings with German amphetamine gangs and Russian arms dealers. In an early scene, an army colonel named Morawiec is caught spying on ex-UB agents Maurer and Żwirski as they burn files in a tireyard. Żwirski wrestles Morawiec to the ground, puts him in a chokehold, and yells in his ear: ‘Do you think politics is the crap you watch on the news? Politics is us here, at this dump!’



Pasikowski's implication that democratic politics were a veil for showdowns between military and secret police power brokers and his stifling sense of powerlessness in the face of corruption continued to haunt Polish public life. In 2007, Jarosław Kaczyński would tell the daily *Rzeczpospolita* that politics was still a contest between the ethos of the old Home Army on one hand and the descendents of the communist repressive apparatus on the other.

So the memory politics of the New Europeans shifted away from the conciliatory language of Gauck and into score settling, aspirations for retroactive justice, suspicion that 1989 had been an unfinished revolution, and efforts to 'reawaken' populations to ongoing struggle against recombinant communist power. Instead of catharsis and social reconciliation, the establishment of NMIs engendered sharper conflicts among sectors of the intelligentsias and political classes. By the mid-2000s, the link between memory and democracy was reconceptualized in Eastern Europe; the task of collective memory was to uncover hidden legacies of the totalitarian past in order to redeem the betrayed revolution of 1989 and finally achieve a belated but morally pure democracy. Archivists in the memory institutes collaborated with journalists to search for evidence that anticommunist civil society movements were infiltrated and steered by the secret police, while civic educators taught students the dangers of socialism and the heroism of anticommunist clerics and militants. Their leaders founded a new transnational umbrella called the Platform of European Memory and Conscience (PEMC) to rival the BStU's Network of Authorities. I see this shift back to the ostensibly defunct totalitarian theory of communism in the civic education programs of NMIs as a transition to a heavily fractured regional memory-regime with 'radical anticommunists' posing a powerful counter-hegemony to the liberals. The main analytical payoff to be derived from studying these institutions is how it enables historians to understand the links between memory regimes and the larger process of post-communist democratization. Kubik & Bernhard proposed that this linkage should be a priority for memory studies at large:

Clearly, fractured memory regimes do not inevitably pose a threat to democracy. However, by exacerbating the polarization of existing political and/or cultural cleavages, they have the potential to do so. As in all cases of polarization, the response of elites to such situations, as is made clear by the recent work of scholars such as Bermeo and Capoccia, is instrumental. Politicians who choose to cast

political competition as a zero-sum game and treat the loss of power as a problem that requires ex ante institutional fixes that improve their chances of staying in power are highly likely to be mnemonic warriors as well. That is why the study of memory politics—particularly the conditions under which mnemonic wars are waged and won—is an important component of any study of democratization.¹¹

This project's ultimate objective is to make an intervention precisely at this confluence of memory studies and democratization studies literatures. What is the actual nature of the link between democracy and the memory regime? Have the memory institutes and memory wars over them contributed to the reverses suffered by liberal democracy in the region since 2010? Or have they simply been pawns in the game between democratic and antidemocratic forces in the region? On the brink of death, Zygmunt Bauman tried to capture the link between collective memory and the decline of democracy by inverting Orwell's maxim that 'he who controls the past controls the future.' For Bauman, memory-politics were the last desperate attempts of 'gravely malfunctioning Leviathans' to gain a sense of control after the 'divorce between power and politics - between the ability to get things done and to decide what ought to be done.' He elaborated:

Once stripped of power to shape the future, politics tends to be transferred to the space of collective memory – a space immensely more amenable to manipulation and management, and for that reason promising a chance of blissful omnipotence long (and perhaps irretrievably) lost in the present and in the times yet to come. Most obviously – and therefore most damagingly to our self-confidence, self-esteem and self-pride – **we are not the ones who control the present from which the future will germinate and sprout** – and for that reason we entertain little, if any, hope of controlling that future; in the course of its formation we seem to be doomed to remain pawns on someone else's chessboard and in someone else's – yet someone unknown and unknowable – game. What a relief, therefore, to return from that mysterious, recondite, unfriendly, alienated and alienating world, densely sprinkled with traps and ambushes, to the familiar, cosy and homely, sometimes wobbly but consolingly unobstructed and passable, world of memory: our memory – and so my, as I'm one of 'us', memory; our memory – memory of our, not their, past; a memory – to be possessed (that is, used and abused) by us and by us alone.¹²

This is, in my view, a fair account of why memory politics has intensified in the wake of democratic decline. But I feel a need to go further and ask how memory politics might have been involved in *generating* democratic decline. Bauman might answer that the 2008 banking crisis shook the foundations of democracy first, and the memory wars came next. Mostly, this account of the historical sequence is correct. I think Wolfgang Schäuble's utterance that 'elections cannot be allowed to determine financial policy' during the Greek debt negotiations unveiled a serious malfunction in the EuroLeviathan; the central bank revealed it wished not heed the voice of the demos. The sequence of Eurosceptic nationalist

¹¹ Bernhard & Kubik, 293.

¹² Zygmunt Bauman, *Retrotopia*. Cambridge, UK: Polity Press, 2017. p. 10.

-illiberal democratic - populists wielding historical revision as a political weapon en route to electoral victories in Hungary (2010) and Poland (2015) followed. In Czechia, the liberals impaled themselves on their own memory political swords in 2013 (See Ch. 4) AfD formed in the same year. What complicates this account is that the NMIs were created in a moment when democracy was on the rise, not declining. They were designed in the 90s and early 2000s to fortify democratic political culture, so the question emerges: did they somehow malfunction and aid the rise of illiberalism and democratic decline?

Below, I bring expert-interviews with NMI workers, reports from participant-observations of civic education classes and commemorative rituals, websites, publications, and media sources into an account of the evolution of BStU, IPN, and USTR. I follow the case studies with three comparative thematic chapters addressing the link between NMIs and democratic decline from three perspectives. In Chapter V, I take a cue from classic democratic theories and international democracy indexes that focus on institutional markers and discuss the impact of NMIs on democratic institutions; elections, schools, and courts. In Chapter VI, I follow modern memory studies methodologies and go beneath the level of institutions to look at how NMIs transformed democratic *culture*. In Chapter VII, I adopt a political sociology perspective and discuss how NMIs were shaped by and in turn shaped the role of intellectuals in society.

II BStU: Antinomies of *Aufarbeitung*

The past will have been worked through only when the causes of what happened then have been eliminated. Only because the causes continue to exist does the captivating spell of the past remain to this day unbroken.

-Theodore Adorno, *Was bedeutet Aufarbeitung der Vergangenheit*, 1959

This wound can only be healed by the spear that smote it.

-Richard Wagner, *Parsifal*, 1820

BStU, widely recognized as the model emulated by the memory institutes across postcommunist Central Europe, was not the first official body to be tasked with opening the records of the *ancien regime's* secret police. That dubious honor belonged to the short-lived Tambuev committee in Bulgaria. Exposing informants of the despised Sixth Department of State Security was a central demand of the opposition during demonstrations in 1989 and at the Sofia roundtable from January to May 1990. The ruling Socialist Party agreed to put together a seven-person detail to investigate which members of the new parliament had informed on oppositionists in the 80s. In the interim, the Department VI's commander General Atanas Shmerdzhiev had reportedly had the most sensitive records destroyed. Nonetheless, an unofficial list of parliamentary collaborators surfaced in the press by August, before the committee could publish their findings, and threw the whole enterprise into chaos and scandal.

If an investigator were to travel from Sofia in the summer of 1990 through the former Soviet Satellites in search of secret police files, they might get the impression that the further north they went, the less enthusiasm there was for peering into the archives. In Bucharest, the project to open the Securitate holdings detailed in the Timisoara Proclamation by protesting students had been violently suppressed by the police in April, not to be revisited for a decade. The transition in Hungary meanwhile, took place, as one witness put it, 'without bloodshed, in a peaceful, sad and almost dignified way.'¹³ Though the regime implicitly admitted its guilt at the reburial of Imre Nagy, formal lustration would not be proposed until 1994. Antall was moving slowly, as both state and society were weighed down by the tragic memories of 1956. With those wounds opened afresh on Hero's Square, few were eager for a dramatic reckoning. Czechoslovakia's President Vaclav Havel, for his part, had appeared on television on New Years' Day 1990 and admonished the people to think about how they were all 'responsible for the operation of the totalitarian machinery.

¹³ Istvan Rev, . *Retroactive Justice: A Prehistory of Post-Communism* (Stanford: Stanford University Press, 2005) p. 335.

None of us is just its victim. We are all also its co- creators.¹⁴ Though political parties had been permitted to vet electoral candidates based on the StB archives, Havel feared that formal lustration of the state and revealing the files to the public would not be in the spirit of the Velvet Revolution. His Polish counterpart Tadeusz Mazowiecki proposed to separate the present from the past with a ‘thick line’ already in winter 1989, and the famous dissident Michnik warned that lustration would only bring forth an ‘anti-Bolshevik Bolshevism.’

Mainstream opinion in Germany was similar to the other successor states but the situation on the ground bore a key difference; there, ordinary people had captured the MfS headquarters in Berlin-Lichtenberg and provisional Volkskammer legislation placed the archives under the watch of a citizens’ committee. Thus, Shmerdzhiev’s German counterpart Schwanitz could do comparatively little damage undetected. The citizens’ committee was chaired by a Lutheran pastor from Rostock named Joachim Gauck. Son to a former SS-man who had been heavily invigilated by the SED, his experience shaped him into an obstinate and resilient character, always convinced he saw things more clearly than the various ideological subjects around him. A personality straight out of Kundera. Despite his admonitions, the East German roundtable decided to melt the Stasi’s electronic data carriers weeks after the occupations, and as the unification treaty with the Federal Republic approached, many voices called for destroying the remaining paper as well. Gauck appeared a number of times before the Volkskammer, urging the deputies to allow him to make the MfS holdings available to the public, and use them to help consolidate the new democracy. He held onto the Volkskammer’s support by addressing the ex-Stasi and assuring them they had a place in his project of social renewal.¹⁵ Still, several Bishops who had been Gauck’s allies in the autumn of 1989 backed sealing or destroying the files under his authority in 1990. They went on television to advise the people to exercise Christian forgiveness instead of score-settling.

For the FRG leaders, Gauck’s files belonged in the Bundesarchiv, where they would be classified for thirty years; as the fiasco of the Tambuev Commission had demonstrated, the secret police files were a Pandora’s box best left undisturbed. In charge of designing the unification treaty was Wolfgang Schäuble, a lawyer from Baden-Württemberg who began political activity in the Christian Democratic *Junge Union* in 1969 and rose to Minister of the Interior by the *Wendezeit*. When asked about the Gauck holdings, Schäuble spoke of ‘destroying them all, sight unseen’¹⁶ before he met the commissioner in person. Gauck’s longtime friend and collaborator David Gill recounts that Schäuble and Gauck had a two-hour private conversation in 1990 during which they mainly exchanged musings on life in the two postwar Germanies. When they finished, Gauck told Gill ‘finally, a Wessi who understands what we are trying to do.’¹⁷ Whatever transpired during that conversation for Schäuble must have been a microcosm of the overarching historical phenomenon that was West German leaders changing their minds about the Gauck authority in the period between

¹⁴ President Vaclav Havel, "Havel's New Year's Address to the Nation, 1990," *Making the History of 1989*, Item #111, <https://chnm.gmu.edu/1989/items/show/111> (accessed December 27 2021, 9:35 pm).

¹⁵ Norbert Robers, *Joachim Gauck: Die Biographie Einer Institution* (Berlin: Henschel, 2000) p. 125.

¹⁶ J Miller, (1998). Settling accounts with a secret police: The German law on the stasi records. *Europe - Asia Studies*, 50(2), 305-330.

¹⁷ Private Communication with David Gill, December 2021

Unification and the united Bundestag's vote on the Stasi-Unterlagen Gesetz (StUG) in December 1991. How did the lone pastor manage to convert the West?

Aufklärung 1990

To persuade the negotiators to keep his post in the structure of a unified Germany, Gauck put forward a new concept of *Aufarbeitung* at countless parliamentary hearings, televised appearances, and round table debates. Conveniently for the historians, the concept is summarized in his April 1991 essay *Schlußstrich oder Aufarbeitung*- a piece that was widely available to decision-makers from both Germanies during the Bundestag debates over the StUG. The piece was far more than a reiteration of Theodore Adorno's 1959 essay on *Aufarbeitung*.¹⁸ The Frankfurt School doyen argued for a *durch Aufarbeitung* (working through) to replace the then-dominant *Vergangenheitsbewältigung* (overcoming the past) paradigm. Rather than accept the past and move on with life, Adorno argued the Germans (and the West in general) needed to thoroughly eliminate the causes underlying the tragedies of the past. It was a typical critical-theory notion of working through the past, the intellectual was tasked with employing a psychoanalytic toolkit to discover traces of fascism in all corners of society and stamping them out.

Gauck, on the other hand, imagined *Aufarbeitung*, in a classical Enlightenment mode, as a catalyst for the subject's maturation. On the psychological plane, it was his position that the SED dictatorship had held the East German subject in a 'state of immaturity' that might be transcended if they had to face their bare unmediated past. Giving individuals the choice whether they want to look into the files of repression, to see if they had been betrayed by their friends, their spouses or their superiors at work and then decide how to reckon with painful truths or not would be a rite of passage into adulthood. With this maturity, that subject might become capable of life as a democratic citizen with political rights, even to 'feel at home in democracy.' At the same time, he proposed that the West could gain a valuable lesson from absorbing the maturing East; a generation of Wessis had grown up without needing to struggle for democracy, without the longing for freedom that life in dictatorship generated. Thus, it was in the East that the West could glimpse the 'good Germany' where people fight for freedom and transcend the lethargy endemic to Western life. Sealing the files under a concrete slab, as the Bishop of Brandenburg demanded, would take the choice away from the individual. Responding to warnings that opening the files might block the East Germans from careers and developmental trajectories, Gauck once again insisted that it was a matter of individual choice for businesses, employers, and institutions who had to decide 'what degree of collaboration was acceptable.'

More than a catalyst of maturation, the secret police files could generate a cathartic break:

It is not enough if the Stasi is smashed and the archives are closed, but rather we have to free ourselves from emotional chains and ties at the same time. After the external oppression has fallen, the inner formations must now be cured, which will certainly take a long time. Part of real liberation is that the soul has lagged behind political developments(...)

Ultimately, the decisive factor for working with the Stasi files is our will to continue what we started on the street by also meeting the state security's knowledge

¹⁸ Theodore. Adorno, *Was Bedeutet Aufarbeitung Der Vergangenheit* (1959) p. 19

of domination. We get to gain the knowledge that the mighty ones had over us to free ourselves. In this respect, our work is also part of a great therapeutic process in which we remember the entanglements and injuries, the early and long-lasting fears of the nightmares and the anger that we so quickly hidden and repressed after the fall of the SED. It's about every single second of the conflicting past. The days and weeks after the opening of the wall have shown us that healing is not achieved by running away from one's own tears. At that time, there was a lot of crying in this country and suddenly some of the incredible pressure felt by the people before had been released. Even in their private life, everyone has probably already had the experience that you can shape the future better if you take a crisis situation seriously than if you ignore it and suppress it. We should not under-challenge ourselves by letting our own possibilities to cope with our past go unused, but rather bear in mind that one can master even the greatest ailments if one is really determined to do so(...)

However we twist and turn the problem of the Stasi files, we can cope better if we can take a look at this uncanny legacy of the lost GDR. Possibly, if we open the archives, we will face criticism and debate at first, but the will to close this chapter of German history will certainly grow.¹⁹

This struck a chord with Western elites - a tritone to be exact - wherein the root note sounded a classical enlightenment striving for individual emancipation while major overtones sang of German unity and release from the psychological burden of the past.

This burden was felt Ronald Reagan's inelegant equation of laying wreaths for SS war dead in the Bitburg cemetery with ceremonies at the mass graves in Auschwitz-Birkenau and stoked by Andreas Hillgruber's May 1986 book comparing the destruction of German Jewry under the Third Reich to the annihilation of the last of the Wehrmacht by the Red Army in 1945, the *Historikerstreit* pulled high-ranking German historians, philosophers, and political figures into a fierce two-year conflict in the press over whether the crimes of National Socialism were unique in history. The major players backing Reagan and Hillgruber were Ernst Nolte, Joachim Fest, Klaus Hildebrand, and Micheal Stürmer; all accomplished historians of the Third Reich and German fascism in their own right. They claimed it was time for Germany to move beyond the eternal recurrence of guilt, to recognize that German atrocities were not isolated occurrences in the time of extreme violence that was the early twentieth century, and to cease giving into the moralistic browbeating of left academics dedicated to the Adornian injunction to point out lingering fascist potentials in every corner of society. Against this 'conservative camp' stood Jürgen Habermas, the leading social philosopher of the Bonn Republic, and with him historians Heinirch August Winkler, Jürgen Kocka, and Hans Ulrich Wehler, who held that Nolte's revision of Third Reich history was an unacceptable attempt to reconstruct a usable past underlying a conservative national identity. The West German Chancellor Helmut Kohl, a history PhD from Heidelberg and CDU member since the age of 16, had himself drawn criticism for trying to normalize and de-actualize the Nazi past with his projects for a German Historical Museum in Berlin and the German History House in Bonn.²⁰ After a year of bitter debate in the national press, neither side retreated from their positions, but the majority of academic and

¹⁹ Gauck, 95-96. My Translation.

²⁰ Charles Maier, *The Unmasterable Past* 121-39., Jennifer Allen, "National Commemoration in an Age of Transnationalism" *The Journal of Modern History* 91 (March 2019), 119-120.

public opinion remained anchored in the opinion that Germany would need to live with a unique burden of guilt.

The 1990-91 debate over the Stasi legacy thus broke out while the embers of West Germany's intellectual civil war were still hot. In Schäuble's memoir of the unification treaty negotiations, he recounts thinking 'we are still carrying twelve years of Hitler's Germany five decades after the total collapse of this regime, , and we will carry this past as long as people from that time are still alive. How long will Germany have to endure more than forty years of totalitarian socialism?'²¹ Most of the memoir's chapter about *Aufarbeitung* is a list of reasons for why he was hesitant to open the files. But the opening is telling. In the words of one journalist at *der Spiegel*: "For the Germans, the confrontation with the past is so complicated because, despite constant debates, they are still not finished with the catastrophe of the Nazi era - and that is why they are probably rushing to settle accounts with the SED state with great zeal"²² Their colleague at *Neue Zürcher Zeitung* wrote that West Germans "appeared as if they were trying to compensate for failures in coming to terms with National Socialism." President Weizsäcker himself had a similar analysis: "The West wanted to try to free itself from the legacy of the GDR, to evade the historical burden sharing."²³

For Gauck and Schauble's generation, there was a palpable sense that confronting the past right away would be better in the long run than keeping it in the shadows as the Nazi past had been. Thus, the debate was structured by a kind of mnemonic layering and Gauck's brand of *Aufarbeitung* was embraced by the West as a way to transcend and sublimate the painful controversies of the 60s and 80s by giving the public a chance at an independent *Aufklärung*. When it came time for the united Bundestag to debate the form of the Stasi Unterlagen Gesetz (StUG,) only the PDS voted against keeping the basic form of the Gauck-behörde established in 1990 by the *Volkskammer*. Western CDU/CSU and SPD MPs expressed the necessity of an open archive to ensure 'psychological relief' and 'biographical clarity' for victims, 'social and individual emancipation' and 'self-confident civic engagement' that could strengthen former DDR subjects' belief in FRG democracy.²⁴ Hans-Jürgen Garstka recounts that the legislators viewed the opportunity for victims to reach 'understanding and catharsis' as a fundamental right trumping even privacy.²⁵

²¹Wolfgang Schäuble, Dirk Koch, and Klaus Wirtgen. *Der Vertrag: wie ich über die deutsche Einheit verhandelte*. Stuttgart: Deutsche Verlags-Anstalt, 1991. P. 265.

²² »Kein Verbrechen ohne Schuld« 22.12.1991, 13.00 Uhr • aus DER SPIEGEL 52/1991
<https://www.spiegel.de/politik/kein-verbrechen-ohne-schuld-a-6c4049a5-0002-0001-0000-000013492251?context=issue>

²³ Ibid.

²⁴ Markus Goldbeck. "Freiheit oder Sicherheit? Die Debatte um den Zugang zu den Stasi-Unterlagen im Kontext von Sicherheits- und Informationspolitik," in: *Deutschland Archiv*, 21.11.2014, <http://www.bpb.de/194807> Accessed February 5, 2020. see also: Silke Schumann, *Vernichten oder Offenlegen? Zur Entstehung des Stasi-Unterlagen-Gesetzes. Eine Dokumentation der öffentlichen Debatte 1990/91* (Berlin: BStU = Der Bundesbeauftragte für die Unterlagen des Staatssicherheitsdienstes der ehemaligen DDR)

²⁵ Hansjürgen Garstka, "Stasi-Unterlagen-Gesetz (StUG)--Bewahrung oder Missachtung der informationellen Selbstbestimmung," in *Einblick in das Herrschaftswissen einer Diktatur--Chance oder Fluch?*, ed., Tobias Hollitzer (Opladen, 1996), 156.

In sum, the debate over the StUG was won with Gauckian arguments that open access would facilitate some kind of psychological breakthrough for victims of the MfS, emancipation of the individual subject from GDR-imposed immaturity and consequently, a deeper connection to the Federal Republic's democracy for those subjects. Its legal framework ensured it would not be in full control of the process, as the StUG saddled BStU with a dual task:

- "*Aufarbeitung* of the activities of the State Security Service by informing the public about the structure, methods and operation of the State Security Service" (Section 37 (1) No. 5 StUG),

- "Supporting research and political education in the historical and political *Aufarbeitung* of the activities of the State Security Service by granting access to documents and issuing duplicates of documents" (Section 37 (1) no. 6 StUG).²⁶

The first task necessitated the creation of a Research and Education Department, which employed top scholars to conduct 'basic research' into the MfS and regularly present it to the public. With unrestricted access to the files, the staff brought findings about MfS activity to public schools and university colloquia across Germany. The commission opened the Stasi's old cinema hall to the public and played MfS instructional films to overflowing audiences.²⁷ The second task - to support research by granting file access - meant that *Aufarbeitung* was heavily impacted by the journalistic field, political figures responding to allegations of collaboration, political figures trying to destroy opponents, Ossi intellectuals trying to survive the *Abwicklung* (see below) and Wessi intellectuals trying to dismantle their departments.

According to Gauck's writings, the people's trust in democracy had to be built by purging the perpetrators of DDR repression. In private, he and David Gill spoke of the need for 'political hygiene.'²⁸ On the subject of lustration, the StUG reads "A justifiable reason for dismissal is then, when an employee had been in the employ of the former Ministry for State Security/Office for National Security." It was up to the governments of the individual *Länder* to execute this, and in the first 15 years, BStU recorded 1.7 million vetting requests, 90% of which were for public servants. The criteria were not standardized until the mid-nineties, so the early years saw thousands of teachers, police, administrators dismissed for varying and inconsistently judged forms of collaboration.²⁹ President Weizsäcker called it a travesty. Author and PDS-member Stefan Heym ruminated that East German democracy was a veil for rule by the Treuhand and BStU. He had a point; the early 90s were a time when many East Germans found themselves out of work either because of 'market logic' or *Aufarbeitung*. By Gauck's own admission, a big problem with the legal framework for lustration was that only Stasi employees and *inoffizielle Mitarbeiter* (IMs) were

²⁶ Erster Tätigkeitsbericht des Bundesbeauftragten für die Unterlagen des Staatssicherheitsdienstes der ehemaligen Deutschen Demokratischen Republik — 1993 Deutscher Bundestag 12. Wahlperiode. Drucksache 12/5100 P. 69.

²⁷ Ibid., P. 70-73.

²⁸ Personal Communication with David Gill, December 3, 2021.

²⁹ Juan Espíndola Mata, *Transitional Justice after German Reunification: Exposing Unofficial Collaborators*. (Cambridge: Cambridge University Press, 2015) p. 213.

singled out for vetting but not SED higher-ups. In a 2007 interview with the historian Gary Bruce, Gauck ruminated that "the members of the district leadership, the regional leadership and of course the leadership of the SED are more responsible for repression than a single informant."³⁰ But in the 1990s it was the IMs, usually from the bottom rungs of the civil service that bled on the altar of democracy. The Stasi, like secret police elsewhere, were dissolved and presumably transitioned into careers in private security or organized crime. As for perpetrators of human rights abuses, they were mostly protected by the principle of *nulla poena sine lege*.³¹ In signing a unification treaty with GDR, FRG had recognized the former state as a legal entity. Any retroactive justice would have to be for breaches of GDR law at the time. Thus, only one in sixty cases of human rights abuses by the SED investigated after 1989 even reached court.³² Krenz and Kessler got seven and one half years incarceration for the *Schießbefehl*, hardly *Siegerjustiz* in the eyes of the public. The embezzler Harry Tisch did a meager eighteen months, while Honecker got to retire in Chile. Mielke got six years for murdering two police in 1933, but was acquitted for all his crimes as a communist. Thus, one of the many yawning contradictions in *Aufarbeitung* manifested. For the tens of thousands of university professors, paper-pushers, police officers, and tram drivers who had to face economic destitution for having had a Stasi file, it was expected that the hierarchs should fall. Instead, they perceived the weight of the retributive element of *Aufarbeitung* falling on them. Gauck had said that the removal of the old bosses was crucial for the East German people to trust their state, but his *Behörde* could not execute a thorough purge of the upper echelons. In his activity report to the Bundestag for 1997, he only partly addressed this contradiction and mused that people would have to be satisfied with 'mental reparation' from access to their personal files.³³

When it came to the political field, one of the first to fall was Lothar de Maizière, the first democratically elected premier of the GDR and signatory of the unification treaty. Shortly after joining Helmut Kohl's CDU cabinet, *Die Zeit* found de Maizière's file in Gauck's archives and revealed he had been an *inoffizielle Mitarbeiter / IM* (unofficial employee) prompting a quick resignation. This was before the StUG had even passed, and the speedy resolution may have convinced observers that *Aufarbeitung* would indeed go smoothly. More complicated was the case of Christa Wolf, the author who had been critical of the SED but also of reunification. Her 1990 book *Was bleibt*, a thinly veiled autobiography presenting herself as a victim of Stasi surveillance, was followed by a revelation that she had worked as IM 'Margarete' and spied on colleagues. It was left to the public to decide if they wanted to read her books going forward or not. For SED politician Gerhard Reige, the prospect of facing the past led him to suicide. When Honecker came to answer for his past, he was already being eaten alive by cancer if not his conscience, so retirement in Chile was his punishment.

³⁰ Gary Bruce, "Access to Secret Police Files, Justice, and Vetting in East Germany Since 1989." *German politics and society* 26, no. 1 (2008): p. 92

³¹ David Clarke, and U. Wölfel. "Introduction" in Clarke & Wölfel eds. *Remembering the German Democratic Republic Divided Memory in a United Germany*. 1st ed. 2011. London: Palgrave Macmillan UK, 2011. p. 6.

³² *Ibid.*

³³ Dritter Tätigkeitsbericht des Bundesbeauftragten für die Unterlagen des Staatssicherheitsdienstes der ehemaligen Deutschen Demokratischen Republik -1997. Deutscher Bundestag 13. Wahlperiode Drucksache 13/8442. P. 6.

But the first major stumbling block was Manfred Stolpe. In the GDR, Stolpe chaired the Secretariat of the Federation of Evangelical Churches acted as an intermediary between them and the Party. He joined SPD and won election to the office of Brandenburg's Minister-president in late 1990. In early 1992, *der Spiegel* published an excerpt from his forthcoming book *Schwierige Aufbruch* featuring an admission that Stolpe cooperated with MfS extensively as he crafted a *modus vivendi* between church and state. The Brandenburger Landtag immediately called up a committee to investigate the scope of the collaboration and determine if it warranted removal. BStU set to work on pulling operational files and produced a report revealing that MfS listed Stolpe as *IM Sekretär*. Stolpe's answers at the committee hearings were that he had no knowledge of being considered an IM, that he was playing the system for the good of the church, and in what seemed a parody of Gauck's own language, that he was trying to ascertain the inner workings of the repressive arm of the state to help affected citizens. The Evangelical Church issued a declaration that Stolpe had remained loyal to the church and humanitarian concerns in his negotiations with Stasi, and should not be considered a traitor.³⁴ As new evidence surfaced about him receiving gifts and medals from MfS, he made a series of equivocating explanations that made journalists and political opponents call for blood. His own education minister Marianne Birthler, a veteran of the DDR civil rights movement, resigned in protest of his conduct at the hearings. Her job at the time was to carry out an *Entstasifizierung* of the education system, requiring teachers to submit questionnaires that were then checked by BStU. If teachers were found to have been IMs or lied on the questionnaire, they got the ax. Birthler publicly stated that Stolpe would have been dismissed had he been a simple teacher; he had given evasive answers at the hearings that she claimed would undermine Germany's political culture, and the BStU report clearly marked him a collaborator. Resignation was the only way to maintain her political 'authenticity.'³⁵ A group of 100 ex-dissidents signed a statement praising her courage and calling for Stolpe's resignation, but this was not enough for the committee. Gauck's report had not drawn conclusive evidence that Stolpe actually *knew* he was IM 'Sekretär,' and according to the committee, the balance-sheet of his work was to the benefit of society, not the socialist state.

Jürgen Habermas' comment was that the affair unveiled how difficult it was to draw moral judgments about post-Stalinist entanglements. Gauck weighed in that in any federal state other than Brandenburg, Stolpe would have had to resign. This prompted the *Ministerpräsident* to sue and win in the Federal Administrative Court, which ordered Gauck to limit his activities to providing the files requested by the committee and refrain from making value judgments. As for the people of Brandenburg, Stolpe represented perhaps the deepest reality of their remembered experience - the need to negotiate daily and selectively cooperate with the state in order to survive.³⁶ Thus, after the Landtag allowed Stolpe to retain his post, the people re-elected him repeatedly until his 2002 retirement.

After the affair cooled down, the Brandenburg Landtag set about relaxing their lustration rules, which had been inconsistent across regions. Representatives of the five eastern *Länder* had come together at the height of the Stolpe affair in '93 to try and hash out

³⁴Barbara Miller, *Narratives of Guilt and Compliance in Unified Germany: Stasi Informers and Their Impact on Society*. (London: Routledge, 1999) p. 78.

³⁵ Anne Sa'adah, *Germany's Second Chance: Trust, Justice, and Democratization*. Cambridge, Mass: Harvard University Press, 1998. p. 207-220.

³⁶ Miller, 79.

a uniform set of criteria for dismissing / penalizing former IMs, and did not reach a synthesis. In Saxony, the practice was to sack anyone who had so much as appeared in the files. The rest were more lenient owing to a less ready supply of replacement cadres from the West. Stolpe's survival had fulfilled one of Gauck's original promises - that former collaborators would have the chance to redeem themselves and take part in the healing process. The Stolpe committee came to the conclusion that 'No one should be denied the chance of personal development and the desire to redirect their life.' In 1995, the Landtag's new lustration criteria reflected this principle; there would have to be evidence that the IM had intended to harm fellow citizens. If a vetted official had lied about working for Stasi, they may now be forgiven if the lie had been out of fear for losing their job.³⁷ Birthler called the move nothing less than a betrayal of democracy. The Bundestag also became more forgiving, and in 1996 amended the StUG so that records dated earlier than 1975 could no longer be released for vetting, "with the exception of examinations of members of the federal government or a state government, members of parliament and members of municipal representative bodies, members of the advisory board of the BStU and members of the executive boards of political parties as well as applicants for these functions."³⁸

Helmut Kohl's unification-era promise of 'blooming landscapes' in the East unfolded into enough unemployment to topple him in 1998. Already in 1994, the CDU's unification-era lead in the ex-DDR *Länder* had floundered. By '98, PDS was polling at 20% in the region and Social Democracy ascended to hegemony in both East and West. Ironically, the recombinant left had taken 52% of the total vote in United Germany a mere eight years after the collapse of communism. The SPD-Green coalition that supplanted Kohl campaigned on a promise to cut unemployment in half. Their finance minister Oskar Lafontaine tried some counter-cyclical measures to boost demand only to be sacked by Schröder within six months. His successor focussed on balancing the federal budget and eventually bowed to international expert opinion by creating a reform package called Agenda 2010. The package basically brought Germany up to speed with the hegemonic neoliberalism of its neighbors.

In the meantime, the defeated CDU became embroiled in a monumental corruption scandal. On November 4, 1999, a court in Augsburg subpoenaed CDU treasurer of twenty years Walther Kiep to answer for an illegal donation made by an arms dealer named Schreiber eight years prior. Kiep admitted to having met Schreiber at a Swiss highway service area in 1991 to accept the *schwarzgeld*. Kohl issued a statement that he had no knowledge of the transfer or any illegal CDU finance. Kiep refuted the ex-Chancellor on November 23rd, and former party chairman Geißler told reporters there was widespread knowledge of slush funds holding money from the likes of Schreiber. Schäuble announced that an internal investigation was imminent, and in December, Kohl broke. He admitted publicly that he had accepted several illegal donations in the 90s but refused to name his sources. Schäuble meanwhile, opened up and said he had personally taken 100,000 DM. The main fallout of the fiasco was that Schäuble relinquished his position as party chair, allowing Merkel to rise through the ranks.

³⁷ Sa'adah, 220.

³⁸ Dritter Tätigkeitsbericht des Bundesbeauftragten für die Unterlagen des Staatssicherheitsdienstes der ehemaligen Deutschen Demokratischen Republik -1997. Deutscher Bundestag, Drucksache 13/8442 13. Wahlperiode Unterrichtung 29.10.97. Sachgebiet 252. p. 109.

Journalists hoping to clarify the depth and sources of the CDU slush fund wondered whether or not recordings of Kohl's phone calls by Stasi agents from the 1980s might hold clues, and started requesting his file from BStU. He preempted them in 2000 by requesting the 7,000 page file himself, which was received in September. Next he sued BStU, hoping to block them from giving the file to the press, and won. Initially in the Berlin Administrative Court and later in the Federal Administrative Court, it was ruled that public figures could impose limits on how much of their files they wished journalists to see. The STuG, moreover, seemed at odds with the *Grundgesetz*'s articles guaranteeing telephone and postal privacy. Gauck's fellow dissident and successor as Federal Commissioner Marianne Birthler said the ruling would effectively destroy the pertinent historical research being done in her archive. She found allies among MPs of the ruling coalition in the Bundestag, who claimed the rulings contradicted the Unification Treaty's Article 1 ensuring 'political, historical, and legal *Aufarbeitung* of the activities of the former MfS.' In September 2002, synthesis was reached with a novelisation of the StUG; henceforth, individuals would be informed when researchers or journalists had requested their files. Those individuals would have to give permission for researchers to view private details of their life, but information on their public life would be fair game. This amendment - called the 'Lex Kohl' - included a clause that 'if public interests prevail,' information on public figures could see the light of day. But this still did not make Kohl's file available to the Bundestag committee responsible for investigating the funding scandal, and in 2004, justice Wolfgang Driehaus of the Federal Administrative Court laid down an interpretation of the Lex Kohl that favored the right to privacy. Scarcely 1,000 pages could be viewed by journalists - communication with politicians, newspaper clippings collected by the Stasi, and information already available to the public. The final word was that any information gathered by illegal means (ie. spying) was protected by the right to privacy. Henceforth, BStU would also have to vet files requested by journalists and researchers and anonymize any 'third parties.'

After the *aktenaffäre*, questions emerged as to whether Germany still needed a BStU. If public figures could now block access to their documents, the archive's value for democratization became unclear. Journalists and pundits started calling for its closure and the transfer of its contents into the federal archive. They claimed BStU had already adequately served the function of **vetting public servants** and assisting in trials of human rights violators so there was no longer any point. Gauck's discourse of social healing had run out of steam, and moving forward, the commissioners had to justify their continued existence with new arguments. Every other year, the commissioner submits an activity-report to the Bundestag. In her report for 2005, Birthler wrote

Figures can only capture the social significance of *Aufarbeitung* very imperfectly. It is still present and noticeable, for example, because the documents enable us to counteract the exculpatory legends of former MfS leaders and former rulers with facts. But there is more to it than that: At a time when public memories of the daily domination and lack of freedom under the dictatorship are fading more and more and the image of the GDR is being downplayed and glorified, the correction with the help of GDR documents is important. Confronting the realities of the SED

dictatorship can help raise awareness of the dangers to the rule of law and to value freedom and democracy.³⁹

The report was delivered a couple of months after a party called Die Linke had surged from two to fifty-two Bundestag seats, so it was not difficult to read between the lines. *Linke* politicians had repeatedly and unabashedly refused to apologize for their SED past, and even claimed that the construction of the Wall had been a rational course of action on the event's fortieth anniversary.⁴⁰ But Birthler had things backwards; the memory of GDR was not 'glorified' but remained an albatross around the neck of Die Linke as it had been for PDS in previous episodes. Schröder's SPD and their Green allies could have gotten a crushing majority in 2005 if they broke the taboo on coalescing with the 'Party of the Wall,' but opted for a Grand Coalition with Merkel instead. *Die Linke* formed because bitter West German trade unionists broke from SPD after they implemented Agenda 2010 and sought an alliance with PDS to be electorally relevant, not because nostalgic memories of GDR were making people pine for a resurrected state-socialism. The recombinant left was no more a danger to German democracy at this stage than the CDU's corruption, which BStU had been blocked from shedding light on.

Birthler was not just lashing out at the left, but also at a recent underlying shift in the German memory-landscape. In late 2004, the SPD-Green Bundestag had announced that Birthler's institute would henceforth fall under the authority of the Ministry of Culture rather than the Interior. In response to anxieties and uncertainties about the BStU's future, Culture Minister Weiss called an expert commission of historians to appraise the last fifteen years of official memory work and offer recommendations for future endeavors. Led by Martin Sabrow, the team was viewed as far too leftist by rightwing commentators.⁴¹ Two previous special commissions had been called by the Bundestag since 1992 to appraise the GDR Dictatorship. The second, working from 1995-1998, had recommended the creation of a *Bundesstiftung für Aufarbeitung der SED Diktatur* (Foundation for the Reappraisal of the SED Dictatorship) whose function would be mainly to distribute federal funding to grassroots organizations dedicated to memory. Those commissions had established and reinforced an official memory of GDR that Sabrow's report would call the *diktaturgedächtnis* - a memory-lens fixated on the repressive side of the state. Sabrow recommended that more attention should be paid to the 'everyday' aspects of life in the GDR, a stance very much in tune with contemporaneous academic interest in *Alltagsgeschichte*. Some called for a fusion of BStU's research department with the *BundesStiftung*. The latter, for their part, publicly criticized Birthler for authorizing events and publications that were only tangentially related to MfS activities. Their president argued that this was good evidence that the importance of Stasi memory was fading, and an independent behörde no longer made sense.⁴² Worse still,

³⁹ **Siebenter Tätigkeitsbericht** der Bundesbeauftragten für die Unterlagen des Staatssicherheitsdienstes der ehemaligen Deutschen Demokratischen Republik – 2005. p. 8. My translation.

⁴⁰ Espindola, p. 229

⁴¹ Andrew Beattie "The Politics of Remembering the GDR: Official and State-Mandated Memory since 1990" in Clarke, D, and U Wölfel eds. *Remembering the German Democratic Republic: Divided Memory in a United Germany*. London: Palgrave Macmillan, 2011. pp. 30-32

⁴² Spiegel Politik: *Neuer Streit um Birthler-Behörde*. 15.01.2005.

documents surfaced showing that some BStU employees were themselves former *Stasi* employees [agents?]

Amid the hail of proposals to reconfigure and defund BStU, Birthler felt the need to show her institute was still relevant, and in 2007, she published a file from the 80s showing that border guards were given orders to shoot women and children trying to escape to the West - the infamous *Schießbefehl*. This was supposed to prove that the research department at BStU still had an important task in uncovering the scale of DDR repression and bringing perpetrators to justice. The discovery made headlines across the world but journalists immediately reminded the public that a historian named Matthias Juidt had already found an equivalent document ten years prior and Birthler had to admit she had been unaware. Politicians from CDU and die Linke alike commented that this was a sign the Birthler-Behörde's sensationalism evidenced unprofessionalism.⁴³ They advocated sending BStU's funds as quickly as possible into the federal archive to end the 'research monopoly' enjoyed by the institute's in-house researchers. The SPD's Wolfgang Thierse answered that his party supported maintaining the institute in its present form until 2019.⁴⁴ For her part, Birthler dismissed the idea of a research monopoly and explained that outside researchers were mainly hindered by the restrictions imposed by the court rulings during the Kohl disputes. In previous years, she had submitted draft amendments to the StUG to approve access to non-anonymized files for researchers from universities.⁴⁵ This passed with the StUG's seventh amendment in 2007. The same amendment severely restricted the circle of public officials subject to lustration, which was set to expire on December 31st 2011.

Transition

As the expiry of the German lustration law approached, another wave of high-profile revelations persuaded lawmakers to think about extending it. Not surprisingly, a major cluster of denunciations took place in the 'little GDR.' Stolpe had been succeeded in 2002 by his Minister for Environment Matthias Platzeck, a former environmental activist from Potsdam and speaker at the Round Table. Platzeck was critical of lustration policies, noting that the 'stain' of having been an IM was more permanent than murder; murderers could sometimes get parole after fifteen years.⁴⁶ At the same time, he saw the East German SPD as the 'hard alternative' to the SED. In 2009, he caused a scandal by initiating a coalition deal with Die Linke for the Brandenburg Landtag. Die Linke was at the height of its popularity and polling high in the East; they capitalized on a populist stance critiquing the centrist mainstream, openly calling the transition an act of colonization, and pledging to enact social policy that would help East Germans weather the financial crisis.⁴⁷ For Platzeck, a coalition

⁴³ Gary Bruce, "Access to secret police files, justice, and vetting in East Germany since 1989." *German Politics and Society*, vol. 26, no. 1, spring 2008, pp. 82+. *Gale Literature Resource Center*, link.gale.com/apps/doc/A180028776/LitRC?u=utoronto_main&sid=bookmark-LitRC&xid=3a7fe7cb. Accessed 26 Feb. 2022. p. 2.

⁴⁴ *Ibid.*

⁴⁵ Achter Tätigkeitsbericht der Bundesbeauftragten für die Unterlagen des Staatssicherheitsdienstes der ehemaligen Deutschen Demokratischen Republik – 2007. p. 14.

⁴⁶ Espindola, 234. See also: "Stasi-Verstrickungen; Platzeck fühlt sich getäuscht und geprellt," *Die Welt*, April 12, 2009.

⁴⁷ Hough D., Koß M., Olsen J. (2007) "Introduction." In: *The Left Party in Contemporary German Politics. New Perspectives in German Studies*. Palgrave Macmillan, London. p. 5.

agreement with them in 2009 raised the possibility of more consensus on a ‘modern, future-oriented social policy’ than repeating the last term’s deal with CDU. Still, his ex-coalition partners predictably branded him a traitor to the values of 1989, and Schäuble, apparently absolved of the slush-fund scandal, called him a disgrace.

Platzek answered his critics in *Die Zeit* with a call to ‘take reconciliation seriously’ and remember how the FRG had incorporated ex-Nazis in the late 40s. He reminded readers that the coalition agreement with Die Linke included a statement on GDR memory: “With this coalition, there will be no glorification of the SED dictatorship. Dealing openly and critically with previous mistakes is just as necessary as accepting responsibility for the injustice caused. We will fully heed and pass on the lessons of history. Our respect and our affection go to the victims of the dictatorship, we will keep alive the memory of the reprisals suffered.”

When Platzek formed his coalition government, Stasi-files started surfacing almost right away. Six of his cabinet members were revealed to have been IMs in the 80s and the coalition went into crisis. Linke Parliamentarians Luthardt, Stobrowa, Adolphe, and Kaiser were forced to resign cabinet posts under pressure from CDU opposition in the Landtag. The long-term effect of the scandal, however, was to cut short Platzek’s vision of a future strategic flexibility. SPD would no longer consider coalitions with Die Linke beyond the Berlin local government, and proceeded to run none other than Joachim Gauck as their candidate in the next presidential election.⁴⁸

Birthler was thus vindicated in her claim that the BStU’s job was still unfinished. Further vindication came in November 2011, when *Die Welt* revealed the IM file of Joachim Tschirner, a famous documentarian and anti-GDR activist. The revelation came on the day the Bundestag voted to extend BStU’s mandate and appoint the dissident-journalist Roland Jahn commissioner. According to George Mink, the Tschirner file tipped the scales in the Bundesrat’s debate to ratify the extension.⁴⁹

The extension broadened the scope of lustration once again, but also included provisions for a plan to transfer the BStU’s holdings into the Federal Archive. Jahn supported plans for the merger from the beginning of his term, reassuring the public that this would not mean an end to open access or *Aufarbeitung* at large. In fact, the transfer would ensure the permanence of the Stasi files’ place in national memory.⁵⁰ In 2014, CDU, SPD, and the Greens jointly proposed an expert-commission on the institute’s future. The commission delivered a report two years later and the Bundestag adopted a Resolution ‘To consistently move forward with *Aufarbeitung* of the SED dictatorship’ calling for the commissioner to cooperate with the BundesArchiv and develop a joint concept-paper for the merger.⁵¹ Jahn planned to shift BStU’s holdings by the end of his second term, and he would be the last commissioner.⁵² After him, the Bundestag would elect an *SED Victims Commissioner*. The institute’s research and educational functions would remain as they were,

⁴⁸ Art, 210-211

⁴⁹ Georges Mink, and L Neumayer. *History, Memory and Politics in Central and Eastern Europe : Memory Games*. London: Palgrave Macmillan, (2013) p. 169.

⁵⁰ 14. Tätigkeitsbericht des Bundesbeauftragten für die Unterlagen des Staatssicherheitsdienstes der ehemaligen Deutschen Demokratischen Republik für die Jahre 2017 und 2018.

⁵¹Ibid.

⁵²Ibid.

albeit transferred to a ‘Communication and Knowledge Department’ and the Stasi-headquarters in Lichtenberg should be transformed into a ‘campus for democracy’ where high school teachers could take their classes.

In December 2016, a historic SPD-Linke-Green (R2G) coalition won control of the Berlin Senate and appointed Andrej Holm to the office of State-Secretary for Housing. Holm was born in 1970 to a Stasi officer father, and himself became a cadet at the age of fourteen. His training with the Stasi’s Felix Dzierzynski Regiment began when he turned 18, only to be cut short in 1990 as MfS dissolved. Holm went on to earn a sociology PhD at Humboldt in 2004 and dedicated his research to housing inequality. As a research associate at Frankfurt, the Humboldt University, and Oldenburg, he produced incisive critiques of the neoliberalization of German housing policy while cooperating with grassroots tenants’ organizations. Politically, he associated with hard leftists - United Left, Young Left and squatter movements, which earned him popularity among Berliners who were feeling the effects of Nachtwey’s ‘downward escalator.’ This also led to suspicions, and Holm was arrested in 2007 because the federal Prosecutor’s Office thought his texts resembled pamphlets of a leftwing terrorist group. that had been burning cars in the city. After a public outcry by academics, Holm was released on bail after three weeks of incarceration. For the next decade, he continued his work and returned to Humboldt as a permanent research associate in 2011. From there, he studied the process of Berlin’s gentrification and shed light on how state intervention on behalf of developers was generating rent hikes, growing housing shortages, and the displacement of East German residents from the city center. This research agenda, paired with his collaboration with activists, made Holm a desirable choice for housing secretary in the eyes of Die Linke, who had campaigned on housing justice as rents in the city skyrocketed.

Almost immediately after Holm’s appointment, *Der Tagesspiegel* revealed his Stasi past, and to boot, evidence that he had lied about it on a hiring-questionnaire at Humboldt. The usual pattern of statements unfolded; the GDR political prisoners’ association UOKG told *Die Welt* they were outraged⁵³ and CDU said the red-red-green coalition was morally bankrupt. Memories of their slush fund scandal had faded fast, apparently. Holm’s fellow professors produced an open letter in his defense with 350 signatures. They urged the coalition to keep Holm and not give into what they saw as a ‘discrediting campaign’ designed to stop a needed political change. The grassroots organization Berliner Rents Referendum also produced an open letter claiming that "The property business, and the city, value profiteers want to see Andrej Holm fail."

Here we get valuable insight into how ‘conceptualizing dictatorship’ actually contributes to the shaping of democracy. Two civil society groupings weighed in on Holm’s Stasi past - one representing the victims of GDR repression, and the other representing struggling tenants. For the former, the state had to be cleansed of collaborators to retain its moral integrity. For the latter, the push to remove him was evidence that the state represented the interests of ‘profiteers.’ These discourses did not bespeak a high level of trust in democratic institutions to say the least. The SPD Mayor Micheal Müller would be forced to make a decision about which organization’s demands were more important *after the*

⁵³ Ben Knight *New Berlin state secretary haunted by Stasi past*, Deutsche Welle 21.12.2016

election was over. For the time being, the Berliner *demos* would have no more say in who would be housing secretary.

As for Holm, he did what was typical for East Germans who had been caught with Stasi files and claimed he had misremembered. Specifically, there was no secret that he had trained with MfS in 1990, this already came to light when he had been arrested for terrorism in 2007. The crux of the issue had been that he lied on his Humboldt questionnaire that he had not been a full-time MfS employee. As he told it, he was not aware as an eighteen-year old that training constituted full-time work. Twenty years Stolpe was absolved because it couldn't be proven that he was aware of his status as a collaborator. Ten years prior, Birthler had defended her Stasi-tainted staff by saying their work since 1989 demonstrated loyalty and trustworthiness. Unfortunately for Holm, Müller was less forgiving and pressured the sociologist to resign. 'Where is the consistency in *Aufarbeitung*?' asked journalist Marion Detjen. She saw the affair as a historic opportunity for Die Linke to campaign for a much-needed revision of the lustration regime, which they let slip through their fingers.⁵⁴ Thuringian minister-president Bodo Ramelow's comment was that Die Linke would henceforth be a party with no Stasi past.

Samokritika

BStU's intervention into the Holm controversy said a lot about the institution's evolving outlook. Their research associate Ilko Sascha Kowalczyk appeared at the Robert Havemann Gesellschaft's event "Once a Stasi Always a Stasi?" on January 6th for a public conversation with Holm. Like Holm, Kowalczyk had been raised by dedicated communists in the GDR and took up studies at Humboldt in 1990. A member of the Independent Historians' Association from 1990-95 and expert-member of the second Enquete Kommission, Kowalczyk earned his doctorate at Potsdam in 2002, shortly after joining BStU's Education and Research Department as a project lead and research associate. Undoubtedly, he was one of the main figures of *Aufarbeitung*, publishing veritable mountains of books on DDR history, Stasi, the East German opposition, and collective memory. To the surprise of the audience, Kowalczyk's opening remarks did not condemn Holm. Instead, he spoke on the tendency of parties to instrumentalize the Stasi past, noting how the CDU had found the capacity for Christian forgiveness in 2000 when Günter Schabowski was enlisted into Frank Steffel's 'Inner Unity' council after serving ten months of a three-year sentence for human rights violations. Die Linke's Bodo Ramelow should likewise reserve judgment, thought Kowalczyk, as his cabinet contained ex-SED members with much more on their conscience than Holm. Only when one has to parent an eighteen-year old, he mused, does one realize how young that is. Decisions made at eighteen should not determine the whole of one's life.

Kowalczyk's excursus at the event with Holm was in line with a broader shift in the late BStU's self-image, which was beginning to exhibit something like self-criticism. Months prior to the Holm affair, Jahn told Deutschlandfunk that:

Our past work has been clearly fixated on the Stasi issue, and it is important for the Commission to broaden our horizons. Overall, we need to get away from this

⁵⁴ Marion Detjen "Es bleiben nur Verlierer" *Die Zeit Online* 16. Januar 2017

fixation on the Stasi, because it doesn't capture the SED dictatorship as a whole. Moreover, it doesn't take into account the diversity of life in the GDR.⁵⁵

Kowalczyk would take this line of self-criticism even further. In a 2019 essay for the *Bundeszentrale für Politische Bildung*, he wrote that over the last thirty years, 'the *Aufarbeiter* did not realize they were talking past society.' and proceeded to deconstruct Jahn's slogan about shaping democracy:

Aufarbeitung wanted to present itself as a means of integrating the East Germans into West German society: "You have overcome a dictatorship, you can be proud, you are democrats. If you have understood the dictatorship, you are prepared for democracy, you can shape it and you are immune to extremism forever." That didn't quite work out - at least until now. Almost half of East Germans can currently imagine voting for the racist AfD; and almost half feel like second-class Germans. There has never been so much collectivism in the East. Of course, this is not just due to a failure of *Aufarbeitung*. Even if there are parallels to other racist and populist developments in North and West Europe, and America, the peculiarities must be emphasized: in East Germany, for almost sixty years after 1933, there was not only no democracy, but also no civil society. Of the slightly more than 16 million East Germans in 1990, only about twelve percent, i.e. those born before 1924, had somehow experienced parliamentary democracy through their own observations. There were no traditions to pick up on.⁵⁶

In a 2021 interview with Redaktionsnetzwerk Deutschland, Kowalczyk revisited this idea and put more blame on himself:

Anyone who has understood dictatorships does not have to become a democrat. Most dictators understood democracy as well as dictatorships. Democracy does not need a negative foil. The political task of coming to terms with the SED dictatorship was to strengthen democracy. Today, almost every second East German tends towards authoritarian forms of government. Racism is even more widespread. With this in mind, *Aufarbeitung* is in its infancy. But we also don't know what it would have looked like if the previous round of *Aufarbeitung* hadn't taken place. For me, one thing is certain: most of *Aufarbeitung* went beyond East German society, it did not reach it. Among other things, this had to do with the self-satisfaction and complacency of such "*aufarbeiter*" as myself.⁵⁷

⁵⁵ "Wir müssen Aufarbeitung gewährleisten" Roland Jahn im Gespräch mit Moderator Christiane Habermalz im Deutschlandfunk am 8. Mai 2016. <https://www.stasi-unterlagen-archiv.de/ueberuns/der-bundesbeauftragte/interviews/wir-muessen-Aufarbeitung-gewaehrleisten/>

⁵⁶ Ilko-Sascha Kowalczyk, *Die Aufarbeitung der Aufarbeitung - Welche Zukunft hat die DDR-Geschichte?* <https://www.bpb.de/themen/deutschlandarchiv/294350/die-Aufarbeitung-der-Aufarbeitung-welche-zukunft-hat-die-ddr-geschichte/>

⁵⁷ Markus Decker, "Historiker zum Ende der Stasi-Unterlagen-Behörde: „Die Gegner der Aufarbeitung feiern“

12.06.2021 <https://www.rnd.de/politik/historiker-zum-ende-der-stasiunterlagenbehoerde-die-gegner-der-aufarbeitung-feiern-FZVDRNDGNBEBZF46WWZQCFADO4.html>

Jahn echoed the sentiment during his last days in office, remarking that BStU's Stasi fixation had actually hindered society's confrontation (*auseinandersetzung*) with dictatorship.⁵⁸ The reporter covering his office clear-out agreed: BStU had simply become irrelevant to the public debate. But Jahn and Kowalczyk both maintained in their self-criticisms a commitment to the project of *Anfarbeitung*, and a wish to continue it and fulfill it. This commitment, I think, is the thread running through the history of BStU from the StUG debates to the 2021 transfer. Gauck's formula was that East Germans would learn to trust democracy when the Stasi IMs who betrayed their trust under DDR were no longer present in positions of authority. There were two problems with this formula. First, and by Gauck's own admission, the StUG was inadequate to the task of democratization because it did not slight SED elites for removal from public functions, only MfS IMs. The Stasi functionaries themselves were highly difficult to bring to justice, as they rather smoothly transitioned into careers with private security agencies post-1989 or disappeared. The inequality of this transitional justice superimposed on the material inequality faced by East Germans ultimately fuelled the two major populist narratives in the region. For the left-populists, transitional justice had been a gesture of Western colonization. For the right-populists, transitional justice had been incomplete, and socialists remained in power to restrict East German freedom.

Second, working through memories of the Stasi repression could not address any of the actual challenges faced by German democracy in the post-communist era. The severe weakness of the left alternative to center-Right hegemony was at the core of these challenges, and BStU file scandals could only magnify that weakness. Meanwhile, the decimation of East German intelligentsias - a phenomenon legitimated by a combination of Stasi memory and market logic - circumscribed the capacity of the left to reconstruct itself. In spite of these malfunctions in the 'therapeutic process,' BStU's leadership remained convinced that more knowledge of the past would be good for democracy. They also maintained the principle of *überparteilichkeit* - the commitment to stand above the politics of the present. What this chapter shows is that BStU found itself in some kind of conflict with each of the major political factions in united Germany. During the Kohl controversy, Gauck pushed for the files to be published and raised the ire of the CDU. Birthler stood up to Kohl, Stolpe, and Platzeck, running across the whole political spectrum. In the Holm affair, Kowalczyk criticized CDU and Die Linke equally. When asked why BStU was so apolitical compared to its analogs in Eastern Europe, David Gill told me simply 'in Germany we are keenly aware of the dangers of instrumentalizing history.'⁵⁹ From the perspective of the German left, the GDR past was instrumental in marginalizing Die Linke, but their decline had deeper causes. Indeed, the initial *Ausgrenzung* policy practiced by SPD was legitimated by reference to Stasi memory, but as the cases of Platzeck and Holm show, the tendency to relax this policy grew with time. Ironically, it was the participation of Die Linke in coalitions with the center, or at least their wish to become viable coalition partners, that prefigured their shift away from the populist stance that brought high performance in the early 2000s. This shift in turn opened the field for the AfD's right-populism. In 2013 and

⁵⁸Anne Hähnig "Die Akten zu den Akten geben:In dieser Woche hört die Stasi-Unterlagen-Behörde auf zu existieren. Alle Dokumente gehen ins Bundesarchiv über. Warum eigentlich?"*Die Zeit Online* 21. Juni 2021

⁵⁹ Private Communication with David Gill, December 2021.

2017, Die Linke started bleeding unemployed, underemployed, and working-class votes to the far right as they courted university students in big cities. This was a function of the inherent dilemmas faced by socialist strategy in capitalist democracy⁶⁰ rather than memory-politics. The AfD may have been the biggest winner of East German memory politics, capitalizing on the antinomies of *Aufarbeitung* by calling for a 180-degree shift in memory-policy.

According to David Art, East Germans had not become happy democratic subjects by 2010:

Countless public opinion polls suggest that the “wall in the head” endures. To cherry-pick a couple of examples, in 2010 only 25 percent of East Germans felt like “real citizens” in unified Germany, and 59 percent claimed they didn’t “feel so well” in it. Whereas 28 percent of West Germans were either unsatisfied or very unsatisfied with democracy, the figure in East Germany was 46 percent. While 82 percent of West Germans considered democracy to be important or very important, only 69 of East Germans did (*Spiegel Online* 2010).⁶¹

Why had Gauck’s therapeutic project delivered such meagre results? Perhaps it was a problem of scale; what’s good for an individual on an analyst’s couch may not be good for a large and complex society. Individuals in therapy generally benefit from facing and working through traumatic memories *in controlled settings*. The therapist’s job is to carefully guide the subject through every step of the process. The Gauck authority got two million requests to view individual files during the Rostock pastor’s ten year tenure. Even with its staff of 3000 employees and a budget of 100 million Euro, there was no way for the institution to guide every individual viewing their file through a healthy process of *Aufarbeitung*. A further complication was that the process was intertwined with two other major facets of the Wende, namely *Abwicklung* (wrapping up) and *Ausgrenzung* (exclusion.) *Abwicklung* referred to the transformation of East German higher education following Unification. Konrad Jarausch points out two narratives of *Abwicklung*. A triumphalist narrative, formulated by the reformers, held that the restructuring of the universities was a success story of democratization and liberalization. A critical narrative, formulated by the dismissed East German professors, held that the process was a wholesale anticommunist purge. Jarausch’s own assessment lay somewhere in the middle, but he noted that “members of the German Studies Association (GSA) and Conference Group for Central European History (CGCEH) therefore debated resolutions which cautioned against a wholesale purge of Eastern institutions, while acknowledging the need for improving academic standards. But in the heat of the transition, such warnings were generally ignored.”⁶² Any way we choose to interpret *Abwicklung*, the numbers are staggering; by 1995, 66% of full professors and 61% of

⁶⁰Adam Przeworski, *Capitalism and Social Democracy*. (Cambridge: Cambridge University Press, 1985) P. 25.

⁶¹ David Art, “Making Room for November 9, 1989” in Bernhard & Kubik eds. *Twenty Years After Communism*, p. 205

⁶² Konrad Jarausch, “Anticommunist Purge or Democratic Renewal? The Transformation of the Humboldt University, 1985–2000” in *East German Historians since Reunification: A discipline Transformed*. Eds Axel Fair-Schulz & Mario Kessler. (Albany: State University of New York Press, 2017) p. 79.

the academic *Mittelstand* were let go.⁶³ Many of those dismissals were justified by recourse to files discovered by the Gauck authority, with the Heinrich Fink affair being the most dramatic. The Humboldt University rector tried to halt the process of dismantling his department by appealing to the Federal Administrative Court, but CDU's senator Manfred Erhardt found files at BStU showing that Fink had reported on colleagues and delivered oppositionist students to the MfS. The rector had to fall.⁶⁴

For Stefan Bollinger, “the almost wholesale marginalization and dismissal of East German scholars deprived united Germany of a much-needed specific expertise that would have been a potential asset in the transformation and democratization of East German society.” This statement from the ex-Humboldt professor begs the question: what exactly is the linkage between democratization and intellectuals? That depends, of course, on how one chooses to define democracy. If we take a minimal Schumpeterian definition as the starting point (democracy equals regular free elections) then the link is unimportant. But if we accept that democracy should equal the rule of the people over elites, then intellectuals are key, as their function is to hold power elites to account. Without intellectuals speaking truth to power based on their scientific knowledge production, the scope of democracy is restricted. Thus, if we think that democracy is not *just* elections, then the dissolution of the East German intelligentsia that occurred in the wake of the Fink scandal must be conceived as a gesture at de-democratizing the former GDR.

In 2002, a group of nine academics including Eric Hobsbawm published an *Appeal from University Professors and Former German and Central European Refugees* in the weekly news magazine *Frankfurter Rundschau* calling for the German state to develop some kind of support for East German academics who had been *abgewickelt* in the early 90s. They warned that:

In spite of a restructuring and the new founding of universities and other institutions an intellectual stratum that could support the civil society, is barely noticeable in East Germany. The reasons are above all to be found in the rigorous removal of East German intellectuals from their pre-1989 professions—a removal that exceeded by far the necessary renewal and the restructuring of the academic landscape made necessary by the reunification. In spite of commendable efforts on part of some academics that have come to the East, the newly imported West German intellectual leading stratum remains foreign to the majority of the East German population. However, without East German intellectuals in qualified professionals the disappointment that is spreading in the former GDR due to the process of an imposition of West German structures and ways of thought, which is experienced as an annexation, and especially due to the economic destructions and the mass unemployment, cannot be overcome. We are especially concerned about the openly appearing animosity of some East Germans, especially of young people, directed against parliamentary democracy, accompanied by right-wing radicalism and chauvinism. Without autochthon intellectuals, this challenge cannot be met. The social costs of the removal of highly qualified East German academics almost

⁶³ Stefan Bollinger, “German Unification and the Debate of the West German Social Sciences” In *Ibid.*, p. 71.

⁶⁴ Maier, *Dissolution*, p. 308. See also Karau, Gisela, *Die Affäre Heinrich Fink* (Berlin: Spotless-Verlag, 1992)

without exception exceed by far the short-lived benefits of the few who profited from the reunification in this regard.⁶⁵

This raises an immensely difficult and important question: is there a meaningful historical connection between the effects of *Abwicklung* and *Aufarbeitung* on the rise of radical right formations in East Germany? When I asked David Gill if he might imagine any connection between the work done by him and Gauck in the 90s and the appearance of AfD in 2013 he told me:

What alternative did we have in the 90s? There are many people who still feel homeless in this big Germany. They feel their life should be comparable to West Germany; Baden -Wuerttemberg and not Poland. It is amazing what happened but people are still not satisfied. Much more important, 40 years of communism destroyed our social fabric so severely that people now look for a *neue Heimat*. And for easy answers. After the wall fell, there were no independent parties or associations, churches were stripped. All these institutions were destroyed by communism, and they didn't recover easily after the wall came down. People struggled in personal life because they lost jobs, perspectives, they aged and fell behind. They build their own universe and they seek easy answers.⁶⁶

Both Gill and the emigrés hold that the growth of the East German far right is a function of severe disintermediation (weakening of civil society)⁶⁷ in the former DDR. For Gill, the root cause of disintermediation is ‘communism’ while the emigres say the disintermediation is a function of the destruction of Ossi intelligentsias. Both arguments are basically sound; the DDR clearly tried to monopolize intermediary bodies linking the state to the individual so Gill has a point. If he is right that the AfD’s rise is a function of weak civil society, then the emigres are also on to something. The destruction of intelligentsias certainly did not *help* the process of disintermediation. The fired professors did not switch careers into civil society. Instead, they developed the ‘Second Scholarly Culture’ or retired. At the same time, it is not a given that they *would* have helped in building a robust civil society if they remained at their posts. Also, who is to say that AfD would not have grown even stronger on the back of a robust civil society? There is good historical evidence that antisystemic movements can grow amidst, indeed on the back of, thriving networks of associations. But there is still reason to believe in a causal link between disintermediation and populism. Political theorists Jäger and Borriello have argued that this link is in a kind of knowledge-problem for political parties:

An empty space now gapes between citizens and their states. This severely reconfigures how politicians relate to their voting publics. European politicians now have so little idea of what is at play in their populations that they *have* to speculate on

⁶⁵ Appeal from University Professors and Former German and Central European Refugees, from *Frankfurter Rundschau*, September 11, 2002

⁶⁶ Personal Communication with David Gill, December 2021.

⁶⁷ For some political theorists, contemporary populism is an ‘ideology of disintermediation’ ie. the worldview of populations who have experienced a decline in intermediary bodies between the state and the individual. See: Anton Jäger & Arthur Borriello “Making Sense of Populism” in *Catalyst* Vol 3 No 4 winter 2020 NP

what might constitute a successful program. Since parties themselves can no longer garner such information, other channels must be tapped, most of them situated in the growing PR industry. Populism's post-intermediary brand of politics cannot but blossom in this environment.⁶⁸

If we take this seriously, then the *Frankfurter Rundschau* piece begins to look very correct. Certainly, *Abwicklung* dealt a blow to the capacity of German political elites to know the nature of public opinion in the former GDR. A strong contingent of Ossi scholars in the universities certainly could have been the basis for more robust information flows between the population and the political sphere. Could this, however, have halted AfD's rise? Maybe. AfD appeared in 2013, entered parliament in 2017, and became a meaningful force in the Landtags in 2019. The timeline basically corresponds to the decline of Die Linke, who shifted from a left-populist protest party toward the mainstream and gradually lost the protest vote. If the population did not feel culturally humiliated and colonized in the 90s, perhaps this voting bloc would be far smaller. Undoubtedly, AfD's forays into memory politics exploited these feelings, as they called on East Germans to 'rewrite history' and 'complete the Wende' so that they could have freedom 'instead of socialism.'

⁶⁸ Ibid., see also Peter Mair, *Ruling The Void*

III

IPN: Belated Reckonings

Equality and retribution are sisters. They always go hand in hand.

Bronisław Wildstein, *Cienie Moich Czasów*, 2017.

There is no saint without a past, no sinner without a future.

Oscar Wilde, *A Woman of No Importance*, 1893.

Poland had no ‘Bastille moment in 1989’ equivalent to the East Germans’ capture of MfS headquarters. Instead, the Third Republic’s first Prime Minister Tadeusz Mazowiecki announced he would ‘draw a thick line under the past,’ suggesting a memory policy closer to post fascist Spain than post-communist East Germany. The intended meaning behind the statement was that Mazowiecki assumed no responsibility for the social and economic crises he inherited from the old regime. Those crises were formidable enough to push the United Workers’ Party (PZPR), who had maintained a monopoly on power since 1946, to seek a power-sharing agreement with representatives of the widespread democratic opposition. The latter was a constellation of illegal labor organizations, dissident intellectual clubs, clerics, student associations, charitable organizations, and a myriad other forms of ‘civil society.’ Chief among them was the Solidarity Union movement. Despite being outlawed since 1981, they maintained an expansive underground network including reform-minded PZPR members. Their leader Lech Walesa, the electrician who sparked Solidarity’s national strike action in 1980, was invited to meet the Interior Minister Czesław Kiszczak in Warsaw in August 1988. Two weeks later, a larger meeting was held at the Interior Ministry’s campus in Magdalenka near Warsaw. In addition to Kiszczak and Walesa, representatives of the legal agrarian parties and church hierarchs participated. They published a communique that in mid-October, a televised Round Table meeting would be held ‘to discuss the nature of the trade union movement.’ It is known that meetings in Magdalenka continued amid the Round Table talks, but there are no recordings or stenograms from those meetings.⁶⁹ This dark spot in the history of the Polish transition to democracy would cast a long shadow over subsequent developments, its penumbra reaching the present day.

The Round Table discussions resulted in an agreement that Solidarity would be re-legalized and allowed to run in elections to a new bicameral legislature. In exchange, PZPR and its sister parties retained a guaranteed majority of seats in parliament, and their First Secretary Wojciech Jaruzelski would become the new Republic’s first President. The subsequent elections generated a 99-1 majority for Solidarity in the Senate and a 65-35 majority for PZPR and its sister parties in the Sejm. Kiszczak, Jaruzelski’s candidate for Prime Minister, failed to form a cabinet and two days later, the United Peasants’ Party (ZSL,)

⁶⁹ Andrzej Friszke, Antoni Dudek, and Bernard Wiaderny, *Geschichte Polens 1939-2015: Übersetzung und Wissenschaftliche Redaktion Von Bernard Wiaderny*, 1st ed. (Boston: BRILL, 2022). p. 508.

proposed a coalition government with Solidarity. The other sister-party SD followed suit and suddenly the regime's guaranteed majority in parliament disintegrated.⁷⁰

The opposition's candidate Tadeusz Mazowiecki was a former leader in the Solidarity movement. In the 1950s, he served as editor-in-chief of *Tygodnik Powszechny*, a weekly published by the only Catholic association tolerated by PZPR. For both sides, he represented commitment to a peaceful transition. Still, his government quietly executed a small purge of prosecutors in 1990.⁷¹ The Round Table had left control of Interior and Defence Ministries to the PZPR, so this was the highest degree of decommunization possible at that stage. Meanwhile in landfills across the country, journalists discovered evidence that SB functionaries were burning files in secret.⁷²

The Solidarity camp began to split when Wałęsa appointed Senator Jarosław Kaczyński as the editor-in-chief of the weekly "*Tygodnik Solidarność*," a move Mazowiecki counselled against. Meanwhile, Jaruzelski declared his intent to resign and Kaczyński announced Wałęsa's candidacy for the presidency. A month later, he founded his own party called Center Alliance (*Porozumienie Centrum*: PC) which, together with the trade union wing of Solidarity, became the driving force behind Wałęsa's campaign. A second fraction of Solidarity crystallized to oppose Kaczyński whose main press organ was "*Gazeta Wyborcza*," published by the liberal dissident Adam Michnik. Their goal was to slow the rebirth of nationalism and clericalism and they supported Mazowiecki's gradualism.⁷³

In the campaign leading up to the first fully free parliamentary elections in October 1991, PC and the Christian National Union (*Zjednoczenie Chrześcijańsko-Narodowe*: ZChn) claimed that the President's conciliatory approach to the defeated Communists needed to be radicalized. Lech Wałęsa's campaign for the presidency echoed these calls en route to a slim victory over Mazowiecki, but his rhetoric was not followed up with any concrete action. His Prime Minister Jan Olszewski, on the other hand, attempted to make good on campaign promises of decommunization the following May, when a parliamentary resolution proposed by his PC-ZChn coalition called for publication of all records of SB collaboration by public officials above *Wojewoda*. Interior Minister Antoni Macierewicz proceeded to present two lists to the Sejm implicating 101 individuals including the President and several other prominent of the pre-89 opposition leaders, coincidentally also leaders of the opposition to Olszewski's coalition government. To boot, the Macierewicz list came on the eve of a no-confidence vote. **The prime minister told public television that former SB agents were trying to overthrow his government in a bid to keep the coalition in power. The effect was the opposite and Olszewski fell on June 5, 1992.** Mazowiecki's Democratic Union (UD) returned to power for less than a year before falling to a no-confidence vote themselves and losing parliamentary elections to a PZPR rebranded under the name Democratic Left Alliance (SLD) and their People's Party (PSL) allies. Together, SLD and PSL won two-thirds of parliamentary seats behind the slogan 'Let's Choose the

⁷⁰ Ibid., 511.

⁷¹ S. Podemski, 'Lustracja zlustrowana', *Polityka*, 13 September 1997. See also: MISZTAL, BARBARA A. "How Not to Deal with the Past: Lustration in Poland." *Archives Européennes de Sociologie. European Journal of Sociology*. 40, no. 1 (1999): 31–55.

⁷²Dudek, Friszke, *Wiaderny* 546.

⁷³ Ibid., 545-547

Future' signalling at once a turn away from the use of the previous regime's dark past in present political battles and adjustments to the 'shock therapy' introduced by Mazowiecki's finance minister Leszek Balcerowicz.

Meanwhile in Czechoslovakia, lustration laws had been passed swiftly by October 1991. Their effects were negligible, as most of the 15,000 confirmed collaborators occupied positions too low for removal. In 1992, an ex-Chartist named Cibulka published his own revelatory list of StB collaborators and no one really knew what to do with them. A few notable ex-dissidents were revealed to have supplied some information to StB in the sixties and found their careers as parliamentarians or publishers made difficult, but nothing on the scale of Gauck's purges took place. In 1993 came an 'Act on the Unlawfulness of the Communist Regime and about the Resistance against it' which condemned the previous 40 years of history as a totalitarian aberration. Though the Western press criticized the lustration laws and Madeleine Albright spoke of 'witch hunts' in Prague, the conservative ex-dissident Vaclav Benda took the helm of an Office for the Documentation and Prosecution of Communist Crimes in 1995. The institute documented many crimes of the repressive apparatus but prosecuted very few. In Hungary, a 1994 proposal for lustrating broad sectors of the population ran aground of Justice Solyom's highly activist Constitutional Court, and the amended law had to limit the scope to only upper echelons of government. The Historical Archive of Security Services, a small copy of the Gauck-behörde, was established to provide parliamentary committees the needed files to carry out the limited lustration.

The Polish left's 1993 victory did not signal a turn away from decommunization as a priority in public affairs. Indeed, the Polish Center for Public Opinion Research found that support for lustration was rising from 1993 to 1996.⁷⁴ Still, Wałęsa was beaten in the 1995 presidential race by SLD's Aleksander Kwaśniewski, earlier PZPR's Minister of Sport in the 1980s. For his supporters, Kwaśniewski represented the reform wing of PZPR, reborn as democratic socialists, and due equal credit for 1989 as the dissidents and Solidarity. For his opponents, he personified the widely despised phenomenon of ex-communists reinventing themselves as emergent capitalists and political oligarchs.⁷⁵ When his Prime Minister Józef Oleksy had to resign behind unproven allegations of being a Soviet spy, Kwaśniewski shocked all observers by introducing a lustration bill in 1996 proposing a panel of judges (selected by himself) to vet all public officials. In another surprise development, his Party's junior coalition partner PSL made an agreement with two smaller parties called Unia Wolności and Unia Pracy to prepare their own draft lustration bill. They claimed they were not out for a purge, but rather to improve national security by making the prospect of blackmailing officials with files from the Ministry of Interior's pre-1989 archives impossible. The proposed solution was to require all elected officials to submit a statement on whether they had collaborated with the SB. No sanctions for admitting to collaboration were proposed, only for submitting a false statement. In cases where officials admitted guilt, their electorates were left to judge.

⁷⁴ Centrum Badania Opinii Społecznej, *Lustracja—Problem Społeczny czy Gra Polityczna* (Warsaw, CBOS, January 1997) quoted in Aleks Szczerbiak, "Dealing with the Communist Past or the Politics of the Present? Lustration in Post-Communist Poland" *EUROPE-ASIA STUDIES*, Vol. 54, No. 4, 2002, 553–572. pp. 560

⁷⁵ *Ibid.*, 561., J. Tittenbrun, *The Collapse of 'Real Socialism' in Poland* (London, Janus Publishing Company, 1993), pp. 176–198.

The ‘civilized lustration law’ was passed in 1997, with only SLD deputies voting against. It wasn’t the end however, as a new political subject emerged that year to challenge the ex-communists at the polls. Over thirty rightwing and centrist parties with roots in the Solidarity Union coalesced in 1996 to form Electoral Action Solidarity of the Right (AWS.) They issued a public memorandum criticizing the softness of the ‘civilised lustration’ law and pledged to rework it as part of their 1997 campaign for the Sejm. Once in office, they supported a project for a ‘Polish Gauck authority’ proposed by two lawyers and Solidarity activists Witold Kulesza and Andrzej Rzeplinski and the University of Warsaw historian Andrzej Paczkowski. Pawel Machcewicz, another historian close to the project, reminisced that:

The dominant conviction among us was that the Germans had settled the issue of lustration very well and the issue of the Communist heritage in general. The law that created the IPN was clearly modeled on the German law. The Polish law later served as a model for the Slovakian one, and from what I’ve heard a comparable institution is going to be set up in the Czech Republic. The Ukrainians too have copied it recently. It’s something like a chain reaction, with the most important countries, Germany and Poland, showing the way. The dominant feeling in Poland was that we couldn’t settle for making the Communist crimes public knowledge; we also had to punish them, at least the most drastic ones. This explains why the IPN was set up, with the prerogatives of an investigating prosecutor, instead of a TRC.⁷⁶

Indeed, the 1998 IPN law borrowed a lot from the StUG, but there were small differences that became important over time. Crucially, the Poles did not leave it to the judiciary to prosecute communis crimes, but instead revived the Commission for Investigation of Crimes against the Polish Nation, set up during WWII by the Home Army to document Nazi and Soviet atrocities, and made it part of the institute’s structure.

Calm Before The Storm

According to the preamble of the Act on the Institute of National Remembrance and the Commission for the Prosecution of Crimes against the Polish Nation, its objective was to preserve the memory of the sacrifices, losses and damages of the Polish people during and after the Second World War, and to express the patriotic traditions of the Polish people in their efforts against Nazism and Communism.⁷⁷ The law also emphasized the obligation to prosecute crimes against humanity and war crimes, and to make reparations by the Polish state to all injured parties. No unlawful act of the state against its citizens, according to the preamble, should be protected by secrecy or be forgotten.

Even though changing parliamentary majorities amended and supplemented the law on the Institute of National Remembrance and the Main Commission several times in the following years, they always retained the preamble as the basis for the activities of both institutions. In the following years, the IPN traced its self-image directly and indirectly back to these introductory words. For many of the Institute's employees, too, they were the basis

⁷⁶ Pawel Machcewicz quoted in Georges Mink and L Neumayer. *History, Memory and Politics in Central and Eastern Europe : Memory Games*. London: Palgrave Macmillan, 2013) p. 169.

⁷⁷ Preamble, IPN Act (2012), Sejm of the Republic of Poland 2012.

for their understanding of their own work, especially in the period when the institution was founded. In its annual reports, the Institute emphasized that its mission was to provide citizens with knowledge about the tragic sociopolitical events and processes between 1939 and 1989, both on a national and individual level, "in which the Polish people were victims of the inhuman crimes of the Nazi regime."⁷⁸ The activities of the Institute were to serve "truth, freedom and memory, and thus the long-term interests of the Polish people and the Polish state."⁷⁹ The institution also derived from the preamble the task of facilitating retroactive justice and of promoting democracy and the rule of law.⁸⁰ Particularly in the early years of its activity, the Institute repeatedly emphasized that in fulfilling these comprehensive tasks in Poland it stood "above all political conflicts and interests after 1989."⁸¹

To ensure maximum independence from political influences, the IPN was to be financed from the state budget but stands apart from previous institutions by not being institutionally subordinate to any ministry or state body. This independent position is particularly emphasized concerning the IPN President ("prezes"), who, according to the law, serves as the head of the IPN. The President exercises the office independently of state organs and enjoys immunity, meaning they cannot be detained or held criminally responsible without the prior consent of the Polish Sejm. In their oath of office, the IPN President undertakes to faithfully serve the Polish nation, uphold the law, perform official duties with diligence, and be guided by principles of decency and integrity. The law requires the IPN President to be characterized by moral integrity and possess knowledge relevant to the Institute's activities. They must not have worked for the state security services of the state socialist system, whether as a collaborator or informant, violated judicial independence as a judge, been a member of a political party or trade union, or held a parliamentary or senatorial mandate during their term of office. These requirements also apply to all staff employed at the institute. The only additional professional activity allowed for the IPN chairperson is that of a university professor.⁸²

Kieres faced the difficult task of establishing the institute from scratch, with no existing models in Poland. He described this phase as a significant challenge, requiring efforts to secure administrative and archival buildings, recruit staff, and define the internal structure of the institution. The growth of the Institute's staff to approximately 1,200 during his tenure led to internal rivalries among various groups. Kieres consistently emphasized that the IPN should be an apolitical institution, serving the entire nation. Staff members described him as a balanced figure who avoided or ignored conflicts within the organization. His less confrontational style also influenced the institute's public image. Despite the SLD government's critical stance towards the IPN, it did not interfere in the institute between

⁷⁸ Instytut Pamięci Narodowej 2003, *Informacja o działalności Instytutu Pamięci Narodowej – Komisji Ścigania Zbrodni przeciwko Narodowi Polskiemu w okresie 1 lipca 2002r. – 30 czerwca 2003r.* (Warsaw: IPN, November 2003) p. 6;

⁷⁹ Ibid.

⁸⁰ Instytut Pamięci Narodowej 2006, *Informacja o działalności Instytutu Pamięci Narodowej – Komisji Ścigania Zbrodni przeciwko Narodowi Polskiemu w okresie 1 stycznia 2006 r. – 31 grudnia 2006 r.* (Warsaw: IPN, November 2006) p. 14.

⁸¹ Ibid.

⁸² Art. 11, 4th IPN Act (2012), Sejm of the Republic of Poland 2012., Lau, 190.

2001 and 2005. In fact, SLD President Aleksander Kwaśniewski personally attended an IPN conference commemorating the twentieth anniversary of martial law.⁸³

During the early years of the IPN's activities, the processing of document inspection applications and granting "aggrieved party" status often took several months, and in some cases, even more than a year. To manage the workload, the IPN staff established criteria that prioritized applications based on the order of their submission, while also considering the age and health of the applicants. Delays were further caused by the fact that until the end of 2003, the IPN only provided documents to inspectors in anonymous form, and applicants could only request the identification of state security service employees and informants involved in their cases afterward. During the reporting period from July 2002 to June 2003, around 300 requests for identification were submitted, and in the following year, approximately 690 requests were made, but over a hundred cases were denied.⁸⁴ In 2005/2006, the number of applications significantly increased to over 1,000, involving data on over 12,500 individuals. The IPN clarified that clear names would only be disclosed if the identity could be unequivocally determined from the available documents.⁸⁵

Despite these efforts, the inspection procedure faced substantial criticism, especially from alleged state security informants who were denied access to files incriminating them. This applied to both those who weren't granted "aggrieved party" status and those identified as functionaries, employees, or informants during the inspection. The strict regulations prevented former informants from defending themselves, and the situation prompted public attention. Some "aggrieved parties" revealed their findings in the media after the inspection, leading to controversial cases. For instance, Jerzy Kropiwnicki, then-president of Łódź, identified deceased former opposition member Andrzej Mazur as a secret collaborator after inspecting his files. In different cities, citizen groups and politicians engaged in uncovering activities, often with political motives ascribed to them, which attracted media criticism. One notable case was that of Małgorzata Niezabitowska, former press secretary in the Mazowiecki government, who faced accusations of reporting on her colleagues as a journalist for *Tygodnik Solidarność*. She vehemently denied the allegations and claimed the documents against her in the IPN archives were forgeries.⁸⁶

Part of the Polish media strongly criticized the revelations, particularly regarding former informal employees of the state security organs during the People's Republic of Poland. For instance, in March 2006, *Gazeta Wyborcza* published an article that accused the IPN of lacking diligence in classifying an individual first as a "non-injured party" and then as an unofficial employee.⁸⁷ This raised objections of discrimination and prejudice, which Aleksander Kwaśniewski had previously highlighted when vetoing the law on the IPN.⁸⁸ Critics, including journalists, alleged that the IPN applied its own criteria rather than

⁸³ Lau, 193

⁸⁴ Lau, 214., Instytut Pamięci Narodowej 2003, *Informacja o działalności Instytutu Pamięci Narodowej w okresie 1 lipca 2002r. – 30 czerwca 2003r.* (Warsaw: IPN, November 2003)

⁸⁵ Lau., 214-216

⁸⁶ Ibid., 216-218

⁸⁷ Ibid.

⁸⁸ Instytut Pamięci Narodowej 2006, *Informacja o działalności Instytutu Pamięci Narodowej – Komisji Ścigania Zbrodni przeciwko Narodowi Polskiemu w okresie 1 stycznia 2006 r. – 31 grudnia 2006 r.* (Warsaw: IPN, November 2006) p. 8;

following the principles set by the Constitutional Court for lustration. In 2005, the Constitutional Court ruled that the IPN must adhere to the general legislation and the lustration law when classifying aggrieved parties.⁸⁹

Schism

The term "wild lustration" gained popularity, referring to lustration without legal regulations, including those by the IPN. The media also engaged in what was termed "television lustration," where journalists and historians (often IPN employees) presented incriminating information on individuals directly in front of television cameras. Kieres himself sparked strong emotions when he addressed the sensitive issue of cooperation between the clergy of the Catholic Church and the state security services of the People's Republic of Poland. In the early 1990s, the Catholic Church in Poland publicly demanded disclosure of the past of individuals in public office, urging them to confess any guilt to facilitate forgiveness. However, at that time, the Polish churches did not actively confront the question of potential connections between the communist state, state security, and the churches before 1989.⁹⁰

The situation changed in 2005 when IPN President Kieres revealed that a cleric from Pope John Paul II's entourage had been an informant for the Polish state security services. This disclosure triggered widespread speculation about the individual's identity. A few days later, the IPN College decided to make the informant's identity public to prevent suspicions against innocent individuals. The Dominican priest Konrad Hejmo, who ran the official guesthouse for Polish pilgrims in Rome, was identified as the source of information for state security. However, documents on the case were not immediately published. This marked the first instance of a clergyman's cooperation with state security being publicly revealed without any connection to file inspection or lustration. Kieres' information policy and the Institute's approach received both public and internal criticism. Father Hejmo was labeled a victim of "wild lustration" by the IPN, and Antoni Dudek, a member of the Institute's staff, regarded the decision on Hejmo's identification as one of the darkest days in its history, as it took on the role of a lustration court. The "Hejmo case" attracted significant public attention and initiated discussions among the churches in Poland about the People's Republic's past.⁹¹

In January 2007, public attention peaked again when it was revealed that the newly elected Metropolitan of Warsaw, Archbishop Stanisław Wielgus, had been an informant for Polish state security. He resigned from his position shortly after. The Polish Catholic Church began setting up ecclesiastical commissions in dioceses to address the matter, with Father Tadeusz Isakowicz-Zaleski from Krakow being one of the leading advocates for transparent lustration of church dignitaries. The Polish Bishops' Conference also dealt with the issue, emphasizing that judgments should not be based solely on information from the documents of former state security services, as opponents of the Church had created those materials.

⁸⁹ Ibid.

⁹⁰ Lau, 217

⁹¹ Lau, 219., Antoni Dudek *Instytut: Osobista Historia IPN* (Warsaw: Czerwone i Czarne, 2011) p. 223

They ultimately acknowledged the need for truth and called on collaborating clergy to repent and apologize to victims.⁹²

Despite the opportunity for renewal and greater transparency, the leadership of the Polish Catholic Church abandoned the idea of a "Commission for Truth and Reconciliation." An ecclesiastical historical commission and a working group on ethico-legal evaluation examined the IPN's documents related to Polish Catholic bishops, revealing that some had been registered as secret employees of the State Security Service. However, the report did not disclose their names. The Polish episcopate maintained that the Vatican found the Polish bishops had bravely confronted the communist past and were not obligated to cooperate with state security services. The issue's closure by the Polish Bishops' Conference faced criticism, with Priest Isakowicz-Zaleski arguing that the matter should remain open to secular researchers.

Revelation

The IPN's information policy during the "Hejmo case" had severe negative consequences for Kieres. Although public opinion on his actions was not unanimous, according to opinion polls, the events had a detrimental impact on his potential re-election as IPN president.⁹³ Adding to Kieres's troubles, the debate about file inspection and the disclosure of informants had taken on a new dynamic at the start of 2005. The "Wildstein List," a scandalous prelude to future explosions, led to heated debates among journalists and researchers about document inspection at the IPN.

The IPN Act explicitly allowed for the use of documents for scientific research and press publications. The applicant - if not a scientist themselves - must submit a recommendation from a scientist, editor, or publisher when applying for inspection. The law aims to discourage journalists who seek information about specific individuals under the guise of scientific or journalistic research from accessing the documents. The documents are not anonymized when made available in this manner.⁹⁴ Journalists submitted only a few hundred requests for access in the institute's early years.⁹⁵ According to the regulations at the time, the IPN president had to give consent for the use of holdings for research purposes in individual cases. After an internal debate, the institute eventually extended this procedure to journalists when they requested access to files for research projects.

Notably, there was a low level of interest among journalists. A major exception was the conservative daily's reporter Bronislaw Wildstein, sought to draw attention to the possibility of conducting research at the institute in 2005. He copied and shared a list of approximately 240,000 names that the IPN had made available in the reading room in November 2004. The list contained former agents, informal collaborators, so-called working contacts of the SB, and individuals who were to be recruited as informants but had never

⁹² Lau, 219-221

⁹³ Lau, 222

⁹⁴ Art. 36, 1st IPN Act (2012), Sejm of the Republic of Poland 2012

⁹⁵ Lau, 222

given their consent. The publication of the list under the keyword "lista Wildsteina" gained significant media attention and led to the emergence of similar lists on the Internet.⁹⁶

In the following months, supporters and critics of Wildstein's actions engaged in heated debates in the press. Critics argued that Wildstein's conduct was unworthy of a journalist and unethical, resembling vigilante justice and leading to the unjust targeting of innocent people. On the other hand, his supporters claimed that Wildstein's actions were an act of civil disobedience, aligned with the will of most Poles, and a bold step towards truth-seeking. Solidarity rallies were organized in support of Wildstein outside Rzeczpospolita's editorial offices under the motto "Let us not fear the truth!" Wildstein defended himself, stating that he had done nothing wrong and that the list was not just a compilation of employees of state security or informants. He blamed Gazeta Wyborcza's reporting for creating a misleading impression.

The IPN faced criticism for allegedly tolerating Wildstein's actions. Accusations suggested that many IPN employees had strong political commitments and were involved in the lustration issue, even though the institute claimed to be non-political. The IPN governing board distanced itself from the Wildstein list, and its president, Leon Kieres, tried to address the matter by involving the public prosecutor's office. Presenting information from the Institute about the leak in the Sejm, Leon Kieres apologized that the Institute was used to create an "inconvenient for many, and often even dramatic" situation and emphasized that the list revealed on the Internet was not a list of agents. He said that it was information about the resources of the Institute, created for scientific and inventory purposes. He added that the list includes both Security Service officers, secret collaborators, as well as candidates for secret collaborators and victims.

The list's release led to a surge of applications to the institute, with citizens seeking to be recognized as business associates or certified as not being listed in the files as unofficial employees. As a result, the parliament amended the IPN law to require the IPN chairman to issue statements to verify the identity of applicants. By the end of 2005, the IPN received a total of about 18,700 applications and issued over 17,200 certificates confirming that the individuals' information did not match the data in the IPN listing.⁹⁷

Succession

The parliamentary debate on the Wildstein list thrust the Institute into a central albeit involuntary role in domestic politics. The conservative Law and Justice Party (PiS), led by Lech and Jarosław Kaczyński, saw the Wildstein list as a sign of a new Polish moral revolution. Jarosław Kaczyński had been at the Round Table and later served as chief of Walesa's presidential chancellery until the latter fired him for failing to sufficiently decommunize his own office despite being the most vocal proponent of harsh lustration. He went on to rebrand PC with his brother Lech after the SLD-PSL victory. PiS' identity on the chaotic political scene was based on their struggle against the "układ" - informal networks of politicians, criminals, and oligarchs whose foundations were laid in Magdalenka. For them, the Wildstein leak had been a step toward unveiling the "układ" and they

⁹⁶ Lau, 222-224

⁹⁷ Lau, 225.

criticized Kieres' handling of the List and accused him of being part of a "coalition of fear against the Institute of National Remembrance."⁹⁸

Kieres had no chance of being re-elected as IPN chairman in 2005. The damage to his reputation wrought by the Hejmo and Wildstein scandals was exacerbated by shifts in the political field. The SLD government had been brought down by two spectacular corruption scandals, the Rywin Affair and Orlengate. It came to light that the ex-communist party's ministers were soliciting bribes in exchange for fixing draft laws regulating mergers between media corporations and generating superprofits from the privatization of state gas companies. The moral outrage catapulted PiS to a brief stint at the helm of the state, winning the presidency and achieving a parliamentary plurality in coalition with the far-right populist League of Polish Families and Self-Defence Party. The coalition would only survive two years, and they predictably did little to stem corruption. Their social policy was nothing but recycled second-wave neoliberalism, but the main legacy of this government in the long run was the transformation of IPN. PiS was able to appoint ten of fourteen chairs on the IPN council and they favored a candidate named Janusz Kurtyka.

As a graduate in the history department at the University of Warsaw, Kurtyka was an organizer in the illegal Independent Student Association (NZS) from 1980 and dedicated underground research to recovering the memory of the anticommunist resistance groups known as the 'Excommunicated Soldiers.' After 1989, Kurtyka used his new freedom to study at CEU in Budapest. Later, he ran for public office on the ticket of the Catholic party Fatherland, and found little success. He returned to Krakow to try his hand at transitional justice. In charge of IPN's freshly opened Office For The Prosecution of Crimes Against The Polish Nation, Kurtyka opened 483 lustration cases and won only three convictions. Notwithstanding, he rose to the director's office of the Krakow branch and directed his energies to reaching more youth by instituting high school teacher-training and swelling the budget of the civic education division, to whom he opened previously restricted archival fonds.⁹⁹ He negotiated with the newspaper *Dziennik Malopolski* to give his researchers a permanent column and make history speak to the public sphere.

Kurtyka's most serious opponent in the contest to succeed Kieres was Andrzej Przewoźnik, secretary general of the IPN's Council for the Protection of the Memory of Struggle and Martyrdom. In the months leading up to the vote, he faced controversy over alleged past cooperation with the SB. Though he applied for an auto-lustration to clear his name, the IPN law excluded him from the chairmanship, resulting in Kurtyka's election. Janusz Krupski, another opponent of Kurtyka, left the Institute after his defeat and assumed a position in the Office for Combatants and Victims of Repression, further complicating the IPN's leadership dynamics. Numerous other resignations and new appointments followed, affecting key positions within the IPN, such as the head of the Main Commission, the Department of Public Education, and the Department of Accessibility and Archiving.¹⁰⁰

⁹⁸ Speech by Elżbieta Kruk (PiS), parliamentary debate on 18.2.2005, Sejm of the Republic of Poland 2005. quoted in: Lau, 224.

⁹⁹ Dujisin, Zoltan. A history of post-communist remembrance: from memory politics to the emergence of a field of anticommunism. in *Theory and Society* (2020)

¹⁰⁰ Lau, 195.

Kieres' successor struck the staff with an almost military-like approach, 'akin to that of a partisan leader at the forefront of Polish historical consciousness.'¹⁰¹ His workers perceived him as "uncompromising," prioritizing the pursuit of historical truth, which led to a considerable expansion of the Institute's educational and publication activities. He also established a department for information and communication, including hiring a press spokesman, something that Kieres had previously refused. During Kurtyka's term, the number of employees at the IPN significantly increased, totaling around 2,200 in 2014.¹⁰² This growth was partly due to the establishment of the Lustration Office after the Institute's scope was expanded in 2007. Moreover, the Institute's budget witnessed substantial growth from 2006 onwards, under the conservative PiS government, rising from approximately 34 million euros to almost 58 million euros in 2008.¹⁰³ Critics viewed the notable increase in the IPN's financial resources under the PiS government as evidence of potential partisanship within the Institute.

Antoni Dudek, a historian who worked at IPN for over a decade, recalled that Kurtyka met Lech Kaczyński privately in the early days of his tenure. No one knows what was said in that meeting¹⁰⁴ but their visions lined up magnificently. Kurtyka wanted to continue his project from the NZS days to reawaken the memory of Excommunicated Soldiers. Those remnants of the Home Army that continued to fight the Red Army after the defeat of Hitler are called Excommunicated because the Communist Party purged their names and their memory from public life. In Kurtyka's mind, the civic virtues and the very statehood of the II Commonwealth were preserved *only* by the Excommunicated Soldiers. Their struggle continued the authority of the Polish Government in Exile until they were wiped out by the secret police (SB) in 1963. Kaczyński, on his part, famously told *Rzeczpospolita* in 2007 that Polish politics had become 'a contest between the ethos of the Home Army on one hand and the descendents of the communist repressive apparatus on the other.' Kurtyka showed his loyalty by leaking a list of SB informants and Kaczyński turned on the faucet.¹⁰⁵ IPN became one of the most highly endowed public entities and history PhD candidates streamed into BEP to study the Excommunicated Soldiers and present their findings to high schoolers earning more than any stipend Jagiellonian or UW could offer. When the far-right coalition collapsed in 2007, Civic Platform (Platforma Obywatelska: PO) a party aligned with the liberal fraction of Solidarity, supplanted PiS and ushered in a long period of robust economic growth in Poland. High investment in manufacturing and commerce in lieu of finance combined with a highly flexible workforce sheltered Poland from severe repercussions that came from the banking crisis in 2009. But there was no going back for IPN; Kurtyka's term was set for five years and the council remained loyal to him. The remnants of Kieres' brass were either purged or in the case of Paweł Machcewicz, quit on their own. The impact of the institute on politics at large was limited, however. Poland celebrated the twentieth anniversary of the transition in 2009, during a period of presidential cohabitation. President Lech Kaczyński's claim that 1989 was a betrayed revolution was shrugged off by Prime Minister Tusk. The latter's cool approach

¹⁰¹ Dudek, 245.

¹⁰² Lau, 192

¹⁰³ Ibid.

¹⁰⁴ Dudek.,

¹⁰⁵ Saygun Gökariksel, "Facing History: Sovereignty and the Spectacles of Justice and Violence in Poland's Capitalist Democracy." *Comparative studies in society and history* 61, no. 1 (2019): 111–144.

to memory politics seemed to temper the public's passion and it seemed, briefly, that Poland was ready to look to the future.¹⁰⁶

Corpse-Political Economy

On the morning of 10 April 2010, Janusz Kurtyka and Lech Kaczyński boarded a Tupolev Tu-154 bound for Smolensk airport. Their ultimate destination was a ceremony marking the 70th anniversary of the Katyn massacre, where NKVD murdered 22,000 Polish officers, intellectuals, and prisoners of war. Kaczyński's wife Maria, Chief of the General Staff General Franciszek Gągor, National Bank President Sławomir Skrzypek, Deputy Speaker of the Sejm Jerzy Szmajdziński, Deputy Minister of Foreign Affairs Andrzej Kremer and ninety other public officials, parliamentarians, relatives of the Katyn victims, and Church hierarchs were aboard. The plane crashed 19 miles outside Smolensk due to a combination of severe weather conditions, poorly trained pilots, and the President's insistence that they attempt landing despite the thick fog. A period of national mourning followed, and separate investigations by Polish and Russian teams yielded parsimonious conclusions. Constitutional procedures dictated that the Speaker of the Sejm, Bronisław Komorowski, assume the role of acting president until new elections could be held. The country subsequently conducted a presidential election in July 2010, won by Komorowski.

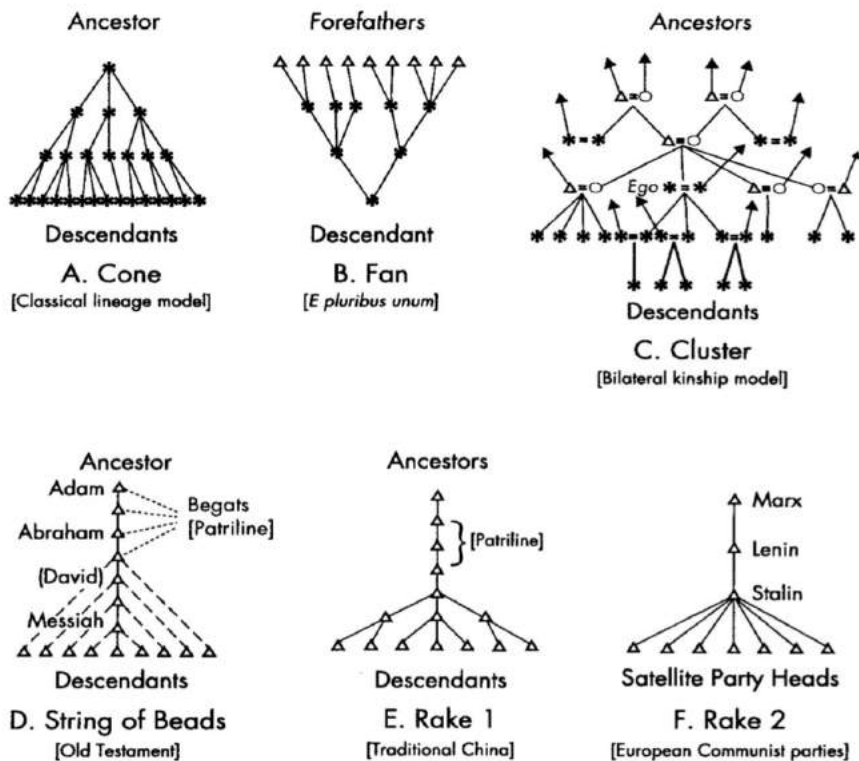
Following Kurtyka's death, there was a transitional period during which Andrzej Przewoźnik served as the Acting President of IPN. Przewoźnik took on this role temporarily, and he was tasked with overseeing the institute until a new president could be appointed. Subsequently, Łukasz Kamiński, former vice-director of the BEP, was elected IPN chairman. A professional historian and political scientist, Kamiński was expected to steer IPN away from its informal alliance with the Kaczyńskis' party, but Kurtyka's legacy could not be dismantled quickly (see chapter 7.)

A year after Kamiński assumed office, an IPN forensic team led by Krzysztof Szwagrzyk began exhuming the bones of Excommunicated Soldiers murdered by the SB in the 1950s at the site called Łączka in the Powązki military cemetery. In the 1980s the PZPR buried their own dead on top of their mass graves, and once their remains were discovered, they began to function as relics in a civic cult. Before the exhumations began, the Sejm ratified an IPN proposal to institute a high holy day of Remembrance for the Excommunicated Soldiers on March 1, 2011. The first sacred texts were IPN's series of graphic novels called *Wilcze Tropki* (See Appendix 1.4) wherein the tragedies of the Excommunicated were retold through all the tropes of Romantic Messianism. Zajaczkowski and Wyrzykowski, the illustrators of *Wilcze Tropki* were also responsible for the cover art of the 'post-Smolensk press' that emerged when the center-right daily *Rzeczpospolita* fired a journalist named Paweł Lisicki in 2010. Lisicki launched a successful far-Right weekly called *Uważam Rzę* and later *Do Rzeczy*, where commentary on present politics was frequently interwoven with ruminations on the lessons of history. They quickly began publishing monthlies dedicated to history called *Uważam Rzę Historia* and *Historia Do Rzeczy*.

As IPN published the discoveries of Szwagrzyk's digs, matching bones to classified SB files, a cottage industry of 'patriotic clothing' sprang up in Krakow. The clothing labels

¹⁰⁶ Kubik & Bernhard, 250

Surge.pl and *Red is Bad* printed t-shirts bearing the photograph and *nom-de-guerre* of identified corpses. Young people started wearing the names of the dead on their backs to signal a reawakened historical consciousness. There was a growing sense of ‘synchrony with the asynchronous’ in the years between Smolensk and PiS’ unexpected return to power in 2015. To borrow an idea from Katherine Verdery, this was a time of corpse-politics: ‘pursuing accountability and justice around dead bodies in these cases also serves to reconfigure time by rewriting history.’¹⁰⁷ Questions of accountability for the annihilation of the Excommunicated Soldiers appeared linked to the question of accountability for Smolensk. PiS’ electoral campaign in 2015 offered a project of Historical justice: the **judiciary had to be purged of post-communist judges** – heirs of the same judges who sent the Excommunicated Soldiers to the gallows. Verdery goes on to explain that with post-communist corpse-politics, there came the opportunity for ‘time compression’ – excising the aberrant communist past and reconnecting populations to older *kinship systems* that had been hidden by communists:



IPN, PiS, and their allies in academia and the press endeavored to remake modern Polish history as a story of conflict between two kinship systems shaped like the (B. Fan) and (Rake 2.) Szwagrzyk’s digs produced a new set of ‘forefathers’ for the PiS system. Komorowski’s ritual of honoring these forefathers established the link to post-communist generations, but the success of PiS *as a movement* was based on articulating their programs as a way for families to get material compensation for the forefathers’ sacrifice. *As a regime*, their

¹⁰⁷Katherine Verdery, *The Political Lives of Dead Bodies* (Columbia University Press, 2000), 111.

project became to interpellate youth to imagine themselves as descendents in the Fan, with Lech Kaczyński as an intermediary forefather.

The corpse-politics exploded in conjuncture with a major reconfiguration in Polish capitalism. The sociologist Henryk Domański spoke about the sudden closing of the social system, and that system's disaggregation from its ideological superstructure called 'the transformation promise.'¹⁰⁸ To clarify, the economy was basically booming. Rising GDP, very high corporate profits, a lot of investment in manufacture meant that Poland absorbed the financial crisis better than, for example, Croatia which was funneling most of its investment into commerce. But the reason economists could point to all these figures in Poland was that the young skilled and educated workforce was mostly employed on the basis of something called the junk contract: repeated spates of highly precarious, short term, low wage deals with foreign conglomerates. In the 90s and the early 2000s this kind of labor was sold to young workers on the basis of this transformation promise: 'we have democracy and liberal capitalism now so the individual is free to invest in him or herself get educated, make the necessary sacrifices in the labor market take his own risks and then reap massive rewards.' By 2014, significant concentrations of young people formed in the cities who had high education and maybe brought some capital back from work in the West but found their careers were frozen in junk contracts and the high managerial positions in Polish firms were full, the mobility promised by the transition out of state-socialism was simply not being delivered.

As this was happening, the governing PO chose to enter presidential and parliamentary elections with slogans like, 'we don't do politics, we build hospitals,' and 'we practice a politics of warm water in the taps,' basically promising that if re-elected, economic and social policy would continue full steam ahead, ignoring the closing of the transformation promise. PiS shrewdly addressed the closing by proposing a crackdown on junk contracts, an expansion of social welfare, free medicine for pensioners, a family bonus roughly equal to 150 euro per child for poor families and to pay for this with new taxes on foreign banking. PiS' narrative of the closing of the transformation promise was that remnants of the communist ruling apparatus (this is Rake 2) had controlled most of the capital in Poland during the transition. In 2009, Jan Kubik and Micheal Bernhard observed that Kaczyński's rhetoric about 1989 as a rotten compromise had been neutralized by Tusk.¹⁰⁹ By 2015, the precariats were waiting for a new narrative; the bones under Łączka showed that the post-communist state had kept morbid secrets left over from the communists for over twenty years. It had also failed to deliver an open social structure. Once again, the legitimacy of 1989 came into question.

¹⁰⁸ Henryk Domański, "Tendencje wymiarów nierówności. Podziały klasowe, otwartość struktury społecznej, nierówności edukacyjne" (paper given at the conference "Polska 2000 Plus," Warszawa, June 21, 2013). quoted by Rychard, Andrzej. "PiS: The End of The Beginning" in Jo Harper ed. *Poland's Memory Wars: Essays on Illiberalism* (Budapest: CEU, 2017) p. 46.

¹⁰⁹ Micheal Bernhard & Jan Kubik. *Twenty Years After Communism: The Politics of Memory And Commemoration*. (Oxford 2014) p. 292.

. By all accounts, PiS' return to power in 2015 was a major turning point in the history of democratization. With a full parliamentary majority and a powerful ideology grounded in a veneer of scientific capital provided by IPN, Kaczynski reached for quasi-authoritarian influence over media, courts, and civil society.¹¹⁰ IPN's role in the subsequent period of democratic erosion is elaborated in chapters 5,6, and 7.

IV

USTR: Swords into Ploughshares

What becomes of our certainties about the past, and what becomes of History itself, to which we refer every day in good faith, naively, spontaneously? Beyond the slender margin of the incontestable (there is no doubt that Napoleon lost the battle of Waterloo), stretches an infinite realm: the realm of the approximate, the invented, the deformed, the simplistic, the exaggerated, the misconstrued, an infinite realm of nontruths that copulate, multiply like rats, and become immortal.

-Milan Kundera *The Curtain* 2005

Others make history, we just endure it.

-Ivan Svitak, *The Unbearable Burden of History* 1990

On September 2, 2019, the Czech internet radio program Přes Čáru (Breaking The Spell) hosted a debate over the fate of the monument to Marshall Ivan Stepanovich Konev that had dominated Prague's 6th District since 1980. The district council was planning to remove the lifesize bronze statue after a petition written by a biologist and former MP of the monarchist Koruna Česka party named Radim Spaček received over 3000 signatures in two weeks. The publicist Petr Honzejk defended the council's plan and historian Čenek Pycha of the Institute for the Study of Totalitarian Regimes (USTR)'s Department of Education came to criticize the move. Honzejk claimed that the point of a monument is to honor its object. Konev had indeed liberated the city from Nazi occupation, but he also helped plan the crushing of the Prague Spring and the Hungarian Uprising. It would be wrong to continue to honor him in public. In Pycha's understanding, removing the monument would weaken the public sphere: "When a teacher goes there with his class, he can benefit from a certain situation, even from the current discussion. It is possible to fulfill more didactic goals

¹¹⁰ Stanley Bill, "Counter-Elite Populism and Civil Society in Poland: PiS's Strategies of Elite Replacement," *East European Politics and Societies* 36, no. 1 (2022): 118-140.

there"¹¹¹ Pycha explained that there is value in keeping the monument because it allows different layers of history to coexist in space and thus allow students to conceptualize historical change. The ability to have a discussion about history around a monument with a mixed legacy would be the basis for healthy democratic discourse.¹¹²

Pycha's brand of iconophilia and his understanding of the relation between historical memory and democracy represents a distinct approach to the socialist past that has emerged - so far - only at USTR. Analogous institutes in East Central Europe are committed to either purifying urban spaces of communist-era monuments or turning them into 'sites of terror' / 'monuments to victims.'¹¹³ According to a 2019 European Parliament Resolution 'on the importance of remembrance for the future of Europe,' extensive purification of urban space is needed to neutralize the totalitarian temptation that is apparently contained in the monuments.¹¹⁴ The last remnants of former communist parties tend to claim that the monuments pay homage to the legacy of antifascism which Europe desperately needs to revive. In the Konev debate, the Czech Communist Party (KSČM) claimed 'We are convinced that the wheels of spinning hatred and redrawing views of historical events will not contribute to peace in society. It fulfills the goal of preparing our society for further pressure from the Sudeten German *Landsmanschaft*, to further strengthen economic and military ties with the great states of the European Union and the USA.' Pycha's intervention on Přes Čáru was to try to step above the clash between these mirroring anti totalitarian / antifascist rhetorics and de-escalate.

De-escalation is atypical for the region's memory-politics. Indeed, in *Retroactive Justice*, the Hungarian historian Rev Istvan noted that in Central Europe, "historical arguments have always been used in actual political wars. In fact, historical arguments have always been the ultima ratio in political battles."¹¹⁵ In the immediate aftermath of 1989, the Czechs were no exception. They passed stringent lustration laws in 1990, excluding substantial sectors of the old apparatus from public service. In 1993 came an 'Act on the Unlawfulness of the Communist Regime and about the Resistance against it' which condemned the previous 40 years of history as a totalitarian aberration. Though the Western press criticized the lustration laws and Madeleine Albright spoke of 'witch hunts' in Prague, the conservative ex-dissident Vaclav Benda took the helm of an Office for the Documentation and Prosecution of Communist Crimes in 1995. The institute documented many crimes of the repressive apparatus but prosecuted very few. Thus, as in most of the post-communist world, the gap between sharp anticommunist rhetoric and meagre convictions prompted demands for a redoubled effort at reckoning with history through public education. These demands gave rise to a project for a Czech Institute of National Memory to follow the Slovak and Polish analogues, but important members of the

¹¹¹ "Komu by měla společnost vzdávat hold? Socha Koněva ukazuje, jak těžké je vypořádat se s dějinami," Radio Wave, accessed October 29, 2020, <https://wave.rozhlas.cz/komu-mela-spolecnost-vzdavat-hold-socha-koneva-ukazuje-jak-tezke-je-vyporadat-se-8047777>.

¹¹² Ibid.

¹¹³ James Mark, *The Unfinished Revolution* (New Haven: Yale University Press, 2010), xxiv.

¹¹⁴ "European Parliament resolution of 19 September 2019 on the importance of European remembrance for the future of Europe (2019/2819(RSP))," European Parliament, https://www.europarl.europa.eu/doceo/document/TA-9-2019-0021_EN.html.

¹¹⁵ Istvan Rev, *Retroactive Justice: The Pre-History of Post-Communism* (Stanford: Stanford University Press, 2005) P. 5.

parliamentary coalition pushing for its creation insisted on a different name. The compromise was Institute for the Study of Totalitarian Regimes (USTR) and their research division immediately embarked on a crusade to unmask former communist oppressors.

We Are Still At War!

In the path to the formation of USTR, demands for a more thorough reckoning with the communist past were voiced by civic associations of the victims of Stalinist repressions, forced labour camp survivors, and political prisoners. These associations (Klub 231, the Confederation of Political Prisoners (KPV), and Club of Committed Non-Party Members (KAN) formed in the time of liberalization around the Prague Spring but found themselves highly isolated from dissident communities. They identified the reform communist movement, often correctly, with their former jailers. They also found themselves in tension with the Charter 77 milieu because while the Chartists preferred the language of Human Rights reform and the antipolitical rejection of metahistorical logic, the victims' associations wanted to establish a new metanarrative of the 'Third Resistance' - the idea that the victims of Stalinism represented an anticommunist echo of the anti-Habsburg and antifascist resistance movements fighting to preserve the Czech national affinity for democracy in the face of foreign domination. It was a rather fringe position even among conservative-leaning dissidents. The 'conservative-radical' Vaclav Benda thought the main lesson of Czech history was to embrace Masaryk's notion of 'drobná práce' rather than armed resistance. The Charter 77 document 'The Right To History' did not even mention the Third Resistance as it was penned by authors of the *Střední Evropa* journal, who yearned for a monarchist supranational community together with the Germans. For the Scruton-translator Petr Pithart, the Czechs needed evolutionary rather than revolutionary social change to overcome the decay wrought by the *totalita*. After the Velvet Revolution, KPV started holding 'anniversaries of the Hell in Jachymov' to commemorate their time of forced labor in uranium mines. At the third anniversary in 1992, they published a pamphlet called 'The Third Resistance Started in 1948 and Continues in The Present':

Those who wore blue shirts in the 50s and were then in full glory, would love for us to honor them again, for us to kneel before them, to become overmen once more. They have no desire to vacate the positions they lost, they still have the power in their hands - they are everywhere. They occupy all the important places, the diplomacy in its entirety and all the media. The Third Resistance began in '48 and continues in the present. Especially in the countryside, an atmosphere of terror is created by people who belong to the old structures. They don't intend to leave their positions, and have the support of both our governments. The governments are also full of former apparatchiks. The new electoral law enables the old practices to retain power. We, political prisoners of the 1950s, disagree with this law. We adhere to the electoral law of 1946. Since we are a political organization but not a party, we cannot strike against this law. If the system continues on as it has, I don't want to be a dark prophet, but there is nothing good awaiting us. Yet the political prisoners of the 50s are optimists. In the name of our dead brothers and sisters, who gave everything for their country - their lives - we will endeavor for a democracy to be established in our country where truth and love shall prevail. We don't want a nation of collaborators, we don't want socialist concentration camps, no socialism of any kind. We don't want a state and a parliament that has thousands of dead on their conscience. We

want a country where everyone can enjoy life knowing they live in a real democracy.¹¹⁶

The pamphlet came in tandem with the notorious Cibulka Lists and a year after the 1991 Czech lustration law which rivalled its German counterpart in scope. A tough stance on ex-communists was the centre of the economist Vaclav Klaus's mobilizational discourse in 1990, and this gave his Civic Democratic Party (ODS) hegemony over a majority of the grassroots civic forums that emerged during the transition and ultimately victory in the race for Prime Minister.¹¹⁷ But lustration had its limits; as Jacques Rupnik pointed out, "while the identities of low-level informers were abundantly documented in the police records, the same cannot be said about the officers and their superiors in charge of the police system. So you end-up exposing the small fry, but not the people who were actually running the system."¹¹⁸ KPV's dark view of the transition in 1992 may have pointed to a real inadequacy of the lustration process, but their ultra-radical anticommunism had limited resonance. Similar views were held by the Christian think-tank Civic Institute, which claimed that both neo communist mafias and Western consumerism were withering away Czech morality and ultimately the foundations of democracy.¹¹⁹ But in the mainstream, this was the time of 'liberal politics of history' that celebrated non-violence, deliberative discourse, compromise, and peaceful transition as the achievement of 1989.¹²⁰ Moreover, academic historians said Third Resistance was a fiction. Mostly, they interpreted any mentions of anticommunist resistance as inventions by StB, or insisted that 'resistance' was limited to isolated individual acts. Only amateurs were willing to produce histories of the 'Third Resistance.'

KPV started to gain influence, however, in the early 2000s, among the ODS as they underwent a 'conservative turn,' absorbed the Christian Democratic Union, and elected Mirek Topolánek chairman. Also, in response to the post-89 'memory-boom', global academia started recognizing victims' testimonies as a superior form of historical evidence.¹²¹ By becoming the political patron of the KPV demands, ODS generated a serious contradiction between its memory politics on the one hand and its social and economic policy on the other. It adopted a critique of the transition as an unfinished revolution demanding a deeper reckoning with the communist past *as* the party who had engineered the transition. This basic contradiction meant that anticommunism could never become an integral discourse rallying 'the people' in post-EuroCrisis Czechia like it did in Poland and Hungary. ODS could not translate anticommunist rhetoric into a language of social justice

¹¹⁶ "Odboj začal v roce 1948 a dosud trvá," Politictí vězni, accessed at <http://www.politicti-vezni.cz/3-odboj-zacal-v-roce-1948-a-dosud-trva/>.

¹¹⁷ Michal Kopeček, "The Rise and Fall of Czech Post-Dissident Liberalism after 1989," East European Politics and Societies, Volume 25, Number 2, May 2011, 244-271.

¹¹⁸ 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/>.

¹¹⁹ Sean Hanley, "Conservative sensibilities in Czech politics before and after 1989" (2009), 17.

¹²⁰ Michal Kopeček, "Czech Republic: From the Politics of History to Memory as Political Language," December 2, 2013, DOI 10.25626/0011, <https://www.cultures-of-history.uni-jena.de/debates/czech/czech-republic-from-the-politics-of-history-to-memory-as-political-language/>. NP

¹²¹ Ibid.

because the communists had not been in power to steer the transition; that had been the work of their own leader Vaclav Klaus. In Klaus's time, ODS economic policy and memory policy were coherent. Harsh lustration of communists and marketization were supposed to lead to the same goal: restoration of the precommunist Czech enterprising subject and a democratic framework that would allow that subject's industriousness to flourish.¹²² To claim that the transition had been rigged would be to implicate themselves as perpetrators in the betrayal. Recycling the anticommunist formula of the early 90s could therefore only yield diminishing returns moving forward. Indeed, Social Democrat governments between 1998 and 2006 shot down repeated bills to establish a *Centre For the Documentation of Totalitarianism* and *Memorial to The Time of Unfreedom*. These were dismissed as attempts by fired UDV functionaries (specifically a man named Pavel Žáček) to regain access to the files.¹²³ Nonetheless in 2005, a group of 19 senate deputies (17 ODS) proposed to create a new institute to supplement the ÚDV, centralise the archives of repression, improve public access, and 'reveal communist officials as well as organizers and instigators on political and ideological levels co-responsible for crimes and other matters.'¹²⁴ In the eyes of the Civic Democrats, the fact that Social Democrats were allied to an unreformed Communist Party meant that the past had not been sufficiently worked through. This was also the time of the cresting of the second wave of memory-institute foundations in Slovakia, Poland, Hungary and Ukraine, giving the KPV-ODS formation the argument that Czechs needed an equivalent institute to 'catch up' to regional standards.¹²⁵ Moreover, Minister of Interior Langer claimed that the StB files were still controlled by former StB functionaries now working at the Interior Ministry. Hence, an independent institute to renew the lustration process was needed. The community of historians criticized the law's use of the perfective 'vyrovnat se' (come to terms with.) For them, no final interpretation of the past could ever be reached by pure scientific reason, so the project to 'come to terms' smacked of politicization.

The proposal initially called for an *Institute of National Memory* to mirror the Polish and Slovak models, and only called for working through the communist period, but pressure from Social Democrats and the Green Party whose support ODS desperately needed to push the legislation through forced revision. The period of Nazi occupation was added to the curriculum and the agreed name in the final 2007 draft would be USTR. The law stipulated the institute would be overseen by a council of seven members elected by the Senate. KPV head Naděžda Kavalírová became the first chairman of the USTR council in 2007 and appointed Žáček director. His programmatic statement in the first issue of the Institute's publication *Memory and History* announced the search for a new Historical truth to regenerate the moral compass of Czech politics, which had been deteriorated by totalitarian

¹²² Sean Hanley, "The New Right in the New Europe? Unraveling The Ideology of 'Czech Thatcherism!'" *Journal of Political Ideologies*, Vol. 4, No. 2 (1999): 163–89.; Gil Eyal, *The Origins of Postcommunist Elites: From Prague Spring to Breakup of Czechoslovakia* (Minneapolis, MN and London: University of Minnesota Press, 2003), pp.135–93. Sean Hanley, "Blue Velvet: The Rise and Decline of the new Czech Right" *Journal of Communist Studies and Transition Politics* Volume 20, 2004

¹²³ Lau, 538.

¹²⁴ Tomas Sniegón IMPLEMENTING POST-COMMUNIST NATIONAL MEMORY IN THE CZECH REPUBLIC AND SLOVAKIA in *EUROPEAN STUDIES* 30 (2013): 97-124

¹²⁵ Lau, 540.

communism and the remnants of post-communist elites in the state. Inspired by Kurtyka's foundation of a civic cult around the Exiled Soldiers in Poland, Žaček imagined that research into the Third Resistance would create a new pantheon of heroes whose stories would inspire youth. The education department would disseminate these stories with high school teacher trainings and guest lectures in schools. One of the more popular publications from this period of USTR was a 2011 graphic novel recounting the stories of Third Resistance fighters called *We Are Still At War!* The title, clearly reminiscent of the rhetoric of KPV from the early 90s, encapsulated the overarching project. The war for a morally pure Czech democracy was still raging and the USTR was to be ODS and KPV's sharpest sword against the post-communists.

But this project for a historical reawakening met resistance both inside and outside the institute. From the outside, leading historians Spurný and Kopeček posited that the totalitarian interpretation was yet another metanarrative that resulted in "a one-sided and dichotomous conception of postwar history distinguishing between "us" and "them", between "regime" and "(civil) society", between komunistů 'communists' and národ 'nation', between vin culprits' and victims'."

From the inside, Žaček's own cadres in the education department were interested in a completely different approach. They thought history education should enhance democracy by training young people to think critically about metanarratives and engage in civil discourse. Their chief values were methodological positivism and pedagogical constructivism.¹²⁶ The educators wanted to transmit 'something more universal' about life under Czech communism that could translate to lessons for multinational audiences.¹²⁷ This brought them scorn from the research division, but surprisingly, Žaček defended them.¹²⁸

The opposition of the academic field to the ODS - USTR memory policy became apparent in the dispute over the Third Resistance Laws. In November 2010, ODS Senator Jiří Liška introduced a bill on compensation for members of the anticommunist opposition (*odpor*) and resistance (*odboj*) movements, arguing that society owed a moral and material debt to those movements which hadn't been properly settled since 1990.¹²⁹ The law would allow former members of the resistance to apply for the status of war veterans, receive a commemorative badge and be honored in public. To determine whether an applicant had truly been a resistance fighter, USTR historians would be charged with searching StB files for evidence of twelve months of 'risky resistance activities. Less than twelve months would limit one to the category of opposition (*odpor*) and exclude them from veteran status. As the bill was making its way to the Lower House, a group of historians, mainly from the Institute of Contemporary History (and one from USTR) published a 'Position on the Senatorial Bill on Anticommunist Resistance.' The historians objected to the 'bureaucratic' distinction between *odpor* and *odboj*. "The law does not even indicate how this period will be calculated. Even if someone has been producing and distributing anti-regime leaflets for one year in the

¹²⁶ Personal Communication with Ilana Hartikainen, March 2019.

¹²⁷ Personal Communication with Vojtech Ripka, July 2020.

¹²⁸ Ibid.

¹²⁹ "Historikové kritizují zákon o třetím odboji, pravice jej hájí," ČT24, <https://ct24.ceskatelevize.cz/domaci/1300327-historikove-kritizuji-zakon-o-tretim-odboji-pravice-jej-haji>.

evening, can they also count on a summer vacation at Lake Balaton? If not, he will end up with just a badge, even if he later paid for his anti-regime activities for two and a half years in Ruzyně. For free treatment in Karlovy Vary or a place in a retirement home, he needs to report at least three..." commented one of the signatories.¹³⁰ The historians warned the senators that the law was too stingy; in a time of crisis, resistance heroes needed social assistance more than symbolic recognition. They questioned how it would be possible, analytically or morally to effectively create a class division among former opponents of the regime.

Certainly, the USTR, with its record of compromising publicity stunts, was not the right team to take up this task. More importantly, the StB files were severely lacking as an evidentiary basis for determining who was entitled to a privileged status in memory. They were frequently fabricated, based on testimony under torture, and produced by a system that prior Czech law had designated as criminal. Worse, the bill charged USTR with excluding resisters who had also been agents of Soviet state security forces. But USTR had no access to the KGB archive in Moscow (no one did, or does) so by default, every application should have been thrown out for lack of sufficient evidence!

In the lower house debates, Social Democratic MP Jiří Paroubek criticized the law as 'a diversion from the failure of the drafters to address the real and unhappy condition of people today.'¹³¹ He referred of course to the latent economic malaise that the Czech Republic was struggling to push through since the downturn of 2008. Unemployment was peaking in 2010 and ODS had insisted in its electoral campaigns that austerity was the way forward. CSSD and KSCM on the other hand were pushing for more state intervention. They seized the debate over the Third Resistance as another opportunity to address this cleavage. For the Communist [First name?] Grospič, the "The bill on anti-communist resistance seeks to create heroes of the past, to glorify, in the face of growing economic problems, new heroes who may ... have been simple brigands... The proposed law on the third Third resistanceResistance, the so-called anti-communist resistance, is spitting in the face of all honest people."¹³² ODS and their allies never tried to negate this critique or to argue that 'the people' did in fact have a vested interest in historical reckoning. They resorted to more abstract arguments like the moral imperative to recognize heroic sacrifice in the name of democracy against totalitarianism, and to 'come to terms' with the past. In 2015, PiS in Poland found a formula wherein such moral demands had their concrete expression in an economic demand for social welfare (see chapter 2.) This element was missing for ODS and their opponents on the left exploited that weakness. Moreover, *scientific capital* generated by the historians' open letter was an asset of the left.

A scandal broke around Milan Kundera offering academics an additional opportunity to criticize the kind of history Žáček's USTR was trying to make. Shortly after the institute's formation, a junior researcher named Hrdilek discovered a file that seemed to suggest that Kundera had delivered one of his friends to the StB in the 50s. With the journalist Petr

¹³⁰ "Třetí odboj téměř neexistoval," Česká pozice, https://ceskapozice.lidovky.cz/tema/treti-odboj-temer-neexistoval.A101130_160424_pozice_182.

¹³¹ Poslanecká sněmovna Parlamentu ČR, Zákon o protikomunistickém odboji (sněmovní tisk 204), První čtení – 13. schůze – 11. února 2011.

¹³² Ibid.

Tresnak, he co-authored an article in the magazine *Respekt* called 'Kundera's Denunciation' that threw USTR into the centre of public attention. Tresnak told the *New York Times* "This story is not just about Kundera, it is about the history of the Czech Republic, (...) People in this country are overwhelmed and disgusted by the number of people who collaborated with the regime - and this is a very concrete example of what happened."¹³³ His overconfidence in knowing the spirit of 'the people' was quickly tempered by an avalanche of reproaches from the intelligentsia. Former FAMU psychology professor Ivo Pondelicek immediately vouched for Kundera's moral compass. Ex-dissident and former minister of culture Milan Uhde also came to his defence.¹³⁴ Havel opined that Kundera's alleged snitching should be seen 'through the prism of the time.' The sociologist Jiri Pehe had reservations about USTR's praxis:

Shouldn't an institute that officially studies totalitarian regimes also offer alternative theories? Shouldn't it be clear to the staff of this institute that everything could have been a little different? Is it possible to "shoot down" a world-famous writer only on the basis of a few lines on A4 paper, signed by a period investigator who can no longer say anything about the case today? (...) The whole thing is about decency. It should not only instruct researchers not to draw far-reaching conclusions from which Kundera emerges as an unequivocal villain on the basis of relatively weak records, but also to accompany the found document with a commentary that offers alternative interpretations.¹³⁵

For the literary historian Miroslav Balastik, the Kundera scandal signalled an epochal shift in collective memory:

What would have been quietly and with certain satisfaction accepted in the early 1990s was now loudly rejected by the bulk of Czech society. Czech society's reaction has shown that it is no longer looking for culprits. It is no longer inclined to judge, but to doubt. It does not want to name culprits, but to understand their stories. It is quite possible that this story will close one phase of Czech post-communist history, that this story represents the conclusion of the [Velvet?] revolution. It is also possible that we will start to read Kundera's work more attentively than before. Not in order to decipher his biography, but to learn about history's mechanisms. In order to understand that we cannot get even with history or seek revenge against it. History never was, but always is, and the only thing we can do is to try to understand it.¹³⁶

Žáček's answer to these criticisms was that he 'might have written the article on Kundera differently'¹³⁷ but his own bombshell revelation had also misfired. In April, during a

¹³³ Dan Bilefsky, "Czechs Debate charge against Kundera" *The New York Times*, October 17, 2008, <https://www.nytimes.com/2008/10/17/world/europe/17iht-kundera.html>.

¹³⁴ Jana Prikryl, "The Kundera Conundrum", *The Nation*, May 20, 2009 <https://www.thenation.com/article/archive/kundera-conundrum-kundera-respekt-and-contempt/>.

¹³⁵ Jiri Pehe, "Kunderu ve špárech inkvizice," Pehe.cz, <http://www.pehe.cz/Members/redaktor/kundera-ve-sparch-inkvizice>.

¹³⁶ Miroslav Balastik, "Two stories: Kundera and the conclusion of the Velvet Revolution" *EUROZINE* November 7, 2008. <https://www.eurozine.com/authors/miroslav-balastik/>

¹³⁷ Krystyna Wanatowiczová, "Článek o Kunderově udání bych napsal jinak, říká historik Žáček" *iDNES.cz*, 10. listopadu, 2008.

visit from Topolánek at USTR headquarters, Žáček told the Prime Minister he had discovered a file proving that the alleged Third Resistance fighters Josef and Ctirad Mašín were planning to assassinate Klement Gottwald. He claimed this was a good justification for Topolánek's awarding decorations to the Mašín cell, which drew widespread criticism. Many remembered them as 'simple brigands.' But Josef Mašín came out himself to the media saying the alleged plot was pure fabrication; they never had the resources to carry it out; the 'plotting' had been simple drunk talk. The Institute of Contemporary History's Oldřich Tuma commented that the document Žáček referred to was a confession beaten out of the Mašín's uncle by the StB and not to be taken as evidence of anything. The embarrassment caused by the fiasco compounded with the Kundera affair and in December, the executive council started indicating they had had enough of Žáček.¹³⁸

In the next spring, Žáček published a book about the foundation of Civic Forum to honor its twentieth anniversary. In the book, he claimed that beloved artist and designer of the post-communist Czech coat of arms Jozka Skalník had been an StB informant. No one reached out to Skalník for his side of the story until the book launch. USTR spokesman Reichl announced that Skalník had come to the launch and agreed to help USTR researchers locate more files to clarify his role in the normalization period. This time, the faux pas prompted activist Stanislav Penc to circulate a petition calling on the council to remove Žáček.¹³⁹ Havel signed [what?] personally and the council announced a contest for the Director position which was eventually filled in 2010 by historian Jiří Pernes, who told the press "I have three main goals: to rid the institute of the reputation of a political institution, to improve the level of research and historical work and to reverse its isolation in the academic world. The institute is not to be a besieged fortress that everyone attacks. People should take it as a normal historical workplace."¹⁴⁰ Pernes fell quickly due to a plagiarism scandal and was replaced by Daniel Herman, who would effectively serve as Žáček's puppet until 2013.

Crisis of Legitimacy

The institutional history of the Žáček-Herman USTR intersects with a broader history of political and economic crisis in the Czech Republic. When the political field was in its early stages of formation after the ir Velvet Revolution, a grassroots movement of civic forums emerged spontaneously to ensure that post-communist mafias would not use the

https://www.idnes.cz/zpravy/archiv/clanek-o-kunderove-udani-bych-napsal-jinak-rika-historik-zacek.A081108_1313_51_kavarna_bos

¹³⁸Jan Gazdík, "Žáčkoví láme vaz Kundera i bratři Mašínové" *iDNES.cz*, 5. prosince 2008. https://www.idnes.cz/zpravy/domaci/zackovi-lame-vaz-kundera-i-bratri-masinove.A081204_222644_domaci_abr

¹³⁹Jš & ČTK, "Žáčku, přestaňte psát dějiny podle StB. Šéfa ústavu pro totalitu kritizuje i Havel" *iDNES.cz*, 19. listopadu 2009. https://www.idnes.cz/zpravy/domaci/zacku-prestante-psat-dejiny-podle-stb-sefa-ustavu-pro-totalitu-kritizuje-i-havel.A091119_105655_domaci_bar

¹⁴⁰Luděk Navara, "Nejsem komunista ani levičák, prohlašuje historik Jiří Pernes" *iDNES.cz*, March 23, 2010. https://www.idnes.cz/zpravy/archiv/nejsem-komunista-ani-levicak-prohlasuje-historik-jiri-pernes.A100322_213934_kavarna_chu

democratization process to preserve their social capital and plunder the economy. This movement was quickly hegemonized by the Civic Democrat Party (ODS) led by the economist Vaclav Klaus. Klaus's campaign emphasized the need for privatization, marketization, and aggressive lustration of former apparatchiks from state institutions. The civic democrats achieved a long period of stable rule compared to other post-dissident rightwing parties in the region. Why? ODS produced a powerful mobilizational formula in the 90s; privatization was the concrete expression of reforming the wasteful, corrupt, and poorly performing communist system. This held until it was discovered that the privatization process was itself highly corrupt. In a process called tunnelling, former managers had concealed profits from selling state enterprises abroad, and lucrative state contracts had been distributed to *kmotr* (Godfather) figures associated with the supposedly lustrated apparatchiks. Thus the moral dimension of the Civic Democrats program dissolved and the second decade of the Republic was characterised by the hegemony of CSSD (Czech Social Democratic Party), one of the successors of the old KSCM. That being said, the CSSD made non-transparent deals with ODS, dividing up key bureaucratic posts in a manner that heavily eroded trust in politics at large. To boot, links between organized crime and the Prime Minister Gross's wife's private business were discovered and the centre of gravity in political discourse as well as investigative journalism started shifting toward corruption.

In the 2006 legislative election, the result was an ODS-CSSD stalemate and it took eleven months to form a very weak coalition of Greens, Christian Democrats and Civic Democrats led by the engineering firm manager Miroslav Topolánek. The symbiosis of business and politics started to be a source of public discontent and media spectacle. Topolánek himself began speaking of 'kmotr' (godfatherly) relations between ODS and regional businessmen enriched by state contracts, giving birth to one of the master-signifiers in crisis-era Czech political discourse. And here, anticommunist discourse reached another limit; though the state had built radical anticommunist institutions like UDV to root out the old 'mafias,' investigative journalism unveiled massive corruption networks implicating anticommunists themselves. Furthermore, the narrative of an 'unfinished revolution' could not assume the same potential for mobilizing collectivities that it had in Poland and Hungary because the Velvet Revolution had the character of a capitulation to the Civic Forum rather than negotiated transformation.¹⁴¹ For the American political theorist Jodi Dean, anticommunism is powerful when it can play the role of an 'ersatz anticapitalism'¹⁴² - redirecting popular discontent about inequality and declining public services at putative communist plots. This dimension was absent for the Czech Civic Democrats who consistently championed austerity and allowed themselves to be caught red-handed serving the *kmotrů*. Consequently, USTR's 'revelations' failed to appear as a gesture toward healing society as a whole.

The Czech Republic's financial sector was not directly hit by the banking crisis of 2008 but its highly export-dependent industry was affected by the subsequent drop in demand. Public debt and unemployment rose, eroding support for both civic democrats and social democrats. By 2009, the ODS led coalition was burst asunder by its internal tensions and the following elections saw a major reconfiguration of the political field. The combined

¹⁴¹ Rupnik, NP

¹⁴² Jodi Dean, (2019). Anti-communism is All Around Us. *Praktyka Teoretyczna*. 31. 15-24. 10.14746/prt.2019.1.1.

share of ODS and CSSD support plummeted from over 66% to 44% of the electorate, allowing populist formations TOP 09 and Veci Verejne (Public Affairs, VV) to enter the void. In 2010, ODS brought the populist newcomers into another unstable coalition under ODS veteran Petr Nečas. Though this coalition officially dedicated itself to 'the rule of law in the fight against corruption' their own spectacular collapse came about as a result of a sequence of corruption scandals.¹⁴³ In 2011, leaked internal memos from VV revealed that the vice-chairman's private security firm was being fed state contracts. Moreover, said firm was using its capacity to wire-tap political opponents and feed compromising information to VV chairman Barta. And so the political patron of Žáček's USTR was a shadow of the hegemon it was in the 90s.

Crisis of Ethics

At the end of every year, the Senate receives a report from USTR's governing council. It then proceeds to question the executive Chair and give opinions. After the 2008 report, the Social Democratic senator and one-time leading dissident Jiri Dienstbier started criticizing the institute sharply and called Žáček 'an absurdity that needs to be removed'¹⁴⁴ Four months later, the Czech Radio editor Hrbáček claimed to have found files indicating that Dienstbier was an informant of the military secret police, and that the files had been shredded since his discovery. A few days later, a journalist at *Denik Referendum* named Eichler found Dienstbier's file lying in the reading room of the Security Forces Archive. It had been requested by historian Martin Mejstrik some months ago to use in a book. Eichler found that Dienstbier had been considered for a role as informant but never actually recruited. Hrbáček had to publish an apology before getting the axe, and claimed he had been informed of the supposed shredding by USTR. Reichl commented that "The Institute for the Study of Totalitarian Regimes requested these materials, specifically a volume from the General Staff Intelligence Service, and he was told from the Security Forces Archive that he had not been transported from the General Staff Intelligence Archive. Today I was told that this volume exists, " For former Chartist Petruška Šustrova , Reichl's story didn't add up: "This is a huge lie. The Archive did not respond, nor could it, because its staff knew that the volume had been delimited and lay in the research room" Šustrova speculated that journalists greedy for election bombshells had developed a habit of calling up Reichl for tips rather than doing the work of plying through the files themselves. She speculated that either USTR had prepared the 'leak' with *Cesky Rozhlas* as an attempted intervention in upcoming Senate elections where Dienstbier would have to defend his seat, or that the place was a hive of amateurism. When the dust settled, USTR's reputation was the most tarnished of all parties.

Later that year, during the debates over the Resistance Laws, Dienstbier questioned to what degree the USTR staff could be trusted with adjudicating applications for the status

¹⁴³ Vladimír Naxera, (2018). The Never-ending Story: Czech Governments, Corruption and Populist Anti-Corruption Rhetoric (2010–2018). *Politics in Central Europe*. 14. 31-54. 10.2478/pce-2018-0017.

¹⁴⁴ Těsнопisecká zpráva z 14. schůze Senátu Parlamentu České republiky (1. den schůze – 10. prosince 2009) Návrh usnesení Senátu k zpětvzetí senátního návrhu zákona o účastnících protikomunistického odboje a účastnících odporu proti komunismu a o změně zákona č. 170/2002 Sb., o válečných veteránech, ve znění pozdějších předpisů, a zákona č. 634/2004 Sb., o správních poplatcích, ve znění pozdějších předpisů (zákon o protikomunistickém odboji) - sněmovní tisk č. 117

of resistance fighter and his colleague Lebeda added that the institute had 'lost all of its professional and moral clout in the eyes of the public.'¹⁴⁵Dienstbier passed away in January 2011 but his son won the vacant seat and gladly took up the project of holding USTR to account in the Senate. After hearing the 2010 report, Dienstbier Jr. asked why the council had been destroying audio recordings of its meetings and failing to give public access to video of its teacher training sessions. 'What does the council have to hide?' he asked the upper house.¹⁴⁶ Kavalírova responded with an open letter assuring Dienstbier that the institute was independent of any political influences, and began publishing minutes of the council meetings on the web.¹⁴⁷

Crisis of The Council

The crisis of ODS' legitimacy produced its first effects in the 2012 Senate race, wherein CSSD gained a substantial majority. And this was where the USTR trajectory started to change. The law describing USTR's governing council defines their electoral procedure thus:

The Board of Directors has a chairman and eight members. The chairman and two other members are elected by the Senate, three members by the Chamber of Deputies of the Parliament of the Czech Republic and three by the President of the Czech Republic. The Management Board shall elect a Vice-Chairperson of the Management Board from among its members and shall elect a Chairperson of the Committee.

(2) The term of office of a member of the Board of Directors is four years. After the first election of the members of the Board of Directors, the names of half of the eight elected and appointed members whose term of office ends after two years shall be determined by lot. After the termination of the membership of a member of the Board of Directors, the new member of the Board of Directors is elected by the body that elected the previous one, for the entire term of office. The term of office of the chairman is six years.¹⁴⁸

In early 2013, the terms of three board members were up and the Social Democrat-dominated senate chose the political scientist Jan Bureš as their candidate. The parliament's candidate Jiří Liška failed to generate enough votes in the upper house. Nečas reacted with accusations:

„All indications are that the left-wing Senate, by electing the relevant members of the council, is following a path in which the CSSD is beginning to prepay for its future covert or overt coalition cooperation with the Communists, a. And when it also begins to partially repay broad cooperation at the regional level. It is an effort to change it into an institute of Marxism-Leninism through significant personnel changes,“ (...) "Increasingly open preparations for the dismissal of the current director Daniel Herman, as well as

¹⁴⁵ Parlament České republiky, Senát 8. funkční období *Těsnopisecká zpráva z 2. schůzce Senátu (2. den schůzky – 09.12.2010)* Návrh usnesení Senátu k zpětvzetí senátního návrhu zákona o účastnících protikomunistického odboje a účastnících odporu proti komunismu a o změně zákona č. 170/2002 Sb., o válečných veteránech, ve znění pozdějších předpisů, a zákona č. 634/2004 Sb., o správních poplatcích, ve znění pozdějších předpisů (zákon o protikomunistickém odboji) - sněmovní tisk č. 117

¹⁴⁶ Parlament České republiky, Senát 8. funkční období *Těsnopisecká zpráva z 12. schůzce Senátu (4. den schůzky – 13.10.2011)* Výroční zpráva Ústavu pro studium totalitních režimů za rok 2010 Tisk č. [169](#)

¹⁴⁷ <https://www.ustrcr.cz/data/pdf/uredni-deska/ustr-1-15-2011.pdf>

¹⁴⁸ <https://www.senat.cz/xqw/xervlet/pssenat/htmlhled?action=doc&value=35171>

reorganization plans for the transfer of digitization from the Institute to the Archive and its subsequent suppression, which is incidentally contrary to the law, are clear signals...."¹⁴⁹

Dienstbier Jr. answered that Nečas was hysterical and a 'right-wing Bolshevik,' and assured the public that the Senate only wished to "elect qualified experts who will ensure that the ÚSTR is not an institution abused for political struggle and liquidation of opponents, but an institution ensuring pluralistic and free research in modern history in accordance with with the definition contained in the law."¹⁵⁰ The fact that KPV's Kavalírova had also been elected to the council along with her own nominee Benešová and the Green Party affiliate Michal Uhl¹⁵¹ could not be readily explained by Nečas' conspiratorial reading of events. When ODS had the senate Senate majority, reminded Dienstbier Jr., the council was packed with their loyalists. Liška was not elected because of his ties to the founding fathers of the institute who were responsible for the Mašin and Kundera blunders, not to mention the attempt on Dienstbier Sr., which his son likened to the 'methods of StB.'

The Orange Putsch

The 7-person council came together in March 2013 and sacked Herman, explaining in a press release that his tenure had resulted in a continuation of the 'unbearable situations' of the Žaček era.¹⁵² They appointed Pavla Foglova, former director of the Czech Institute in Poland, director. In her presentation of the 'new concept' Foglova outlined sweeping changes:

ÚSTR and ABS were established 5 years ago as a political tool. At present, the Institute needs to be reformed - especially depoliticized and de-ideologized so that it becomes a serious and respected scientific institution that:

- 1) offers quality scientific outputs (even in the field of education, where the Institute should also be a creator and distributor of methodologies for teaching modern history);
- 2) creates a wide space for ideologically unbiased and, above all, impartial scientific research of both periods: both the Nazi and Communist regimes.

In addition to the activities described by law, the ÚSTR should:

- 1) to deepen and improve cooperation with existing scientific institutions (in the Czech context, especially with the Institute for Contemporary History of the Academy of Sciences of the Czech Republic, in the international context with similar national institutes);
- 2) change the structure of projects within the comprehensive concept, taking into account the "white spaces" that are missing in the current concept;

¹⁴⁹ Ibid.

¹⁵⁰<https://ct24.ceskatelevize.cz/domaci/1105601-kolem-ustr-se-strhnul-pravicovy-bolsevismus-reaguje-dienstbier>

¹⁵¹ <https://denikreferendum.cz/clanek/14489-zvoleni-ctyri-novi-clenove-rady-ustr>

¹⁵² Vít Šimánek, "ČSSD chce z ÚSTR ústav marxismu-leninismu, prohlásil premiér," *Česká Televize*, April 10, 2013. <https://ct24.ceskatelevize.cz/domaci/1105909-cssd-chce-z-ustr-ustav-marxismu-leninismu-prohlasil-premier>

3) in the field of education, establish cooperation with university staff, teachers and experts from non-profit organizations¹⁵³

Half of Herman's scientific advisory board resigned in protest¹⁵⁴ and KPV wrote an open letter excoriating the council to reinstate him.¹⁵⁵ On April 25, PEMC chief Goran Lindblad wrote his own letter to the council expressing concern that Foglova was corrupt and that the council should have held a contest for the position. He would later express concern that five of the scientific advisors chosen by Foglova to replace the ones who resigned on behalf of Hermann were former KSCM members. Rightwing journalists called events at USTR an 'orange putsch' speculating the turnover was a bargaining chip offered by CSSD to KSCM in exchange for a coalition deal.¹⁵⁶ Following Nečas's warnings from the year prior, they cried that the left was planning to close the archives so that ex-communists would have immunity from retroactive justice.

A Mnemonic 'New Deal'

In June 2013, a police raid on government offices discovered gold bullion intended for bribes and that Nečas's mistress was using state resources to spy on his wife. At this stage, public opinion polls found that public trust in the Chamber of Deputies had declined to an absurd 5%. Again, early elections had to be held, and again there was an extended period with no stable cabinet. Not surprisingly, new populist outsiders emerged in the subsequent campaign. Tomio Okamura's Dawn party Party proposed the solution to the crisis of politics would be some kind of direct democracy. More successful was the owner of Slovakian agrochemical giant Agrofert Andrej Babiš' Action of Dissatisfied Citizens Movement (ANO.)

Babiš's political formula has been dubbed 'technocratic populism' by the political scientist Vlastimil Havlík, meaning the Slovak proposed to 'run the state like a business.' Crucially, he also introduced memory politics 'in a new key,' claiming on TV that he had founded ANO as a 'Civic Forum for the Future.' In the movement's manifesto, he wrote that "since the revolution, politicians of our country not only have failed to lead, but they have watched over the embezzlement of the country."¹⁵⁷ This is no narrative of an unfinished revolution or a revolution betrayed *a la* Kaczyński. Rather, Babiš points to an eternal problem of 'the morning after' revolution. Revolutionary leaders replace the old

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¹⁵⁴Jana Zemanová, Petra Benešová, Mirko Kašpar "Z vědecké rady ÚSTR odešlo na protest už 9 z 15 členů. 'Převrat' kritizuje i Duka" *iRozhlas*, April 12, 2013., https://www.irozhlas.cz/zpravy-domov/z-vedecke-rady-ustr-odeslo-na-protest-uz-9-z-15-clenu-prevrat-kritizuje-i-du-ka_201304122206_mkaspar

¹⁵⁵ Göran Lindblad, OPEN LETTER, (Göteborg, 15th August 2013) https://www.ustrcr.cz/data/pdf/rada/2013/jednani11_dopis_EP.pdf

¹⁵⁶Martin Fendrych, "ÚSTR: Levicovní brídilové a další plagiátorský skandál," *Aktuálně.cz*, January 24, 2014., <https://zpravy.aktualne.cz/domaci/nazory-a-komentare/ustr-levicovi-bridilove-a-dalsi-plagiatorsky-skandal/>

¹⁵⁷ Vlastimil Havlík, (2015). The Economic Crisis in the Shadow of Political Crisis: The Rise of Party Populism in the Czech Republic, in: Hanspeter Kriesi and Takis S. Pappas (eds.) *European Populism in the Shadow of the Great Recession* (Colchester: ECPR Press, 2015), pp. 199-216..

regime, acquire fame, wealth, and status while the ordinary people who fought for them in the streets remain ordinary people. Babiš courts those people differently than his analogs around the world. The standard approach of illiberal men of destiny is to rally the authentic people against parasitic and arrogant cosmopolitan masters, capital, foreigners, or the worst thing on Earth: communists. But in Babiš's own words: "I was doubtful anyone would vote for me. A Slovak who didn't speak Czech well? A man who had once been in the Party? Worse still, a rich man?" There can be no appeal to speak for real Czechs the way Kaczyński speaks for real Poles. Babiš cannot call for the patriotic redistribution of foreign capital to the people because he *is* foreign capital. But like a true Dances-With-Wolves, Babiš applies what he imagines to be a deep understanding of the Czechs' vanity:

Czechs, Moravians and Silesians are a nation of exceptionally inventive and creative people. Even though our country is not as big as Germany, Italy or Poland, we are a nation of great talent for getting things right and surprising people. During the First Republic, it used to be one of those that moved Europe. In the 1920s we were richer than the Austrians, Italians or Dutch. More productive than the Germans. We were in the top ten richest countries in the world. We had double-digit economic growth, higher than China has today.

Bata, Skoda, ČKD, Tatra, Koh-i-noor, Jawa, the ČZ arms factory, these were global brands even then. We are left with an incredible architectural heritage, a world-class musical culture and technical virtuosity. Even fifty years of suppression of freedom and creativity did not knock the legacy of Bata out of people, the abilities we have genetically. Ingenuity, creativity and extraordinary skill. And Czech tenacity. The strength to get up off the ground again.¹⁵⁸

The quotation comes from Babiš's 2017 manifesto *What I Dream of When By Chance I Sleep: A Vision of Czechia in 2035 for our Children*. More reminiscent of Vít Klusák and Filip Remunda than Martin Luther King Jr., Babiš's dreams are not about universality, the demand for justice by ghosts of History, or national missions. The ordinary people, as he sees them, have no need for such things. Their genetics ensure they are so smart, creative, and enterprising that as long as they're left well enough alone by the Statestate, they will become great scientists, star athletes, and prosperous business-people on their own. Hence all that is needed are leaders with common sense and decency to replace the professional politicians whose only skill in life is milking the state. "I am often criticized that I want to run the state like a firm. But maybe I should say that it's better to run it like a family business, or better still that the state should function like a family" continues Babiš. His favorite historical example of a successful family business is the Bat'a shoe corporation that built company towns all over Czechoslovakia and across the world. He sees his dream as a revival of Jan Bat'a's project in the 1937 *We are Building a State for Forty Million*. These are ultimately platitudes but they appeal to a strong technocratic sensibility in Czech political culture.¹⁵⁹

The technocratic populist formula made crushing gains on ODS in the 2013 elections, as ANO entered a coalition government with the Social Democrats and Christian Democrats. Babiš became finance minister, and in 2017, completed his ascent to the role of

¹⁵⁸ Andrej Babiš & Marek Prchal. *O čem sním, když náhodou spím: Vize 2035 pro Českou republiku, pro naše děti*. (Praha: Andrej Babiš, 2017) p.9.

¹⁵⁹ Vlastimil Havlík and Lenka Komůrková. "Alternativa, nebo doplněk stranické demokracie? Podpora technokratickému vládnutí v České republice." *Acta Politologica* 12, no. 2 (2020): 1-17.

Crapulinski in the Prague Castle by winning enough seats in the lower house to form a minority government. He lost a vote of confidence on the back of accusations that he was misallocating EU structural funds to his own company and revelations from the Slovak institute Institute of national National remembrance Remembrance that he had been a nonofficial informant of the Czechoslovak secret police in the 80s. Babiš's response was "I am happy that Czech citizens did not believe the disinformation campaign against us and expressed their trust in us," "We are a democratic movement, we are a pro-European and pro-NATO party, and I do not understand why somebody labels us as threat to democracy." He sued the Slovak institute Institute for libel and lost, and in 2018 rebuilt his government in coalition with KSCM and CSSD. Was the secret police file; the ultimate weapon of radical anticommunists, losing its edge?

USTR did not furnish additional evidence on Babiš. During his tumultuous government, the institute focussed on its own reconstruction and tried to distance itself from politics as much as possible. They held a contest for the post of director that was won by the historian Zdenek Hazdra. Following the basic concepts proposed by Foglova, he and Ondrej Matejka began the gruelling labor of restoring the institute's international prestige. They had been expelled from PEMC after refusing to fire the ex-communist scientific advisors, so they sought links with the academy instead, submitting the institute's output to a 'scientific evaluation' by an international panel and the Czech Academy of Sciences. Many researchers of the Žaček era retained their posts and sometimes were openly critical of the new brass. But the Nečas scandals had thrown ODS into the backbenches; a mutually beneficial alliance between historians and anticommunist political actors was no longer viable. Hazdra and Matejka found that most of the researchers and educators on the payroll were generally positivist in their approach.¹⁶⁰ Babiš's own memory-politics is a *retrotopian* project to recover the vision of Bat'a that had been obscured by the anticommunist elites. He has very little if any interest in USTR because the past is valuable to him only insofar as it can generate a blueprint for the future. Thus, a kind of 'new deal memory-regime' consolidated in post-Communist Czechia where political and mnemonic fields became mostly neutral to one another. In this kind of memory regime, anticommunists are tolerated in the same way that the German regime tolerates communists. They are free to argue their points, but the majority of respectable opinion has little time for them.

The Didactic Perspective

Under the new-deal memory regime, USTR's education department developed ties with institutes outside the PEMC like Poland's Solidarity Centre and continued along their path of pedagogical constructivism. Their publications scored the highest points in the scientific evaluation of 2018, and their view of history started to take centre stage in the institute's presentation of itself toward the public. The years after the 'Orange Putsch' were not a time of revenge as the anticommunists warned; there was no wave of revelations in the archive about Žaček, Liška, Topolánek, or Nečas. Instead there was de-escalating and re-interpreting their drummed-up memory wars.

The Fall of Konev and the Limits of Anticommunism

¹⁶⁰ Personal communication with Ondřej Matějka, March 2020

This de-escalation was what Cenek Pycha tried to defend when he defended the Konev statue in 2019. But the institute had no power to protect the Marshall. Neither did the Russian embassy, the office of the President or the Prime Minister, all of whom criticized the move. Within the Czech legal framework, the council owned the land and had final say. In April 2020, the statue was removed from Prague 6 and the district mayor tweeted that 'Konev didn't wear a mask so he had to go!' The Top 09 dominated district council refused to send the monument back to Russia and instead handed it over to the Museum of the Memory of the 20th Century- a facility still in the planning stages and headed by Žaček.¹⁶¹ For one Czech scholar, the fall of Konev in 2020 and the 2018 demonstrations against Babiš “confirms that the communist past is still a relatively important topic amongst the Czech public. It seems that anti-communist rhetoric is a recognizable, mobilizing force – at least, for some parts of society – and a tool that can be used against the government to help the (otherwise ideologically rather heterogeneous) opposition to find common ground.” This is in contradistinction to Kopeček's conclusion that the time of anticommunist memory politics had lost its mobilizational potential by 2013. In an article on the 50th anniversary of '68, Kristina Andělova proposed that “Central aspects of post-communist politics of the early post-1989 period – especially a strong political anti-communism, and a pro-Western orientation in foreign policy – are becoming weaker and are more and more replaced by a critique of the transition and an ever-growing Euroscepticism.”

My own position on this is that the fight over Konev confirms the limits of Czech anticommunism. Anticommunism remains a symbolic gesture locked in the realm of localized culture wars, a rearguard action of oppositionists who have otherwise run out of ideas. The potential for it to evolve into a material force, a new political economy and a vision of reform (as it did in Poland) is basically exhausted. USTR's role in this is crucial. By teaching youth that appeals to final historical truth are ultimately 'manipulations,' they undid the power of anticommunism. To borrow a phrase from Proust, they turned the secret police files into 'thunderbolts made of cardboard.' Or if one prefers the words of the prophet Isaiah, they had 'beat swords into ploughshares.'¹⁶²

¹⁶¹ Jakub Vrba “Monumental Conflict: Controversies Surrounding the Removal of the Marshal Konev Statue in Prague” Imre Kertész Kolleg, *Cultures of History Forum* DOI 10.25626/0123 18.12.2020

¹⁶² Isaiah 2:3-4

V

‘Transitional Justice,’ the Crisis of Courts and of Schools

The moral and civic imperative driving IPN historians is to unveil the mechanism of dictatorial rule. Without this knowledge, it's hard to understand or appreciate the point of democracy and sovereignty.

Pawel Machcewicz, *PRL - Tak Daleko, Tak Blisko*, 2004.

The knowledge that has not been passed down to us is larger than the knowledge that has.

- Ibn Khaldun, *Muqaddimah*, 1377.

How can the impact of NMIs on the quality of democracy be assessed? Democracy being an essentially contested concept, any statements about what is good or bad for it necessarily depend on the *a priori* meaning the speaker imputes to the subject. What is ‘people power’ for one can be ‘mob rule’ for another. This ambiguity was already on full display in Aristotle’s *Politics* and the multitude of political theorists / scientists / philosophers that came in his wake have yet to resolve it. This is not to say that knowledge has not progressed on the question of what it means for people to govern themselves. In fact, a holistic framework for judging democratic development was recently created by policy scholars Micheal S. De Vries and Iwona Sobis based on a synthesis of international indexes judging democratic quality (Freedom House, Varieties of Democracy (V-Dem), the International Institute for Democracy and electoral assistance (IDEa), and the Sustainable governance Indicators (SgI) of the Bertelsmann Foundation.) They find that there are six ‘brackets’ through which international observers view democratic consolidation or erosion:

1. Inclusion (The extent of universal suffrage)
2. Contestation (The extent to which elections are competitive and fair)
3. Civic capacities (The extent to which citizens are educated and able to understand what their votes mean)

4. Civic participation (The extent of civil society activity, the ability of citizens to participate in policy making)
5. Liberal democracy (The durability of institutions guaranteeing the rule of law)
6. Social democracy (The quality of social programs)¹⁶³

The notion of brackets refers to mathematical equations, where parentheses denote which part of the calculation takes precedence. Thus, a perspective on the meaning of democracy that brackets suffrage will judge a democracy to be in decline if people are excluded from the vote even if social policies are improved. This chapter will unfold by assessing the impact of the NMIs on democracy through each bracket. I will recount the notable developments in each case since the creation of NMI and ask whether this development was influenced by the NMI in any way.

The ‘inclusion’ bracket is largely irrelevant. Every case studied here had full adult suffrage from 1989 until the time of writing. Likewise, the ‘contestation’ bracket has limited relevance. Elections remained competitive in all cases since 1989. *Die Linke* members have claimed that they were excluded from holding cabinet positions because of their Stasi pasts, but they were not barred from running in elections. Poland and Czechia experienced some erosion due to state media capture by PiS and the purchase of Lidove Noviny by Babis. IPN had no way to help PiS take over TVP, and PiS did not need it to do so. Hiring and firing administrators of state television is the right of parties who form governments in the Polish Commonwealth. The degree to which IPN helped PiS win power requires a different kind of discussion (see chapter VII.) In the case of Babis and Lidove Noviny, one might venture the argument that the ex-StB agent was able to amass a great fortune because the lustration law of 1991 was too limited and the UDV too weak. The point is moot in any case, as the fact that he owned significant parts of the media landscape did not preclude Babis’ loss in the election of 2021.

Civic Capacities

The institutional requirements of democracy revolve around having capacitated citizens who are actively involved in the democratic process and possess certain capabilities. This idea of democracy has its roots in ancient Greece, where democracy was limited to well-educated, free males who could reason and engage in eloquent debates. Many theorists argue that a democratic electorate should be informed, engaged, and capable of reaching well-argued consensus. De Vries and Sohan refer to Jürgen Habermas, who sees democracy as a process of reaching consensus through rational communication, akin to bringing issues before a court where arguments lead to decisions. He emphasizes the importance of respecting basic rights, equal opportunities, and civic and political freedom for all citizens.

This bracket is highly relevant, since NMIs have entire departments dedicated to civic education. It is impossible to quantify how much more or less educated NMIs made people, but it may be instructive to look at the educational materials they produced, and

¹⁶³ Michiel S. de Vries, and Iwona Sobis. “Bracketing Democracy: A Comparison of Frames Used to Demarcate Democracy and Its Application to Developments in Poland.” *East European Politics and Societies* 36, no. 1 (2022): 173–97. <https://doi.org/10.1177/0888325420967092>.

distinguish *what* they tried to teach citizens. Beginning with the ‘model institute,’ BStU director Roland Jahn outlined his vision of public education in 2014:

Almost 25 years after the peaceful revolution of 1989, fewer and fewer people in the reunified Germany have any personal experience with the GDR and what life was like in a divided Germany. They rely on the information provided to them by their parents or grandparents as well as through the media and in the course of education. Studies show substantial deficits in this matter. Young people appear not to be able to imagine the nature of the dictatorship of the SED regime and sometimes cannot see the difference between dictatorship and democracy. (...) If we, as a society, want to motivate and enable young people in the course of their education to create democracy today and in the future, the detailed study of our common past offers a great learning opportunity. This includes a keener understanding of how dictatorships work, even if their operations were not so brutal at first glance. It is crucial to me that young people can understand what dictatorship stands for, especially in the case of the GDR. What it means to wall off the whole nation, to limit the freedom of travel, of speech and of assembly. This includes fathoming the everyday pressures to adapt as well as seemingly trivial decision-making situations. Especially in everyday life, where one was forced to show commitment to the rulers and their ideologies in ostensibly insignificant rituals, there is a key to the functioning of the dictatorship. The very recognition of this adjustment serves as a compass to guide people in the democratic way of life.¹⁶⁴

Jahn’s BStU pursued this task by enhancing BStU’s public education output. Their *bildungs team* continued to develop training seminars for high school teachers and started publishing a series of teaching aids called *Quellen Für die Schule* (“Sources for Schools”) in 2016. Eight such aids were created to structure history lessons around selected excerpts from Stasi records involving youth. Students are given a binder with around forty pages of scans from (for example) the operational file for a teenage IM codenamed Shenja, a collection of surveillance files detailing the attempt of two fifteen year olds to escape DDR and their killing by border guards, etc. In addition, they receive a brief ‘accompanying text’ with historical context and worksheets with questions for individual reflection and group discussion.

After reading through these materials, I was struck by how infrequently the term ‘democracy’ appears given Jahn’s injunction that studying the Stasi files should be a ‘compass to guide people in the democratic way of life.’ Democracy is mentioned precisely once in the entire body of *Sources for Schools*. In the seventh installment called *Subversion: How The Stasi Destroyed a Political Theater Group*, the ‘accompanying text’ informs students that in 1978, the Association of Protestant Churches in DDR came to an agreement with SED whereby the former pledged to cease interfering in affairs in exchange for some autonomy and cessation of most surveillance operations in their churches. Thus, a group of ten recent high school graduates interested in activism but disillusioned with the Free German Youth saw the Evangelical Church in Berlin as a safe haven in which to start a political amateur cabaret called *Die Wühlmaus* that criticized SED for environmental degradation and over-

¹⁶⁴Roland Jahn, “The Better We Understand Dictatorship, The Better We Can Shape Democracy” in *REMEMBRANCE AND SOLIDARITY STUDIES IN 20TH CENTURY EUROPEAN HISTORY* Issue 3 June 2014. p. 103

militarization of society in their sketches. Due to the agreement between church and state, *Die Wühlmaus* could not be directly censored and the MfS could not simply arrest the performers, so they had to resort to more refined tactics called *zersetzung* (subversion/decomposition.) The worksheets direct students to glean a detailed knowledge of the various types of subversion employed against the cabaret from its foundation in 1984. Students can discover how MfS used IMs to create personal rifts between the members leading to its disbandment in 1987. Further instructions on the worksheet enjoin students to discuss why the state wished to eliminate all independent associations, and finally, under the heading ‘High Level Questions,’ they are asked:

In the document "Order" (p. 38) the Stasi referred to an IM as a "patriot". Research the meaning of the word "patriot" on the Internet.

Discuss why an unofficial collaborator was a patriot in the eyes of the Stasi. Then read the two sentences under “Guidelines of Conduct” in the same document. Here the dilemma of every covert informant becomes clear. What was it? Discuss whether this dichotomy is easier to resolve in a dictatorship or in a democracy.¹⁶⁵

The two sentences appear in an operational file describing IM ‘Picasso’'s mission to make contact with and report on ‘Rolf,’ (R,) the cabaret’s leader. Picasso is instructed that “One's own safety and conspiracy must be maintained under all circumstances. R.'s negative actions cannot be prevented. It is possible to act in the spirit of ‘R.’ as far as possible without committing any criminal acts yourself.” The IM faces the dilemma of how to gain the trust of Rolf without breaking the law himself. To answer the question of whether dictatorship or democracy makes walking this line easier can be highly generative. It does enjoin the high school student to think about the difference between the two political forms, but to answer it requires prior knowledge of the concepts. The dilemma faced by Picasso, I think, does not really help bring those concepts into sharper focus. In democratic societies, police forces regularly make deals with apprehended criminals to extract information from their networks in exchange for lighter sentences, and those informants face the same kind of dilemma as ‘Picasso.’ Thus, it is rather ambiguous how these educational materials are forming a ‘compass for the democratic way of life.’

Perhaps the point of the exercise is to make youth aware that they have fundamental rights to assembly, speech, and movement in contrast to the lack of these rights under the SED dictatorship. This is certainly the point of one of BStU’s educational sub-projects :the *Demokratie Statt Diktatur* website. The site lists twelve fundamental human rights as links, which the user clicks to reveal text and images from BStU files explaining how said rights were limited by the GDR constitution and violated by MfS activities. The question that emerges is this history really *needed* to understand those rights? If East Germans toppled the regime in 1989 by organizing and going into the streets, do their children actually need lessons from a state agency on how to be democratic? If the generation that was born after the collapse of DDR has lived with fundamental rights, learned about them in basic civics classes, and takes them as self-evident, will knowledge of the minutiae of MfS activities really strengthen their respect for those rights?

¹⁶⁵ Der Bundesbeauftragte für die Unterlagen des Staatssicherheitsdienstes der ehemaligen Deutschen Demokratischen Republik (Hg), „Zersetzung“, *Wie die Stasi eine politische Theatergruppe zerstörte, Auszug aus einer Akte des MfS Redaktion*. Axel Janowitz, Hans-Peter Löhn Berlin 2017.

One also wonders what relevance this history can have for a high school student in 2017 whose own experience of democracy was marked by a very different set of challenges than those facing the people who lived with the Wall. For them, the problem with democracy was not the lack of freedom to travel and to form independent associations, it is rather that democracy, despite guaranteeing those freedoms, was unable to strengthen social and economic rights. Concretely, Oliver Nachtwey explains that the decline of real incomes since the early 1990s, rapid precarization of the workforce, immutable downward mobility for the middle class, and the gradual dismantling of the German welfare state produced a social ‘downward escalator effect’ for all but the rich. The impact of this on democracy was severe:

A new kind of revolt breaks out, a democratic class conflict essentially driven by the struggle for social and political rights. New civic protests are a by-product of alienation in post-democracy. However, and this is also a great danger, there is also a spreading of apathy, social exclusion, and antidemocratic sentiment.¹⁶⁶

This was not solely a German phenomenon, of course. Swedish political scientist Göran Therborn accounts for an equivalent process across the developed West. Since 1975, shrinking opportunities for secure employment and an ‘unfair division of labor’ between increasingly wealthy executives and increasingly precarious workers produced a sense that “ordinary people matter little in actually existing democracies. That is the sad conclusion of contemporary political science. And that is why many ordinary people are distrustful of politicians and the political system, creating crises of liberal democracies and specters of ‘populism.’¹⁶⁷

For youth facing such daunting, complex, and evolving problems with democracy, knowing the fine points of state surveillance methods from thirty years ago (long surpassed by new computer technologies) appears hopelessly out of touch. Consider for comparison how civic education designers at Colombia’s National Center for Historical Memory conceptualize the utility of teaching high-schoolers about their civil war:

In order to prevent the recurrence of violence, it is necessary to identify and name what we do not want to repeat. As Karen Murphy has argued, “democracy is not an intuitive system: learning to become a democratic citizen is not something one learns just by being in society. There is both procedural knowledge to learn (a new constitution for example) and behaviors and dispositions that must be developed and practiced.” In order to build a sustainable peace, the education system needs to be “synchronized with the aims of peacebuilding and conflict prevention by sensitizing younger generations to the values, attitudes, and skills necessary for peace and tolerance.” When devising methods to teach the violent past, it is crucial to ensure that the goals of bringing the violent past into the classroom are aligned with methodologies and didactic activities that promote a culture of empathy, critical thinking, and debate that reinforce democracy and human rights norms (...). If we

¹⁶⁶Oliver Nachtwey, *Germany’s Hidden Crisis: Social Decline in The Heart of Europe* (London, Verso, 2018) p. 6.

¹⁶⁷Göran Therborn, *Inequality and The labyrinths of Democracy*. (London: Verso, 2020) pp.58-67.

want to strengthen democracy we cannot write materials from one perspective, excluding others; rather we must recognize the plurality of voices.¹⁶⁸

Notice how the Colombians establish a clear, tight link between democracy as they understand it (a system of peaceful, pluralistic debate,) the problems it faces (violence) and how learning the history can help overcome those problems and enhance democracy (a culture of empathy and recognizing the plurality of voices.) In the German teaching aids and in Jahn's formula, these links are missing. Democracy equals the absence of the old dictatorship and the challenge is a lack of memory of the dictatorship's crimes. The logic is circular, so an East German high-schooler may be forgiven for thinking "why should I care about how the dictatorship spied on my parents if I live in a state that does not spy?" Or, if they are abreast of Snowden's story: "every state spies on their citizens, why is GDR special?" If they have a parent that lost a job in the 90s after being Gaucked, they might think "if the Stasi were so evil and so skilled at oppressing the people, why didn't we put them in jail and let the people they intimidated into collaboration keep their jobs after 1989?" If the Bundesarchiv's successor to BStU's Research and Education Department wishes to enhance students' understanding of democracy as it actually works in Germany, the way forward is to link the Stasi repression to a discussion of why transitional justice was so complex and yielded such ambiguous results.

Jahn's conception of the role of history as a compass for the 'democratic way of life' is an exercise in what Hegel termed the pragmatic mode of reflective history, wherein the past appears as a set of moral lessons.¹⁶⁹ If the youth can grasp the correct lessons from the DDR experience, democracy is secure. Other realities of socialist life described by Alexei Yurchak "such as equality, community, selflessness, altruism, friendship, ethical relations, safety, education, work, creativity, and concern for the future"¹⁷⁰ do not appear as viable moral lessons on Jahn's compass because his relation to the past is, to borrow a term from Francois Hartog, *presentist*.¹⁷¹ Presentism is a regime of historicity wherein the future is dystopian and the past is judged solely according to the norms of the present. The circularity of presentist logic is pointed out by Stefan-Ludwig Hoffmann: "the past also changes into a history of the violation of present norms from which, in turn, the legitimacy of these norms is deduced."¹⁷²

A meaningful contrast, however, can be found in the USTR's public education program. For them, democracy is created actively and discursively, hence a *constructivist* conception of the role of history *in* democracy follows. In contrast to the 'pragmatic history' practiced by other institutes, the point of constructivist historical memory is not to draw

¹⁶⁸ Clara Ramirez-Barat & Martina Schulze *Transitional Justice and Education: Engaging Young People in Peacebuilding and Reconciliation*. (Göttingen: V&R unipress, 2018) p. 60

¹⁶⁹ G. W. F. Hegel, *Reason in History: A General Introduction to the Philosophy of History*, New Jersey 1997, p. 8.

¹⁷⁰ Alexei Yurchak, *Everything Was Forever Until it was No More: The Last Soviet Generation* (Princeton & Oxford: Princeton University Press, 2006) p. 8.

¹⁷¹ Francois Hartog, *Regimes of Historicity: Presentism and Experiences of Time*. Saskia Brown Trans. (New York: Columbia University Press, 2015)

¹⁷² Stefan-Ludwig Hoffman, "Human Rights and History." in *Past and Present no. 232* 2016 p.304

conclusive moral judgments that legitimate democracy as it is, but to recognize the dialectical interplay of historical memory and democracy.

In its *Concept of Educational Activities Paper* for 2016, USTR posited ‘historical literacy’ and ‘citizenship education’ as its primary values, meaning they sought to teach ‘teachers how not to indoctrinate’ and teach secondary school students how to develop ‘independent understandings of controversial events.’ Open-ended discussion of what the remnants of the socialist past *could* mean allow the shape of democracy to be constructed and reconstructed. No final interpretation of the past can be reached in democracy because that would mean the restriction of the past’s discursive production, which in turn is inseparable from the discursive and continuous refinement of the democratic form. In a nutshell, their thinking is an elaboration of T.G. Masaryk’s dictum ‘*demokracie je dyskuse*’ (democracy is discussion.) By comparison, the German and other East European memory-management institutes (and USTR prior to 2013) employ a classic Aristotelean concept of democracy as the rule of people over elites; public memory is conceived as a gesture of the people exerting power to get justice for the abuses of the past by communist elites and their successors. The purification of urban space, opening of the secret police files, and civic cults dedicated to anticommunist resistance are expressions of the people’s power. But USTR’s deputy director Ondřej Matějka saw it differently:

A little-appreciated condition for a functioning democracy is resilience to stress. If we want to live in a system whose democracy is not just a façade, it is high time to strengthen our ability not to succumb to mass emotions and not to be drawn into collective hysteria or aggression. We need to start learning quickly how not to forget the rules of decent discussion, listening to each other and grasping the topic constructively, even in tense situations. Every society can acquire such resilience only through decades of training. Debates about history play a crucial role in this. So far, the exact opposite prevails among us Czechs: we abuse the emotional potential of history to fight opponents. Historical debates are more reminiscent of repressive than democratic dialogue, for example, as far as the communist past is concerned, they are still marked by a tendency to settle scores. (...)The debates on communism are thus still in the grip of polarization between the "relativization of the crimes of communism" on the one hand, and "primitive anti-communism" on the other. Such conflicts absorb the energy necessary to formulate burning new questions about what has remained in each of us from the communist dictatorship. Here we encounter history in its most important form - as a starting point for reflection, which allows us to rise above the horizon given by current experiences.¹⁷³

The Education Department worker Jaroslav Pinkas’ 2018 discussion of the Third Resistance in the institute’s journal *paměť a dějiny* was a good summary of their new approach. He opened the article by recognizing that the 2011 Act on Participants in the Opposition and Resistance against Communism had made the Third Resistance ‘a reality, at least legally.’ But he goes on to identify a tension between that law and the Czech law governing schools, ‘which declares the need for free dissemination of knowledge on the basis of the current state of research.’ Rather than dismiss the previous work on the Third Resistance as a

¹⁷³ Ondřej Matějka, *Historici a Demokracie* (Unpublished, courtesy Ondřej Matějka) My Translation.

politically motivated project of anticommunist conservatives that should be abandoned, Pinkas envisioned a way that embracing the controversial subject could enhance democracy:

We do not protect students from manipulation by telling them "how it actually was", but by teaching them to orient themselves in a tangle of conflicting interpretations. The emphasis on critical thinking does not mean the often quoted cliché that every opinion is relevant, but that each opinion needs to be explored to determine the extent to which it is based on arguments and sources. (...)

One of the important goals of teaching about the Third Resistance is not only to acquaint students with historical facts, but also to develop their ability to formulate their own opinion based on the analysis of sources, defend it in discussion and at the same time respect another opinion. I think that the basis of democratic education is dialogue, even over the past, which is one of the essential pillars of the identity of any community. I consider openness and a willingness to patiently explain opinions to each other as a prerequisite for a productive dialogue. One of the principles of democratic debates is respect for the opponent in discussion, the belief that the opponent is a partner, not an adversary who needs to be "trampled into the ground". When teaching (not only) about the third resistance, we should keep in mind that we do not only teach about the past, but also about the present, we do not focus "only" on historical education, but also on personal and ethical education. Democracy requires a serious public debate about the past, which adds a deeper dimension to current political issues. I do not perceive the principles of controversy and multiperspectivity only in the narrowly professional context of current didactic trends, but precisely in this broader social framework. The moment in our society some of the versions of the past approved by scientific or political authorities begin to claim unquestionability or bindingness, it will probably no longer be a democratic society.¹⁷⁴

The website *Socialism Realised* is far and away the most sophisticated teaching aid produced by Czechia's Institute for the Study of Totalitarian Regimes (USTR.) The Education team used a Europe for Citizens Initiative Grant to develop the site in 2014. It appears as both an archive and a pedagogical handbook for high school instructors, who get access to a range of multimedia sources including films, radio broadcasts, declassified documents, posters, photographs, pamphlets etc. They are also introduced to a philosophical framework for approaching the history of socialism:

The past is an open-ended complex of various attitudes, voices, and experiences. Depending on the relevance given to certain attitudes and voices, various interpretations of the past can coexist. While history has long used a largely unreflected selection of material out of this complex tapestry, the current reflexive science accentuates and investigates the polyphony of history—and we draw on this approach as well. *Socialism Realised*'s chapters are designed to uncover various ways

¹⁷⁴ Jaroslav Pinkas, *Třetí odboj v didaktické perspektivě*. [Accessed July 3 2022] https://www.ustrcr.cz/wp-content/uploads/2019/01/PD_4_18_s30-42.pdf NP My Translation.

of experiencing the given eras, in addition to various ways of remembering them. First, we've tried to revise the traditional image of the Eastern bloc, which had been reduced to a conflict between citizens and power, by emphasizing various types of relationships between power and the inhabitants, various possibilities for loyalty and resistance, and the way that concrete people actually embody this "power". In the Memory perspective in particular, users uncover the multiplicity of interpretations. The history of communism has been undergoing a constant process of re-interpretation, especially in the region that experienced it, and the authors of *Socialism Realised* are also a part of that process. However, based in the current trends in historiography, we are trying to show users the multiperspectivity of the interpretations of the past and the ideas in which they are rooted. We have tried to elicit this approach to the past amongst our users in general — that is, to have them think about its multifacetedness.¹⁷⁵

This approach contrasts sharply with the Manichean vision of history espoused by USTR's analogs. The designers managed to translate this nuanced approach into a series of straightforward activities easily comprehensible for teenagers. Take for example the webpage outlining a lesson-plan about elections under Czechoslovak socialism. The learning objectives are listed as:

- Students will compare and analyse different pictures and forms of elections in the state socialism period.
- Students will learn that elections could be misused as an instrument of propaganda.
- Students will be able to identify and characterise the nature of elections under socialism.
- The central aim of the lesson is to discuss the issue of what purpose these elections actually served. The act of voting was an obligatory display of citizens' loyalty to the governing regime. The key to this answer lies primarily in uncovering the performative aspect of elections. Therefore, we have based the lesson mainly on materials from different periods; they point to the social exhortation that was connected to elections (imploing election posters from the 1950s) or to elections as a societal ritual (photographic materials and contemporary film footage). Analysing materials linked to elections should lead to an increase in students' media literacy skills, therefore helping to prepare them for their entry into civic life (i.e., their own participation in elections). Discussing the distorted nature of socialist-era elections may also lead to a reinforcement of the fundamental ideas about the democratic principles linked to elections.¹⁷⁶

The lesson is composed of six activities wherein students look at an image and answer discussion questions. They are given photographs of families going to vote, a polling station, an elections poster, scenes from inside the polling station, graphs of electoral results, and a propaganda film encouraging citizens to vote. The accompanying questions are designed to generate dialogue and meditation on the link between historical memory and democracy.

¹⁷⁵ www.socialismrealised.eu | Ahosting.cz Author's translation.

¹⁷⁶ Ibid.

After viewing the poster, pupils are asked: “What values does the poster highlight? Toward what or whom do you think the figures in the poster might be directing their eyes? Compare this period poster with today’s electoral posters.” After looking at the graphs representing electoral results the questions are: Look at the percentages in the electoral results. Do you think any party could achieve such high results today? (...) Do you think it is possible for voters to be so satisfied with a party that the party wins four times in a row?” After viewing the propaganda film, the suggested task is “Students can also discuss whether some people may be nostalgic for the elections of the Communist era (perhaps they are drawn to the “retro” atmosphere in general); or whether the second part of the scene (the electoral committee outside the Máras’ apartment) would make any sense to either the students or to somebody from abroad watching it.” In the pedagogical philosophy section of the site, it is explained that the questions are designed so that “an authority figure (a website’s author or a teacher) does not one-sidedly transfer knowledge; instead, users reach it gradually by uncovering various aspects of the chosen material. The questions that moderate the learning process are formulated to both develop an understanding of the theme and further cognitive competences (...) This movement from descriptive questions to abstract ones and its direction towards individual moral evaluations copies the basic principle of pedagogical constructivism.”¹⁷⁷

No party, interest group, state, or nationality can readily instrumentalize such an approach to historical memory and education. Nor can they claim it to be politicized by any other group. It could be termed an ‘ideology of intellectuals’ cementing the independence of historical knowledge production, but an overt political flavoring it is not. In a society where few adults care about history, the historical education of youth is potentially transformative. In contrast to Poland, where most high school students enter the classroom with highly emotionally charged familial memories passed down from Home Army veterans, or Germany where the young have an acute awareness of the dangers of historicism, the ambivalent Czech disposition makes possible the use of public history ‘for life.’ The circularity of presentism can be broken by opening up both past and future to discursive reconstruction. Democracy, the master signifier in all postcommunist memory debates, appears incomplete, open, and perfectible in this memory-regime.

IPN teaching aids, on their part, are dominated by a Catholic-Conservative understanding of memory and democracy. A good example is the Institute’s *1050 Years: Guide To The History of Poland* published last year. The final chapter deals with the Solidarity movement and concludes as follows:

The spirit of this period can be best described as the appreciation of values like truth, freedom, solidarity, human dignity and the common good. “Solidarity” was a movement attracting people of a broad spectrum of views. What they had in common was patriotism

¹⁷⁷ Ibid.

and also religious conviction. After years of imposed atheism, religion began to re-emerge in public life.¹⁷⁸

The IPN text does not follow through to Macierewicz and Wildstein's conclusions about the movement's betrayal, but it performs the same reduction of Solidarity to the unfolding of a religious community. If youth are taught that 1989 was achieved by a movement whose fundamental cohesive agent was religion, two implications arise. First, students miss the essential historical problematic of the transition, which has to do with a vast complex of economic and political entanglements. More important however, is that the ground is prepared to view history and present politics in the binary frame preferred by Populism. IPN's texts have been proliferated to the public schools through an 'educational outreach' program since its inception. Overwhelmingly, it is schools in poor rural districts with limited resources that invite BEP functionaries to lecture, but in 2016, their narrative of 1989 became standard issue in all primary schools through a comprehensive reform of the education system. I visited Warsaw in the summer of 2016 hoping to see how the PiS reforms were impacting Polish history education. The Museum of The Warsaw Uprising had organized a family educational event called *Z Chochlą za Barykadą* (Behind the Barricades with a Ladle) where children learned about the day-to-day reality of being an ancillary participant in the Uprising through simulation. Each child started by receiving a 'training certificate' that read:

Did you know that the fighting in the Warsaw Uprising took place behind the barricades as well? Poles fought in various ways. They struggled with a lack of supplies in the field-kitchen, the hospital, with fire, with fear in the sewers. Singing and performing concerts for the insurgents was also part of the fight. Today you have the opportunity to learn the skills that allowed insurgents to meet these challenges and survive hard times in the Uprising. Visit the stations and participate in the interesting tasks. Once you complete the task you will receive a stamp on this certificate. It is enough to gather 6 out of 8 stamps to win a prize. Good luck!

The tasks ranged from crawling through replica sewers to learning soldiers' songs, operating a 1940s fire truck, performing first aid, etc. I walked around the park absorbing quizzical stares from parents and the Museum's volunteers. I remember overhearing a volunteer explaining to a girl who looked about five: "Do you help your mom out at home? During the Uprising children helped their parents eagerly, they never acted up but did their part for their family and their country." One of the organizers told a TVP interviewer: "What we're trying to do here is teach kids about the idea of service that the insurgents believed in, to instill that dedication to service from a young age." There was an obstacle course at the station called "Training for assistance at a field-hospital." Kids were directed through the course and taught first-aid skills by very fit men in their 40s wearing camouflage

¹⁷⁸Lukasz Kamiński & Maciej Korcuć. *1050 Years: A Guide To the History of Poland*. (Instytut Pamięci Narodowej; Komisja Ścigania Zbrodni przeciwko Narodowi Polskiemu, Warszawa 2016) p. 109.

pants rather than the regular museum volunteers. Next to the course was a stall handing out pamphlets advertising the company ‘GROM Combat Kids’¹⁷⁹ which offers self-defense lessons in Warsaw for children aged 5-16.

Having seen what I saw at *Z Chochlą za Barykadą*, I was hardly surprised when the details of the Education Reform were announced in late 2016. The textbook introduced by the reforms follows the template of the new Messianism faithfully. The battle of Warsaw in 1920 appears as a victory over a global communist revolution. The battle on the ground is shadowed in heaven by 17th century cavalry and the Virgin Mary. The text bubble clarifies that ‘not all the elements of the painting are historically accurate. The artist simply wanted to depict the struggle of Poland against the forces of evil.’ The next chapter proceeds to briskly account for the achievements of the II Commonwealth. WWII and the communist period are told from the perspective of the Grey Ranks (child-soldiers in scouting organizations commanded by the Home Army) and the Excommunicated Soldiers. Except the Excommunicated have been renamed the Unwavering, signaling that their memory is finally rescued from the Soviet-era ‘memoricide.’ The book maintains that the Unbroken were commanded by London and therefore a continuation of the 2nd Commonwealth annihilated by the socialist secret police. Following the chapter on the Unbroken is the chapter called ‘The Polish Pope.’ The text claims: ‘In 1979, John Paul II visited Poland. At least 10 million people came to see him. For the first time in the history of Communist Poland, society felt that it was strong and stopped being afraid. In 1980 strikes broke out which engulfed the whole country. They would not have happened if it weren’t for the Pope’s visit.’ There is no mention of 1956, the resistance of academics to the Party-State, the student revolt of 1968 or the uprisings of workers in Danzig and Radom in the 1970s. Each chapter is preceded by a review question about the last chapter. In the final chapter called ‘Solidarity’s Peaceful Revolution’ the review question is: ‘what changes occurred in Polish society during the Pope’s visit?’ hammering home the thesis that military and clerical struggles against Communism are the central thread of Polish history. Thus, within the bracket of civic capacities, it may be said that BStU had a neutral impact on democracy in Germany while in Czechia there emerged the *potential* for an improvement in civic capacities. In Poland, the educational materials seem to propagate theocracy and militarism more than democratic values.

Civic Participation

This bracket refers to public participation in policy development. This includes co-production practices where citizens are actively involved in co-designing, co-commissioning, co-assessing, co-delivering, co-implementing, and co-executing public services, participatory budgeting and open government.¹⁸⁰ NMIs are in their nature the very opposite. Memory policy is not open to public participation in any case. Directors of NMIs are nominated by councils of experts or chosen by parliament. After that, they become virtual dictators. They must show activity reports to the public, but they never ask for their input. Within this

¹⁷⁹ GROM is a Polish commando unit that performs counter-terrorist and non-conventional combat operations worldwide.

¹⁸⁰ De Vries & Soban, p.10

bracket, NMIs create technocracy in the sphere of collective memory rather than using collective memory to serve democracy.

Liberal Democracy

This bracket refers to the durability of institutions guaranteeing the rule of law, and is highly relevant. The undermining of judiciary autonomy in Poland and Hungary were the most significant reverses suffered by democracy in the region since 1989. Though Hungary is not a primary case in this dissertation (I cannot read Hungarian) I discuss it briefly below because the link between eroding the judiciary there as in Poland and NMIs is very apparent.

The collapse of communism was understood in the region as a Return to Europe, so reformers from the collapsing party-states and the ascendant dissident movements considered the West European model of post WWII ‘new constitutionalism’ as an essential step toward becoming full fledged liberal democracies. According to the political scientist Paul Blokker, “a primary dimension in all the post-1989 constitutions was that of the central role of the constitutional courts, which were understood as institutions that ought to be independent and have at their disposal extensive review powers. The countries in the region adopted relatively similar models of concentrated or centralized review, in which one singular institution has the responsibility and independent status to ‘authoritatively scrutinise laws in terms of their constitutionality.’”¹⁸¹ These highly activist apex courts were supposed to guard against Jacobin radicalizations of the 1989 revolutions, restrict parliamentary majorities from victimizing minorities, and to ensure that individual rights were protected from abuse by arbitrary state power.

Crucially, for both Poland and Hungary, adopting the new constitutionalism entailed preserving some legacy of the late socialist state. In Hungary this legacy was the constitution itself, albeit heavily amended by the roundtable while in Poland the role of apex court was played by the Constitutional Tribunal that had been set up by General Jaruzelski in 1982 to imbue his regime with a veneer of legal rational authority. For conservative sectors of the dissident movements that had unseated communism, the presence of such institutions raised the specter of juristocracy that might undermine the will of the people. These same sectors of the dissident movement found themselves excluded from either the round table debates or the parliamentary coalitions between liberals and ex-communists that shaped post-communist constitutions which were also adapted in times of deep alienation of ordinary people from politics - the referendum on Poland’s 1997 constitution saw only a 49% turnout and passed with 53/7% for, so only about 25% of the people actually supported it. This double alienation of broad sectors of the population and conservative nationalist dissidents

¹⁸¹ Paul Blokker, “Populism as a Constitutional Project.” *International Journal of Constitutional Law* 17, no. 2 (2019): 535–53. See also: Drinóczi, Tímea, and Agnieszka Bień-Kacala. *Illiberal Constitutionalism in Poland and Hungary: the Deterioration of Democracy, Misuse of Human Rights and Abuse of the Rule of Law*. Oxon, UK :: Routledge, Taylor & Francis Group, 2021.

from the constitution making processes was in retrospect a precondition for the rightwing populist phenomenon that would emerge later.¹⁸²

A faithful reproduction of the German memory-management model in Poland and Hungary was complicated by the rulings of constitutional courts, which forced legislators who were pushing for lustration and the construction of Gauck-institutes to amend their bills and circumscribe their scope. The first draft lustration law in Hungary of 1994 proposed to subject members of Parliament and the Government; the President and Vice-Presidents of the Hungarian National Bank; ambassadors; army commanders; the presidents, vice-presidents, and editors of Hungarian Radio, Hungarian Television, and the Hungarian News Service; chiefs of police, presidents, deans, general directors, and department heads of state-owned universities and colleges; career judges; district attorneys; editors at daily newspapers and weekly magazines; directors of state-owned agencies; and managers of state-owned banks, financial institutions, and insurance companies to vetting for collaboration with the secret police. Judge Solyom's Constitutional Court, widely regarded as one of the strongest and most activist courts in the world, struck this bill down as it violated rights to informational self-determination and the parliament had to redraft the law to only subject parliamentarians to vetting in 1996. The Historical Archive of State Security was created in the wake of this redraft to assist in the process.

In Poland, the process was even more drawn out as the Constitutional Tribunal rejected several drafts of lustration legislation between 1992 and 1996. Thus, a lag of eight years between the collapse of communism and the establishment of adequate lustration laws and memory institutes approximating the German scale meant that in the eyes of the public, ex-communists had had enough time to maintain powerful networks controlling banking, industry, and commerce, trading the state apparatus of repression for ties to Russian mafias.¹⁸³ Furthermore, the failure of prosecutors to generate high profile convictions of ranking leaders equivalent to Erich Mielke led rightwing journalists and their reading publics to formulate the conspiracy theory that communists had maintained control of the courts as well. Thus, the memory politics of the New Europeans shifted into a discursive field inundated with score settling, aspirations for retroactive justice, suspicion that 1989 had been an unfinished revolution, and efforts to 'reawaken' populations to ongoing struggle against recombinant communist power. Instead of catharsis and social reconciliation, the establishment of memory institutes and their clashes with constitutional courts caused collective memory of 1989 to morph into what may be termed a velvet neurosis - that is obsession with the idea that the revolution had been too soft and too conciliatory, that the chance for attaining post communist democracy had been squandered.

By the mid-2000s, the link between memory and democracy was reconceptualized in Eastern Europe; the task of collective memory was to uncover hidden legacies of the totalitarian past in order to redeem the betrayed revolution. Archivists in the memory institutes collaborated with journalists to search for evidence that anticommunist civil society movements were infiltrated and steered by the secret police, while civic educators taught students the dangers of socialism and the heroism of anticommunist clerics and militants.¹⁸⁴

¹⁸² Tímea Drinóczi, and Agnieszka Bień-Kacała. 2019. "Illiberal Constitutionalism: The Case of Hungary and Poland." *German Law Journal* 20 (8): 1140–66.

¹⁸³ Mark, James. *The Unfinished Revolution*. (Yale, 2010) pp. xvii-xix.

¹⁸⁴ Jo Harper, *Never Mind The Boleks!* in Harper, Jo ed. *Poland's Memory Wars: Essays on Illiberalism*. (Budapest: Central European University Press, 2018) p. 25. See also: Dujisin, Zoltan. "A History of

In Poland, a major clash between proponents of expanding the lustration function of IPN and the Constitutional Court occurred in 2006. Unsatisfied with the level of lustration achieved thus far, a populist-dominated parliament passed a bill to expand the scope of vetting to public officials, from the president of the Republic down to local councilors, board members of companies whose stock is half or more state-owned; all members of the legal profession from judges to notaries public; all public-school headmasters; academics of all ranks in public and private universities, colleges, and science institutes; publishers, editors, and journalists of public and private media; and occupants of several other specifically named positions.

The constitutional tribunal deemed the bill unconstitutional in 2007 on the grounds that it subjected individuals to self-incrimination, introduced retroactive powers, and allowed appointed officials to override the will of the people by removing elected deputies. It also extended the powers of the state to personnel policies in privately owned businesses, including media outlets.¹⁸⁵ The ruling had to be accepted, but it was the beginning of a sharp and drawn out struggle between IPN, its allies in the political field, and the Constitutional Tribunal. For eight years, the Law and Justice Party, a neoconservative formation with roots in the rightwing dissident groups excluded from the constitutional coalition of 1997, campaigned for the reconstruction of the judiciary as a corrective to the failure of the lustration law. If the high courts wouldn't allow the people to have justice for the crimes of communism, then the courts would have to be reformed.¹⁸⁶

The role of the memory-institute in legitimating this campaign was significant. The lustration office opened thousands of cases to prosecute communist-era human rights abuses in the district courts, most of which ran aground of statute of limitations clauses. Still, this was presented to the public as evidence that the judiciary was a remnant of the corrupt communist legal apparatus. After all, the Constitutional Tribunal *was* a communist institution. For PiS and IPN a new understanding of democratization emerged; the barrier to democracy was this judicial remnant of totalitarianism, and it was up to the demos as represented by the Party to overcome it.¹⁸⁷

I experienced firsthand the degree of the politicization in the Polish institute in 2017. As part of my fieldwork I enrolled in a two-week course at the institute to train foreign teachers how to teach Polish history. On the third day of the course, we were somewhat distracted by the news as PiS introduced a package of bills to reform the judiciary. If all three passed, their effect would have been to subject the regional courts, the supreme court and the National Judicial Council to direct personnel control by the Party. Debate in parliament raged into the wee hours of the night, as opposition MPs protested that the bill would fracture the triple separation of powers.

Post-Communist Remembrance: From Memory Politics to the Emergence of a Field of Anticommunism.” *Theory and Society* 50, no. 1 (2021): 65–96.

¹⁸⁵ Misztal, 45.

¹⁸⁶A. GLISZCZYŃSKA-GRABIAS, “Deployment of Memory with the Tools of Law – The Case of Poland”, in *Review of Central and Eastern European Law*, 2019, p. 464

¹⁸⁷ M. BUCHOLC, “Commemorative Lawmaking: Memory Frames of the Democratic Backsliding in Poland after 2015”, in *Hague Journal on the Rule of Law*, 2018, p. 85

Six hours later, a historian and public intellectual named Piotr Gontarczyk appeared at the Poniatowski Palace in the hamlet called Jablonne on the outskirts of Warsaw. He had been invited by the Institute of National Remembrance (IPN) to lecture a group of history teachers and graduate students from Austria, Hungary, Holland, Croatia, Greece, Romania, and Canada about the Sovietization of Poland in the 1940s. IPN was holding its annual 'Professional Training for Foreign History Teachers' and Gontarczyk is one of IPN's champions. In 2009, he took advantage of privileged access to their most classified documents to produce a sensational revelation of Lech Wałęsa's dealings with the secret police in the 1970s. The book *Człowiek z Teczki* (Man of Files) catapulted him, his coauthor Sławomir Cenckiewicz, and the Institute at large into the center of Poland's media attention. His lecture at the 'professional training' claimed that Poland's universities and its courts had been Sovietized so thoroughly that historians should see the period as 'a civilizational catastrophe from which we will be recovering for a long time, because the courts and the schools are full of the communists' genetic and ideological children.' The thinly veiled endorsement of PiS' reform package offered in the guise of an expert opinion on historical fact revealed to me that the institute and the Party were united in a common project to reconstruct the role of the judiciary in Polish democracy. This alliance was formed in the wake of the Constitutional Tribunal's rejection of the 2006 lustration law, when the institute's late director Janusz Kurtyka, established an informal pact with Law and Justice chairman Jarosław Kaczyński.¹⁸⁸ Kurtyka pushed the public education bureau in a direction that would lend scientific capital to Kaczyński's antiliberal and anticommunist memory politics, and in exchange Kaczyński, then Prime Minister, greatly expanded the institute's funding. Kurtyka had been a prosecutor for IPN in the 90s, but found most of his cases running aground of statute of limitations clauses. For him and Kaczyński, the failure of the lustration laws could be made right with a culture war.¹⁸⁹

In the years since I witnessed this alignment between politicians and workers of the memory institute, the waves of public protest against circumscribing the independence of the judiciary and pressure from the European Union have not managed to halt the phenomenon of de-democratization in Poland. Instead, they fuelled the narrative that Poland is in need of re-democratization as imagined by PiS, which won an absolute majority in parliament for the second time in 2019. This victory allowed the Party to fully replace all the judges on the Constitutional tribunal, which in recent years has ruled to restrict reproductive rights and erode the treaty with the European Union.

A similar kind of struggle played out in Hungary, albeit with a different historical sequence. While in Poland, the cadres of the Institute of National Remembrance decided to throw in their lot with Kaczyński, the Historical Office played a very small role in the ascent of Orbán's FIDESZ and their project to de-democratize Hungary. Instead, the historical legitimation for his campaign to remake the Hungarian constitution came from an alternative set of state-sponsored memory management institutes headed by a history professor from

¹⁸⁸ Dudek, *Instytut* 245-248

¹⁸⁹ Harper, 25., Mark, James. *The Unfinished Revolution*. (Yale, 2010) pp. xvii-xix., Zoltán Dujisin, *Disciplining Post-Communist Remembrance: from Politics of Memory to the Emergence of a Mnemonic Field* (Columbia Academic Commons, 2018) p. 245. "Post-Communist Europe on the Path to a Regional Regime of Remembrance" in Michal Kopeček and Piotr Wciślik eds. *Thinking Through Transition: Liberal Democracy, Authoritarian Pasts, and Intellectual History in East Central Europe After 1989* (Budapest, CEU, 2015) p. 586

Pazmany Catholic University named Maria Schmidt. During his first period in power, Orban severely defunded the Institute of Political History and the Institute for the Study of 1956 and diverted the funding to institutes of 20th and 21st Century History and the infamous House of Terror in Budapest, where Schmidt would serve as director. As in Poland, these institutes would lend scientific capital to the idea that the 1989 revolution and by extension 1956, remained unfulfilled. The fact that this narrative was rejected by the academic mainstream in the country was insignificant as the state-funded institutes employed young surplus intellectuals that had not been reabsorbed into the university system. For them, their alienation from academia was not a function of their failure as academics but rather the left-wing biases of top professors who were, like the constitution, remnants of totalitarianism. Thus, as in Poland, a fiercely loyal and radicalized counter intelligentsia formed inside the new memory institute to question the liberal democratic order as well as the whole intellectual field that supported it. Thus, within the bracket of liberal democracy, NMIs generated severe democratic erosion in Poland and Hungary. No equivalent developments occurred in Czechia or Germany.

Social Democracy

This bracket refers to the quality of social programs and welfare transfers, and it is mildly relevant. In all cases, the NMIs allowed victims of secret police repression to claim compensation. Thus they appear to have improved social democracy, but this is a complicated political economy calculus. One would have to count how many Euros (or their equivalent in Crowns or Zloty) were spent on compensation for victims compared to the operational budget and its cost to taxpayers. From the perspective of a healthcare worker or a citizen in need, every Euro spent on NMIs was a Euro that did not go into the pension fund or healthcare budget.

In summary, the impact of NMIs on democracy was irrelevant in the brackets of inclusion, civic participation, social democracy, and contestation. In the bracket of civic capacity, their impact is negative in the Polish case, mildly positive in the Czech case and neutral in the German case. In terms of liberal democracy, they have contributed to significant decline in Poland and Hungary while in Czechia and Germany, they remain irrelevant. Why the IPN was particularly corrosive to liberal democracy is discussed in Chapter 7. The next chapter will go beneath the surface of institutions and judge the impact of NMIs on democratic political culture.

VI

European Memory Networks and the Erosion of Civility

There is no hope for an economically, politically, or culturally united Europe. Europe is lost. Europe has lost. Communism has claimed a postmortem victory.

Istvan Rev, *The Postmortem Victory of Communism*, 1994.

The fall of the regimes built on ideologies of evil put an end to the forms of extermination in the countries concerned. However, there remains the legal extermination of human beings conceived but unborn. And in this case, that extermination is decreed by democratically elected parliaments, which evoke the notion of civil progress for society and all humanity.

John Paul II, *Memory and Identity*, 2000.

Hysterics suffer mainly from memory.

Josef Breuer and Sigmund Freud, *Studies in Hysteria*, 1895.

Robert A. Dahl, one of the most widely cited theorists of democracy, maintains that for democratic institutions to work, the population must for the most part share some fundamental values about tolerance, civility, and mutual respect. This is what allows the clash of interests between individuals and social groups to be resolved peacefully through the mechanism of parliamentary debate. Memory studies scholars, when they have addressed the relation between memory and democracy, have likewise focussed their gaze beneath the surface of institutions at the cultural substrates of democratic life. They are uniform in their theory of political memory's impact on the quality of democracy. Briefly, their idea is that monistic political memory serves autocratic politics, while pluralistic memory is good for democratic politics. Siobhan Kattago conceptualizes the link as follows:

Just as the open society seeks to avoid the dogma of monism, so a plurality of memories entails some degree of official recognition of different stories about the past. As Taylor, Habermas and Honneth have argued, albeit in different ways, official recognition of different cultural traditions by the state is a central challenge for democracies. The democratic promise is that the many voices have freedom of expression, have the right to be heard and recognized whether in schoolbooks, museums, commemorations or parliamentary politics.¹⁹⁰

Kattago's colleague Duncan Bell wrote 'In order to facilitate a pluralistic radical democracy, it is essential to acknowledge multiple and often conflicting pasts, and the intrinsically power-infused and tension ridden nature of communal mythological construction.'¹⁹¹ Likewise, for Barbara Misztal:

Collective memory can enhance or reduce the democratic potential, depending on the extent to which the community adopts a critical and open approach to its past. Whether social memory enhances conflict or cooperation depends on content and its "openness" or "closedness." [...] A closed or fixed memory of events locks in an official authorized version of the memory and as such, can hinder cooperation between groups that may or may not agree with the authorized collective memory. For example, Serbs' central memory of the lost Battle of Kosovo in 1389 symbolizes the

¹⁹⁰ Siobhan Kattago, "Memory, Pluralism and the Agony of Politics," *Journal of Baltic Studies* 41, no. 3 (2010): 383–94, <https://doi.org/10.1080/01629778.2010.498213>, 390.

¹⁹¹ Duncan Bell, "Agonistic Democracy and the Politics of Memory," *Constellations* (Oxford, England) 15, no. 1 (2008): 148–66, <https://doi.org/10.1111/j.1467-8675.2008.00478.x>, 149.

permanent Muslim intention to colonize them and, therefore, it is an obstacle to mutual relations. In summary, collective memory that is used to close boundaries of ethnic, national, or other identities and accepts particular versions of the past as “true” can aggravate conflict, whereas collective memory that is open ended can be a lubricant for social cooperation.¹⁹²

The memory scholars refer to Isaiah Berlin’s notion of pluralism¹⁹³ holding that civility conceived of as mutual respect between value systems, tolerance, and respectful intercommunication are the bedrock of the good society. From this perspective, we might ask: have NMIs contributed to pluralism and cultivated greater civility in political dialogue? The answer is an unequivocal “no.” The following chapter will discuss how NMIs, by creating transnational networks aimed at creating European standards of memory-management, contributed to a severe erosion of civility in their home societies as well as the European Parliament and the global sphere, particularly in relations between the EU and Russia. I will argue that they did so by embracing a monistic view of the communist past based on an old theory of totalitarianism. This monistic view, in turn, generated scientific capital for radically adversarial political languages and conceptions of ‘the enemy’ between Right and Left. Poland appears again as the case of the most severe erosion.

Importing The Model

One of the arguments used by Birthler to justify continuing BStU in the mid 2000s was that they had become a regional model for equivalent institutions. Even if lustration was approaching the end, there was still a monumental task left for the institute - sharing knowledge and experience with the national memory institutes in Central and Eastern Europe so they might themselves reach a proper *Aufarbeitung*. She claimed that ‘dealing with the files of the communist secret services is part of a process of enlightenment that belongs to European culture and civilization and helps to overcome the particularism and provincialism of the GDR experience.’ Academics generally echoed this idea. Indeed in the late 90s, parliamentary commissions working out lustration laws in Poland, Romania, the Baltic States, Hungary and Slovenia elicited expert advice from the *Bundesbeauftragte* and in 2008, an umbrella organization called European Network of Authorities In Charge of The Secret Police Files was created to streamline the work of German, Polish, Czech, Slovak, Romanian, Hungarian, and Bulgarian memory-institutes. For these New Europeans, the *acquis communautaire* demanded that candidates take steps to face the dictatorial past. Across the region, legislators proposed institutes ‘modelled’ on the Gauck authority, arguing it was the path to modernization, and a European future.

¹⁹² Barbara A. Misztal, “Memory and Democracy,” *The American Behavioral Scientist* (Beverly Hills) 48, no. 10 (2005): 1320–38, <https://doi.org/10.1177/0002764205277011>, 1332.

¹⁹³ Isaiah Berlin, “My Intellectual Path,” in *The Power of Ideas* (Princeton: Princeton University Press, 1998), 1–23; “The Pursuit of the Ideal,” in *The Crooked Timber of Humanity. Chapters in the History of Ideas* (London: Pimlico, 1998), 1–19.

Importing the German model to Central Europe was complicated by a sense of belatedness. Across the region, the MPs and intellectuals who proposed creating local versions of the Gauck authority were claiming there was a need to catch up to the ‘normal’ or ‘modern’ German system of confronting the past. Thus, when these institutes were created, they had to adopt very different languages of legitimation than Gauck. They could not claim to be agents of collective therapy because there had been a severe time-lag between 1989 and their appearance. They had to confront very different kinds of ex-communists than the Germans. The urbane, powerful, and cosmopolitan Kwaśniewski or Gyurcsany posed a different challenge for collective memory than the desiccated Mielke. Moreover, the publics they served were inundated with the idea that the secret police had had time (at least ten years) to destroy their most sensitive documents. For IPN or the Hungarian Historical Office, dealing with the past was never going to be about dealing with the past on its own. These institutions were thrust into the role of correctives to an ‘unfinished revolution’ while the BStU always branded itself a monument to a completed peaceful revolution. ‘Decommunization’ became their core objective rather than *Aufarbeitung*. Thus the role of BStU as a *vorbildinstitution* in the transnational field would quickly fall by the wayside and a new umbrella organization called Platform of European Memory and Conscience (PEMC) eclipsed the Network of Authorities in 2011. PEMC was an initiative of Czech anti-communists who had been dissatisfied with the scope of lustration in the 90s and they quickly found allies among Polish, Hungarian, and Baltic counterparts.

In 2009, the European Parliament passed a ‘Resolution on European Conscience and Totalitarianism.’ Tabled during the Czech EU presidency by an alliance of prestigious dissidents including the Lithuanian activist Vytautas Landsbergis and Hungarian Laszlo Tökés with ‘Anti-communist Young Turks’ in the European People’s Party, the Resolution was based on a ‘Prague Declaration’ produced by the first conference held by USTR and signed by Vaclav Havel and Joachim Gauck the year prior. The declaration called for "recognition that many crimes committed in the name of Communism should be assessed as crimes against humanity serving as a warning for future generations, in the same way Nazi crimes were assessed by the Nuremberg Tribunal"¹⁹⁴

Debate in the EP was fierce; Athanasios Pafilis (MEP for the European United Left) lamented that the ‘EU’s brazen anticommunism is not aimed at the past but at the present and the future.’ From the Greek perspective, the Prague Declaration may have certainly appeared as the memory-political appendage of the European austerity-offensive on the struggling Southern economies where young leftist alternatives like SYRIZA and Podemos were struggling for recognition. But Pafilis was ultimately outmaneuvered by Tökés, who managed to articulate the perspective of Eastern Europe as a universal European perspective:

The European Community must abandon the double standard that is evident in the different ways in which Nazism and Communism have been judged. Both inhumane dictatorships deserve equal condemnation. I ask the European Parliament to stand in solidarity with the victims of Fascist Communism and to help defeat the enduring legacy of Communism in accordance with the

¹⁹⁴European Parliament *Prague Declaration on European Conscience and Communism*, June 3, 2009, accessed August 4, 2023, <http://www.praguedeclaration.eu/>

aforementioned moral, historical and political exigencies. Only in this way can a divided Europe be truly unified.¹⁹⁵

In the vote that followed, 87% of MEPs voted in favor of making the Prague Declaration an official EP Resolution. The sociologist Laure Neumayer warned that “throughout the continent, European-level legitimization of the totalitarian interpretation of the communist past would indeed provide the Conservatives with a permanent symbolic advantage over the Left.”¹⁹⁶ Another sociologist named Zoltan Dujisin wrote that “a European-level legitimation of the totalitarian interpretation of the communist past could provide the Right with a permanent symbolic advantage.”¹⁹⁷ Instead of a permanent symbolic advantage for the Right, I claim that the most important consequence of the Resolution was to deepen the already severe rift between Right and Left, lending a veneer of scientific legitimacy to progressively more violent political languages that would erode civility in public discourse to a historical low point. When Landsbergis and Tökés convinced the European parliament to designate the communist past as ‘totalitarian’ they were *not* employing the word as it was used in the concept’s ‘classical’ period. Hannah Arendt, Karl Friedrich, and Zbigniew Brzezinski’s theories of totalitarianism had lost all scientific imprimatur by the late 1960s. The definitions of totalitarianism posited by Claude Lefort’s *Complications*, Krzysztof Pomian’s reflections in *Stalinism and Nazism: History and Memory Compared*, or Geyer and Fitzpatrick’s *Beyond Totalitarianism*; texts that represent the academic consensus were not on the table either. Instead, the Prague Declaration revived the word as it was used by the French antitotalitarian Left of the 1970s and 80s.

During the 1970s, a cross-iron curtain feedback loop or ‘community of discourse’ developed between the French Left and East European dissidents visiting Paris. The concept of totalitarianism came to occupy a central place in their exchange based on parallel misreadings – while the French were voraciously consuming Solzhenitsyn’s *Gulag Archipelago* and thinking he was writing about the Soviet Bloc in the 70s (in fact he was describing the USSR of the 40s) the Poles and Czechs were reading samizdat copies of Foucault’s *Discipline and Punish* and also thinking he was writing about the Soviet Bloc in the 70s (in fact he was describing the enlightenment project in France.) From here, they began to imagine a common project of unveiling and resisting what they called totalitarian or post-totalitarian forms of rule in the Soviet Union and its outer empire.¹⁹⁸

In tandem with this neo-totalitarian interpretation of state socialism came the neo-Tocquevillian interpretation of the French Revolution. As the second centennial of the Revolution approached, French cultural elites were searching for a way to stem the tide of a resurgent radical left. The aftermath of 68 saw a huge reuptake of youth in the ranks of the

¹⁹⁵ Laure Neumayer, "Integrating the Central European Past into a Common Narrative: The Mobilizations Around the 'Crimes of Communism' in the European Parliament," *Journal of Contemporary European Studies* 72, no. 9 (2015): P. 10.

¹⁹⁶ Ibid., p. 4

¹⁹⁷ Zoltán Dujisin, “Post-communist europe : on the path to a regional regime of remembrance?” in Kopeček, Michal, and Piotr Wciślik. *Thinking through Transition : Liberal Democracy, Authoritarian Past, and Intellectual History in East Central Europe after 1989*. Edited by Michal Kopeček and Piotr Wciślik. Budapest :: Central European University Press, 2015.

¹⁹⁸ Courtesy of Istvan Rev. *The Virtue of Not Inventing Anything New*. (Unpublished) See also: Brier, Robert. 2011. “Adam Michnik’s Understanding of Totalitarianism and the West European Left.” *East European Politics and Societies* 25 (2): 197–218.

PCF and the legitimate threat that the SFIO would coalesce with them. Meanwhile, leftist revolts against Salazar and Franco to the south raised the "horrifying" specter of left-internationalism. At the head of the anti-totalitarian left-come-neoliberal counteroffensive were the historian Francois Furet and his 'galaxy' of think tanks and personal connections in politics and academia.¹⁹⁹ The 1980 hit *Penser La Revolution Francaise* masterfully linked a rethinking of the chronology of 1789-1815 to the politics of his day. His conclusion claimed that totalitarianism was a symptom of certain forms of political language created by the Jacobins when the Revolution went bad in 1794. The logical outcome of the Jacobin tradition, claimed Furet, was finally reached in the Soviet Gulag.

The point here is not to review the accuracy of Furet's rethinking of the Revolution, but to note the new definition of totalitarianism contained therein, and its effect on the politics contemporaneous to its publication. Previously the term totalitarianism designated a historical category meant to denote certain regime types. Its most cogent articulation up to that point belonged to Juan Linz (1970) who described it as basically a monopolistic single party state that tried to replace autonomous associations with its own surrogates. But Furet's analysis of the Jacobin tradition rewrote totalitarianism from a historical concept to a notion of a *potential* contained in left-politics. The French public could read between the lines – if the resurgent French left is not contained now, our future is going to look like a chapter out of Solzhenitsyn. As for the effect on the politics of the day, the words of Perry Anderson are instructive:

The orchestral programme of which Nora and Furet were the lead conductors in these years is best described as the enthronement of liberalism as an all-encompassing paradigm of French public life. The achievement was a national one, the fruit of a coordinated campaign waged with skill and determination by Furet, Nora and their allies across two decades. It combined institutional penetration and ideological construction in a single enterprise, to define the acceptable meanings of the country's past and the permissible bounds of its present. Here, as nowhere else, history and politics interlocked in an integrated vision of the nation, projected across the expanse of public space. In this respect the Communist Party Historian's Group in Britain, though its members were to be no less politically active, and produced much more innovative history, were tyros beside their French contemporaries. There has rarely been such a vivid illustration of just what Gramsci meant by hegemony.²⁰⁰

The left itself seemed to take Furet's counsel to heart, and proceeded to carry out the neoliberal project more faithfully than its centre-right competitors throughout the 80s and 90s, instituting *pensee unique* and the *Republique Du Centre* which continues until now.²⁰¹ French anti-totalitarianism proved to be the ideal phantasmatic surplus to the TINA doctrine. And in the 90s it accompanied the neoliberal advance into Central Europe via the research of another French historian named Stephane Courtois.

During his undergraduate studies in law and history at Paris-Nanterre, Courtois was a self described 'anarcho-Maoist' activist in the organization *Vive Communisme* from 1968 to 1971.²⁰² By 1980, he produced a dissertation about the PCF supervised by Annie Kriegel, a

¹⁹⁹Perry Anderson, *The New Old World*. London: Verso, 2010 Pp. 154-164.

²⁰⁰ Ibid., 164.

²⁰¹ Perry Anderson, "The Centre Can Hold," *New Left Review* 1, no. 65 (January-February 2011): 5-37.

²⁰² Christophe Bourseiller, *Les Maoïstes. La folle histoire des gardes rouges français* (Paris: Plon, 1996), 277.

historian who had been a far-left activist in her youth but rejected communism after the Hungarian uprising in 1956. Like his advisor, Courtois performed a one hundred and eighty degree turn in his political orientation, prompted by a mixture of disillusionment with the lacklustre achievements of the student uprising and discoveries in the PCF archives of brutal callousness toward the foreign partisans. In 1982, he founded, together with Kriegel, a new academic journal called *Communisme* for anticommunist historians of communism. After Kriegel's death, he became director of the French National Centre for Social Research (CNRS) and gained public attention with a 1985 documentary about the WWII resistance where he accused the PCF leadership of betraying resistance fighters to the Vichy police, a claim he would later withdraw. After visiting newly opened Comintern archives in Moscow in 1992, the ex-Maoist started to believe he was amid a 'revolution in documentation'²⁰³ and went on to lead a team of historians and experts in the creation of "The Black Book of Communism," published in 1997. The book's contributors came from diverse academic backgrounds, each specializing in different aspects of communist history and various regions impacted by communism. Nicolas Werth, a French historian, brought his expertise in Soviet history, particularly the Stalinist era. Jean-Louis Panné, another French historian and political scientist, focused on Eastern Europe. Andrzej Paczkowski, a Polish historian, contributed his knowledge of Poland's communist history and the Solidarity movement. The book examines the human cost of communist rule in various countries, including the Soviet Union, China, Cambodia, North Korea, and others. It offers a detailed account of the atrocities committed by communist regimes, including mass killings, forced labor camps, political purges, and other forms of repression. The authors estimate the total number of victims of communist regimes to be around 100 million,²⁰⁴ although this figure remains a subject of debate and controversy among scholars.

Courtois had planned to have Furet on the team to write the introduction, but the latter died unexpectedly, so the task fell to Courtois. In his introductory essay *The Crimes of Communism* Courtois advances three ideas that became the template for the anti-totalitarian memory regime of the present. First, he occupies what he sees as an absolute moral high ground by stating that his intention is ultimately to commemorate victims and speak for victims who no longer can speak for themselves. Next, he formulates a syllogism equating broadly conceived 'Communism' with the Shoah:

Thus, the techniques of segregation and exclusion employed in a "class-based totalitarianism" closely resemble the techniques of "race-based totalitarianism." The future Nazi society was to be built upon a "pure race" and the future Communist society was to be built upon a proletarian people purified of the dregs of the bourgeoisie. The restructuring of these societies was envisioned in the same way, even if the crackdowns were different. Therefore it would be foolish to pretend that communism is a form of universalism. Communism may have a worldwide purpose, but like Nazism it deems a part of humanity unworthy of existence.²⁰⁵

²⁰³ Stéphane Courtois, *Communism and Totalitarianism* (Paris: Perrin, 2009), 401.

²⁰⁴ "The Black Book of Communism: Crimes, Terror, Repression," ed. Stéphane Courtois et al. (Cambridge, MA: Harvard University Press, 1999), 4.

²⁰⁵ Stéphane Courtois, "The Crimes Of Communism" Courtois, Stéphane, et al. *The Black Book of Communism: Crimes, Terror, Repression*. Translated by Jonathan Murphy and Mark Kramer. (Cambridge, MA: Harvard University Press, 1999), 16.

Much ink has already been spilled to point out the oversimplifications, inaccuracies, and ideological tendencies at play in this thesis and others like it. I do not quote this passage so I can intervene in the debate about the comparability of Nazi and Stalinist terrors. I do so to highlight that Courtois, like Furet before him, perceives totalitarianism as a vision of society and its restructuring (a politics) that necessarily generates mass violence with its own logic. Material circumstance and historical contingency play no role. Crucially, the text is peppered with suggestions that the Western left, popular culture, and sectors of the state have not sufficiently broken with the language / imagery / memory / tradition of totalitarian communism. And so it is clear that the totalitarian threat remains and Courtois frames his project as nothing short of service to “fundamental principles, such as respect for the rules of a representative democracy and, above all, respect for human life and dignity.”²⁰⁶ Courtois announces a new historians’ task beyond the Rankean imperative to relate historical facts: to reveal the criminal nature of communism – not just as a historical phenomenon, but as an idea in itself – and by extension help stamp out the remnants of the idea in the present culture, society, and the state. Elsewhere, he formulates this task as ‘making a clean sweep of the past,’ combatting the ‘universal appeal of October’ or undermining the self-delusion involved in the ‘glorified memory of communism.’ Thus, the project of his ‘anti-totalitarian’ memory-politics can be summarized as an imperative to defend the democracy of the present by purging the remnants of communism, whose internal *logic* necessitates ‘totalitarianism’.

Courtois’ introduction was met with substantial criticism and outright denouncement, not least from his contributor Werth, who claimed he had not seen the text and would not have submitted his own piece to BBOC had he seen it. In the years that followed, academia and mainstream opinion turned its back on totalitarian theory, and the syllogism in *The Crimes of Communism* was roundly rejected. But the ex-Maoist did not give up. *Au Contraire*, the fact that mainstream academia refused to embrace French anti-totalitarianism confirmed to him as evidence that his fear of ‘the universal appeal of October’ was correct.

In a series of conferences at the CNRS in Paris held over the early 2000s, he rallied like-minded intellectuals to reconstruct the theory of totalitarianism yet again. In 2006, the results of a conference called *Logiques Totalitaires En Europe* were published. In his introductory synthetic essay, Courtois moves away from equivalency and doubles down on his anticommunism. Fascism and National Socialism, he claims, were totalitarian phenomena *of a lesser intensity* than the Soviet variant because they lacked a ‘Utopian drive.’ This astounding (though ultimately trivial) conclusion is the result of Courtois’ new metanarrative of totalitarian development based on three progressively unfolding ‘logics’ – the ideological logic, the logic of civil war, and the logic of creating new elites. The claim is basically that the root of totalitarianism is the Enlightenment belief in the improvability of mankind and human society. To articulate a movement for social change, claims Courtois, revolutionaries must form a view of the world that is ‘too dark’ and place too much faith in their vision for its transformation. Their outlook fails to describe Reality, hence it is ideological. Once the revolutionaries try to set their visions in motion, ‘Reality’ itself intervenes to frustrate praxis. Because the revolutionaries are caught up in the ideological logic, they are unable to see that

²⁰⁶ Ibid.

they had misunderstood Reality and instead explain the failure of praxis with conspiracy theories and naming Enemies. Here the logic of ideology slides into the sublogic of civil war. Fighting the imagined enemy becomes a way of making Reality conform to ideology. Inevitably, the fight leaves many dead at the elite level and new elites must be fashioned out of the ranks of the revolutionaries. Two ideas are presented as original sins logic of ideology; Rousseau's theory of the General Will and Marx' theory of alienation. The second original sin is bound up with Marx' sciento-messianic thesis (Courtois' term) which posits that the subject-object split could be transcended – that humanity could attain enough knowledge of itself to synthesize science and politics and strive for a society without alienation. For Courtois, Christ and Freud have proven that the gap is unbridgeable –Marx disastrously rejected the traditional forms of mediation (family, church, civil society) as the source of alienation whose transcendence would produce that bridge. Lenin's contribution to the totalitarian logics was to radicalize the sciento-messianic thesis and use it to justify the all-powerful vanguard Party and hence annihilate all mediation between the individual and the omnipotent State.²⁰⁷ Haphazard examples from the Jacobin period of the French revolution and the Bolshevik revolution are used as evidence for the logics instead of any engagement with the source texts of Rousseau, Marx, or Lenin.

Courtois' historian colleague at CNRS Georges Mink described the new theory of totalitarian development as 'using the documentation of the crimes of Czech communists in battles against the French left.'²⁰⁸ Contemporary Marxists would argue that Marx and Lenin have not had the last word in Marxism, which in itself is good evidence against the presence of an 'ideological logic' stemming from their writings. Consider Laclau and Mouffe's treatment of the nexus of science and politics in *Hegemony and Socialist Strategy*. The inventors of 'post-Marxism' theorize two kinds of hegemonic practice distinguished by how they conceptualize that nexus. 'Authoritarian hegemony' (ie. Lenin) posits the leadership of the industrial proletariat based on their exclusive access to a scientific view of society. By contrast, democratic-hegemonic practices depend on a class formation demonstrating scientific understanding of the particular interests and demands of other major class formations in a bid for hegemony.²⁰⁹ Thirty years later, a longtime leftwing opponent of Laclau and Mouffe named Slavoj Žižek reflected on the tragedy of Leninism and came to a similar conclusion: "there is no shortcut here, the need for a radical universal change has to emerge by way of mediation with particular demands."²¹⁰ I cite this theoretical shift in Marxism/post-Marxism to suggest that the alienation of social science and politics which Courtois identifies as the root of the ideological logic (and hence the totalitarian logic) does not have the entelechy he ascribes to it. Rather, Marxists say they have been able to reflect

²⁰⁷Stéphane Courtois, "Avant-Propos: Les Logiques Totalitaires." In *Les Logiques Totalitaires en Europe* ed. Stéphane Courtois (Éditions du Rocher, 2006) pp. 7-43.

²⁰⁸Jacek Zakowski and Georges Mink, "Georges Mink o tym, jak się wykorzystuje historię do politycznej walki," *Polityka*, accessed August 18, 2020. <https://www.polityka.pl/tygodnikpolityka/swiat/1740306,1,georges-mink-o-tym-jak-sie-wykorzystuje-historie-do-politycznej-walki>

²⁰⁹ Laclau, Ernesto and Chantal Mouffe. *Hegemony and Socialist Strategy Toward a Radical Democratic Politics* (London: Verso, 1985) pp. 55-61.

²¹⁰ Žižek, Slavoj. *Lenin 2017*. lxxvii

on the idea, identify its authoritarian potential in Leninism, and then theorize a democratic variant of its development by inflecting it with the Gramscian concept of cultural hegemony. In their own eyes at least, are caught up in no *logique ideologique*.

Still, Courtois points to the persistence of Marxism in the culture and institutions of his surroundings. One of his fellows, Uwe Backes, has even made the claim that in East Germany, the transition to market capitalism and democracy have permitted ‘totalitarian thought’ to persist and thrive ‘in more colorful forms.’²¹¹ In my own view, to imagine that contemporary progressive movements represent the threat of a return to the repressive practices of Robespierre, Hitler, or Stalin is to ignore the concrete reality of the left since the 1980s – its hopeless fragmentation, its weakness, its lack of stable identity and its commitment to radical democracy, all captured by Laclau and Mouffe – and embrace a memory-politics that distorts both present and past reality.

In January 2007, Courtois entered the arena of European-level memory politics by giving a speech at the Sighet Memorial’s Summer University entitled ‘The Lost Honour Of The European Left.’ He criticized the the Parliamentary Assembly of the Council of Europe for rejecting a "Recommendation concerning the condemnation of crimes committed by totalitarian communist regimes", a precursor to the Prague Declaration. A period of close collaboration between Courtois and the drafters would follow.

The thirteenth point of the EP’s Resolution on Totalitarianism and Conscience “Calls for the establishment of a Platform of European Memory and Conscience (PEMC) to provide support for networking and cooperation among national research institutes specializing in the subject of totalitarian history.”²¹² In October 2011, the founding documents for an NGO called PEMC were signed in Prague by 19 member institutes from northern, central, and Western Europe. They were awarded a strategic grant from the International Vysegrad Fund that was meant to finance “ (net)working meetings and conferences, a travelling exhibition on totalitarianism in Europe, a reader for schools on totalitarianism in Europe and an award to personalities who have set a mark in resisting and working against totalitarianism in Europe.”²¹³ On their board of trustees sits none other than Stephane Courtois. He penned the preface to the school reader called “Lest We Forget: Memory Of Totalitarianism in Europe” a hagiography of anti-communist resistance fighters and dissidents published initially in Czech in 2013. In the words of EPMC’s PR team,

The purpose of the reader is to educate today’s young generation about Europe’s tragic totalitarian past and about the importance of upholding fundamental human rights, freedoms and democratic values in society. The goal is to promote a better understanding and integration among European citizens and to help prevent the recurrence of any form of non-democratic rule in the future.²¹⁴

Indeed, it is an elaboration of the memory-political project set out in the BBOC. Courtois’ preface lays out even grander ambitions:

²¹¹Uwe Backes, . “La Pensée Totalitaire” in *Les Logiques Totalitaires en Europe* ed. Stephane Courtois (Éditions du Rocher, 2006) pp. 55.

²¹² <http://www.memoryandconscience.eu/wp-content/uploads/2011/08/EP-resolution-European-conscience-and-totalitarianism-2-April-2009.pdf>

²¹³ <https://www.memoryandconscience.eu/ivf-strategic-grant/>

²¹⁴ "Lest We Forget: Memory of Totalitarianism in Europe," Platform of European Memory and Conscience, accessed July 15, 2018 <http://www.memoryandconscience.eu/2013/06/19/lest-we-forget-memory-of-totalitarianism-in-europe/>.

Today, most European countries have been politically, legally and economically reunified in the bosom of the European Union. But we are still far away from a common European memory which would include to the same extent the tragedies caused by the two great totalitarian systems – Nazi and Communist. That is why the initiative undertaken by the Platform of European Memory and Conscience is so important and so valuable – to publish a book for all European youth, in various languages, which recalls the names of the men and women from different European countries who risked their lives to resist totalitarian oppression and to preserve the great ideals of the best of what Europe has to offer to the world: tolerance, freedom of thought, rejection of extremism, and the culture of democracy and parliamentary government, which alone can ensure domestic and international peace. Young generations must be made aware of the privilege which their grandparents did not benefit from: life in a reunified, peaceful and democratic Europe. They must understand that preserving this privilege implies a daily struggle. Nothing can ever be taken for granted...²¹⁵

The old antifascist consensus on European memory²¹⁶ was straightforward: we knew that fascist regimes were inimical to democratic institutions, and the German variant relied on anti-semitism to envision the resolution of social conflict, leading to the Shoah. Based on this historical example, we rejected racism as an acceptable discourse in democratic public life. But in Courtois' new vision for the common European memory raises a new problem. What lessons are to be drawn for the politics of the present based on the EPMC's understanding of the two great totalitarianisms? What exactly is to be excluded from the public sphere? EPMC's press releases offer clear insights. Consider for instance their reaction when Jean Claude Juncker went to Karl Marx' 200th birthday celebrations in Trier:

The European Union is founded on freedom, truth, human dignity and human rights. These values, along with many others, were violated by the Communist system, which was based on Marxist ideology. Therefore, the Platform of European Memory and Conscience wishes to express its regret that Mr. Jean-Claude Juncker, the President of the European Commission, took part in ceremonies commemorating Karl Marx.

We cannot approve of such actions, since they are offensive to the memory of the millions of victims of Communism. The Communist ideology, rooted in Marx's works, continues to kill and enslave people in many places in the world. This applies especially to China, the sponsor of the statue which was unveiled during the event Mr Juncker attended. We believe that the victims of Communism deserve an apology.²¹⁷

Once again, Courtois' notion of totalitarian logics is operational; leftist ideas unfold necessarily into violence. For EPMC, ideas traceable to the writings of Marx are inimical to basic human rights. So the memory-political imperative would be to exclude social democratic parties, labor unions, entire swathes of social science, cultural studies, and history departments from public life. There are simply too many babies to throw out with this bath water. It is not a workable framework for a 'common European memory'-regime. Notwithstanding, the Platform's network has grown to 60 member institutes across the

²¹⁵ Stephane Courtois, "Introduction," in *Lest We Forget: Memory of Totalitarianism in Europe*, ed. Gillian Purves (Prague, 2013).

²¹⁶ Aleida Assmann, "Europe: A Community of Memory?" GHI BULLETIN NO. 40 (Spring 2007)., Georges Mink, "Institutions of National Memory in Post-Communist Europe: From Transitional Justice to Political Uses of Biographies (1989–2010)," in *History, Memory and Politics in Central and Eastern Europe*, edited by G. Mink et al. (Palgrave Macmillan, 2013), 156.

²¹⁷ "Platform Expresses Regret That Mr. Jean-Claude Juncker Took Part in Ceremonies Commemorating Karl Marx," Platform of European Memory and Conscience, accessed July 17, 2018. <https://www.memoryandconscience.eu/2018/05/07/platform-expresses-regret-that-mr-jean-claude-juncker-took-part-in-ceremonies-commemorating-karl-marx/>.

continent and two in the US. They have made many interventions into politics and civil society; the crucial ones are to pressure governments to take measures of retroactive justice against former members of state-socialist Party apparatuses, to control the archives of those apparatuses, to petition for transforming public spaces (renaming streets, moving / removing 'communist' monuments) to develop civic education programs and provide the press and public schools with anti-totalitarian literature. An overwhelming majority of texts produced by the national memory institutes (NMIs) within the network are variations on the template forged by Courtois in BBOC and *Logiques*:

1. They claim to give voice to the Dead.
2. They draw an equivalence between Nazi genocide and 'Communist Crimes' based on the notion that Marxism / leftism / Maoism etc. are ideas that necessitate totalitarian violence just like Hitler's ideology of race.
3. They identify remnants or echoes of totalitarian communism in the society / state / culture of the present.

Some go as far as to question the university's ability to teach history accurately because of its frequent connection to the left. In 2018, EPMC linked a publication by the Icelandic scholar Hannes Gissurarson called *Voices of The Victims: Toward a Historiography of AntiCommunist Literature*, a project funded by the late Margaret Thatcher's New Direction think-tank. In his conclusion, Gissurarson claims:

Whereas everybody loudly and justly condemns the Nazis for their evil deeds, there are only a few scattered voices reminding the world of the crimes of communism – otherwise a silence reigns about them. Countless are, however, the mass graves in former communist countries upon which innocent visitors have accidentally stumbled. It is the moral duty of those journalists and historians who write about totalitarian states to break the silence, to show the memory of the victims the respect they deserve and to call an executioner an executioner and a victim a victim. This is easier said than done. There is a strong left-wing bias in the academy, especially in departments of humanities and social theory, to which I can attest after being a professor of politics at the University of Iceland for 30 years. (...)The imbalance in academic discourse can only be reduced by well-funded independent institutions and organisations that pursue a clear agenda of promoting understanding of issues systematically neglected, bypassed or ignored by left-wing intellectuals, dominant in universities. Such institutions and organisations can hire well-educated, productive intellectuals who, because of their views and despite their qualifications, are denied employment by universities and other academic institutions. This 'counter-intelligentsia' will always be small, but it can be quite influential. Keeping alive the memory of victims of communism will probably never be a major concern of any big institute, but it could be an important and not-too-expensive part of its operations. The outstanding example is the Hoover Institution at Stanford University (where I have been a Visiting Scholar several times), but smaller and more narrowly focused organisations or institutions include Memorial in Russia, unfortunately often harassed or intimidated by local authorities; the Platform of European Memory and Conscience, set up after the call for such an organisation in the 2009 Declaration of the European Parliament; and the Polish Institute of National Remembrance. In the United States the Victims of Communism Memorial Foundation was authorised after a unanimous act of Congress in 1993. The Heritage Foundation of Washington D.C., also devotes some resources to promoting deeper understanding of communism.²¹⁸

²¹⁸ "Voices of the Victims: Notes Towards a Historiography of Anti-Communist Literature," *New Direction*, accessed July 18, 2018 https://newdirection.online/2018-publications-pdf/VOICES_OF_THE_VICTIMS_NOTES_TOWARDS_A_HISTORIOGRAPHY_OF_ANTI-COMMUNIST_LITERATURE.pdf.

Thus, the PEMC’s massive EU-funded network imagined itself as a counter-intelligentsia vis a vis the left-biased university system. Their way of looking at the past is what Isaiah Berlin termed ‘monism’ and Barbara Misztal calls ‘closed.’ Closed pasts, she claims, tend to produce or aggravate social conflict and erode civility. Below, I recount how such an erosion of civility occurred in Poland, where the language of anti-totalitarianism bled into the public debate about sex education and reproductive rights.

On the 75th anniversary of the Warsaw Uprising, the VIII annual ‘March of Memory’ took off from the Dmowski roundabout in Warsaw after W-Hour.²¹⁹ At the head of the march, someone photographed a banner:



The banner appears at first glance a very ordinary thing, a simple aberration; scribbles by the hooligans we are accustomed to seeing participate in big marches in Warsaw – people who know little about Nazism, communism, the LGBT+ movement or the category of totalitarianism within which the three symbols supposedly fit. But as it is often the case with things that are simple at first glance, the banner abounds in metaphysical subtleties and theological niceties.

As the march in Warsaw got underway, the Archbishop of Krakow Marek Jedraszewski gave a homily in St. Mary’s Basilica warning that ‘The red plague walks our soil no longer. This doesn’t mean a new one isn’t here trying to take over our souls, our hearts, and our minds. No longer Marxist or Bolshevik but born of the same spirit. No longer Red, but Rainbow.’ Jedraszewski made reference therein to a poem called ‘Red Plague’ by an insurgent named Jozef Szczepanski addressed to the Red Army as it watched the Wehrmacht perpetrate the massacre in the Wola neighborhood:

We await you, Red Plague

²¹⁹ 5 pm every August 1st the city stops and listens to sirens for five minutes to mark the beginning of Bor’s uprising.

Save us from the Black Death
 You, who once ripped our country to shreds
 Are salvation we await with disgust
 You with your power of crowds
 Like cattle ruled by the knout
 We wait to be crushed by the boot
 Of your slogans that will drown us
 (...)

But know that from our graves
 A new victorious Poland will be born
 And you won't walk this land
 You Red Ruler of beastly power²²⁰

Shortly after writing, Szczepanski took a Nazi bullet and was carried through the sewers under Warsaw to the insurgent hospital where he died a week later. As I wrote in the previous chapter, a new kind of Poland was born out of the graves of men like Szczepanski – excavations in the Powazki cemetery in 2012 sparked the secular cult of the ‘Excommunicated Soldiers’ worshipped by the Polish new Right. Szczepanski’s poem was pure hate for Russia that he was taught with his ABCs in the 2nd commonwealth. In the time and place that he wrote, we can understand how the 20 year-old insurgent drew equivalence between Soviet and Nazi oppression. But Jedraszewski’s linking of LGBT+ ideology to the memory of communism is more of a historical puzzle. Robert Biedron took to Twitter hours later to claim that Jedraszewski’s opinions would have placed him on the opposite side of the barricades as the insurgents. But the homily, though repugnant, advanced no Nazi argument. Though the metaphor of disease is at play aesthetically, a larger organic metaphor for the nation did not ground Jedraszewski’s thinking as it did many of Hitler’s speeches. How did LGBT+ ideology come to be construed as a threat akin to totalitarian communism? Indeed, why was the commemoration of the Uprising so steeped in debate about the LGBT question? The beginning of the answer lies in my previous chapter about messianism. Since Smolensk and the reinvention of the Polish Right as both rebuilders of the welfare state and agents of revealing historical truth, *every* commemorative ritual is considered an appropriate stage for present political battles. While the terrain of the battle is set by messianic historicity, antitotalitarian theory (as elaborated by Courtois in the *Logiques*) appears as the Right’s borrowed battle slogan. A brief sketch of the history of anti-gender studies mobilization is also in order here.

The attack on gender studies in Poland that began in 2012 was ultimately a civil society mobilization against gender equality education in elementary schools led by the Catholic Church and a nebulous culture war in the space of the internet and media discourse. While Orban launched a war of movement and dismantled actual gender studies departments in Hungarian universities, the conflict in Poland remains a war of position; a contest over establishing values, identities and norms in the realm of culture.

²²⁰ Szczepanski, Jozef, *Czerwona zaraza*.

In 2012 the Civic Platform government was ratifying the Istanbul Convention (on combating violence against women and domestic abuse.) One of the very few to express opposition was the minister of Justice Jaroslaw Gowin, who claimed the document was too ideological because it evoked the concept of gender. Gowin was soon removed by then premier Donald Tusk and the public was left scratching their heads over the ideological nature of gender until December 2013. I was attending my nephew's baptism in a Catholic Church in the village Szczucin, where I personally witnessed the reading of a pastoral letter from the Polish council of bishops – a letter that was read in every church in Poland that day and considered the opening salvo in the anti-gender offensive. The council asserted that:

Gender ideology is the product of many decades of ideological and cultural changes that are deeply rooted in the Marxism and neo-Marxism endorsed by some feminist movements, and also the sexual revolution. . . . It maintains that biological sex is not socially significant and that cultural sex, which humans can freely develop and determine irrespective of biological conditions, is most important. . . . The danger of gender ideology lies in its very destructive character both for mankind, personal contact and social life as a whole. In our times, gender ideology, unbeknownst to most of society and against its will, is being introduced to various structures of social life: education, healthcare, and non/governmental organizations.

The letter precipitated an avalanche of articles in the print media and online trying to establish the definition of the term gender (which is foreign to the Polish language) to clarify the Church's position on this new ideology and the threat it posed to the life of the family. Now the top result when we google the polish formulation ideologia gender is an online pamphlet by the cleric Ryszard Gron that claims "Genderyzm, under the guise of promoting equal rights, toleration, and liquidation of discrimination, uses the institutions of global governance and the manipulation of language to impose the conditions of the homosexual minority on the heterosexual majority, leading to a form of ideological totalitarianism that is real and dangerous because it is legally sanctioned in most countries around the world."

In making this strange claim about totalitarianism, Gron makes reference to the German sociologist Gabriele Kuby and her 2010 book *The Global Sexual Revolution: Destruction of Freedom in The Name of Freedom*. Kuby's account traces the sexual revolution back to Friedrich Engels' discussion of the bourgeois family and ends with the warning that "if a society lets go of its morality in general, and especially in the area of sexuality, it tumbles into anarchy and chaos, and this can result in a new totalitarian regime by the state."

The book has wide circulation in France and across central Europe, where the author claims the sexual revolution has not caused irreversible damage as it has in Germany and the Anglo world. So it appears to be becoming something of a sacred text in a transnational antigender movement. But to refocus on Poland, arguments based on Kuby mobilized a surge of rightwing civil society mobilization circa 2014. Associations like the Mom and Dad Foundation, the Brave Fathers Foundation, Stop Sexualizing Our Children Initiative, Stop Gender Network and the Institute Ordo Iuris swelled with the ranks of concerned parents and began campaigning against the rather vague goal of halting the spread of genderism. If we can isolate concrete objectives, they were really concerned with banning a 2011 textbook called *Equality in Kindergarten* by a collective of feminist authors, and to ban sex ed workshops in high schools by a non profit organization called Ponton.

The political scientists Agnieszka Graff and Elzbieta Korolczuk claim that the antigender movement helped push the 'populist' Law and Justice Party to power. So what is the link to antigenderism? On a rudimentary level, both movements espouse a similar

memory politics, invoking the totalitarian past as a warning for what is to come if Marxists, neo Marxists, post Marxists, or post Communists are allowed to keep working in the shadows of institutions like the university and the elementary school for the anti genderists or the courts and the banks according to the populists. This way of treating the totalitarian past echoes mainstream memory regime exercised by the European Union since 2011. With the EU resolution on European Conscience and Totalitarianism, the continent's shared view of the past became one which essentially equated Nazism and communism and brought into life a transnational network called the Platform for European Memory and Conscience tasked with coordinating the work of memory institutes in central and eastern Europe and educating the public. Their texts embed the story of victims, villains, or heroes in the struggle between totalitarianism and democracy from the past within an argument about the need to continue or finish that struggle in the present against criminal communists who persist in our institutions. I am not yet willing to hazard the thesis that the contours of the European memory regime provide a ready made discursive frame for the arguments of Kuby, Gron, Gowin, and Kaczynski. But I think it could be suggested that these discourses exist on one side of a new cultural cold war where the iron curtain no longer lies on the Oder Neisse line but bifurcates social fields ranging from academia to civil society and the spaces of collective memory.

The image of communists lurking in the belfry is a powerful one in Poland, where there is a widely held belief that since the 70s, Party functionaries were using secret funds to purchase western computer equipment and then sell them back to state enterprises to generate superprofits that were then concealed in swiss banks and used to buy state enterprises at auction in the 90s. This neurosis around the conjecture of political capitalism waxes and wanes but it was certainly activated in 2014 and 2015 when scandals to do with the state pension fund called ZUS brought the Civic Platform government to a fatal crisis of legitimacy.

The other link between antigenderism and populism has been suggested by Agnieszka Graff and Elżbieta Korolczuk who claim that attendant to the closing of the transformation promise was a new crisis of masculinity felt by young men who found it difficult to carve out a role as a stable traditional breadwinner in the junk contract economy and both populism and antigenderism gave those disgruntled young men a ready explanation for their situation: neo marxists in the universities were plotting to destroy the traditional family and traditional gender roles with their radical post modern theories, and post communists in the state were materially depriving them of the ability to perform traditional breadwinner roles by limiting their access to stable careers. It is no surprise then that Kaczynski brought the language of antigenderism into the campaign against Civic Platform in 2015; the populists' strategy was to create a chain of equivalence between the rule of Tusk's party, colonial Europeanization, the assault on traditional values, and the closing of the transformation promise.

In early 2016, a strategic alignment developed between the Church, the parents' associations, and the state. The associations really believed that their time had come; petitioning to reject EU gender mainstreaming standards and rolling back gender equality education in various local governments was not producing results, but now they had champions at the national level. Jaroslaw Gowin returned to a cabinet position as Kaczynski's minister for Science and Higher Education announcing that he would remove unspecified gay and lesbian studies journals from academic rankings. The minister of

education Anna Zalewska, announced that school should be free from various ideologies and children will study "normal classical subjects." This is all obviously easier said than done especially in Poland where local assemblies have a lot of power to control what does and does not get funded in education.²²¹

So the Church and the antigender movement set their sights on the big stage and gathered signatures for a citizen's law proposal to criminalize abortion. Abortion has been illegal in Poland since the 90s, the ban was given to the Church as a sort of gift for its role in the anti-communist resistance. But the 2016 draft law was meant to impose 5 year prison sentences on doctors and women for all abortions including ectopic pregnancies and rape survivors. In Polish democracy if such a proposal gets 100 000 signatures it has to be debated in parliament. It was. Kaczynski and his prime minister Szydlo voiced support for the legislation and then the famous black protests started. The mobilization of women's associations and their allies was so impressive that Law and Justice shelved the ban days later. 'Black protests' are an annual event in Poland now, and ponton continues to be hosted by high schools across Poland. In the summer Robert Winnicki of the National radical Camp Falanga chastised Law and Justice for their pseudo conservative rule, yelling "In Hungary Orban has outlawed gender studies – Zalewska instituted Rainbow Fridays in high school and Gowin is letting gender studies propaganda continue"

Winnicki was basically accurate, though later in the year Gowin pushed through an absolutely Byzantine reform of the higher education system that centralized power in the hands of the rectors and subjects them to oversight by councils composed of 50% members from outside the university. The initial proposal of his reform triggered the biggest student protests since 1989 and the law had to be amended several times. In one of the rounds of amendment Gowin snuck in a provision forcing female academics to retire at 60 while their male counterparts retire at 65. What the effect on gender studies departments in Poland will be remains to be seen, but we can understand it as a mild form of Orban's move in Hungary.

In the spring of 2019, sejmiks in Eastern Poland began producing "anti-LGBT-ideology" declarations. By the end of summer over 30 assemblies had published such manifestoes, but the first ones came from the Lesko Powiat and Lublin Voivodship on April 25th and 26th respectively. It may be fruitful to reflect on how they understand their historical situation. Both documents situated themselves as agents of a grand historical task – defending 1000 years of Christian tradition, 100 years of independence, 29 years of self-government.²²² For the Lesko sejmik, those historical achievements are embodied and enjoyed in the present as 'freedom of speech, the innocence of children, the authority of the family and the school and freedom of enterprise' which must be defended from attacks by radicals plotting a cultural revolution. For Lublin, a 'fundamental change in social relations' must be stopped in the name of defending 'the pursuit of truth, the moral development of the young, the preservation of the family, and education based on Christian social teaching' and 'the autonomy of religious assemblies, fundamental rights and freedoms guaranteed by international law as well as the Polish Constitution.' In their eyes, they defend a democracy that was won in a long Manichean struggle between Christian Poles and all the evolving forms of tyranny thrown at Poland by History like so many demonic regimes. ONR activist

²²¹ Levitas, Anthony. 2017. "Local Government Reform as State Building: What the Polish Case Says About 'Decentralization.'" *Studies in Comparative International Development* 52 (1): 23–44.

²²² See Appendix 1.1

Kaja Godek put it more bluntly during the March of Memory in Warsaw, ‘the Warsaw insurrectionaries did not fight so that the LGBT ideology could inundate us.’²²³

On the night of the Lesko memorandum’s publication, an activist named Elzbieta Podlesna plastered the Dominican church and surrounding trash cans in Plock with posters depicting the Black Madonna of Czestochowa with a rainbow halo. Profaning this image became a favorite gesture of LGBT+ activists in the summer of 2019; famously the artist Dominka Kulczynska began selling ‘cipkomaryjki’ – statues resembling both the shroud of the Virgin Mary and vaginal labia opening to reveal a rainbow flag within – online and announced that all proceeds would go to an NGO called the Campaign Against Homophobia without informing its director. Those old enough to remember the 1966 Millennium celebrations of Poland’s Baptism would have remembered how the Communists ‘kidnapped’ the Black Madonna and crowds of Catholics carried an empty frame in front of their processions to protest the absence of the icon. Those not old enough to remember have probably read or seen Sienkiewicz’s *Potop* wherein the powers contained in the icon give strength to beleaguered defenders of one of the last bastions against the Swedish invasion of 1655; or seen the Kossak painting showing Mary personally intervening in the 1920 Battle of Warsaw. This is to say that within the national imaginary, the Black Madonna exceeds even the Unbroken Soldiers as a symbol of struggle against foreign oppression. Thus, consciously or not, by choosing to target this symbol, leftwing activists contributed to their casting as agents of a new totalitarianism or at least conjured a memory of the struggle between Church and Party-State. Indeed for Godek, the recent removal of the blue stripe from the LGBT flag could have only one meaning: “Pseudotęczowy totalitaryzm nienawidzi koloru błękitnego, bo to kolor maryjny” This conjuring of memory prompted rightwing pundits to take the historical analogy to new heights.

On July 27th, 2019, Pawel Lisicki was hosted on the web talkshow *Wierze* to comment on the 230th anniversary of the French Revolution.

In the time of revolution, mass murder was scientifically justified. The Vendeeans were destroyed because they were seen to have failed to understand the goodness of the revolution. It was decided that the whole region should be exterminated like vermin. For the first time in history, Enlightenment and science were the basis of deciding that these people were not worthy of life. (...)

We can see the same thinking in Marx’ *communist manifesto* and Lenin’s writings but we can also detect it in the present in the writings of those revolutionaries who think that the world should be made anew, that mankind is capable of doing this, and anyone who believes in natural law or the dignity of the individual is stuck in the past and should be done away with. The methods are more humanitarian these days, but the mode of thinking about the enemy remains the same.

It is not surprising that later in the interview, Lisicki recommended Courtois’ contribution to a volume called the *Black Book of The French Revolution*, since his interpretation is basically a summary of Courtois’ narrative of the passage from the ‘logic of ideology’ to the ‘logic of civil war.’ Who are the ‘revolutionaries of the present’ Lisicki warns about? It is not stated outright, but on the next edition of *Wierze*, Lisicki voiced support for Jedraszewski’s sermon. In his book *Gender: Kontrrewolucja*, Lisicki spoke of the concept of

²²³ 75. rocznica Powstania Warszawskiego. Transparent na marszu narodowców zrównuje swastykę z tęczą LGBT Relacja na żywo z obchodów. *Gazeta Wyborcza* Accessed 29 January 2023. <http://warszawa.wyborcza.pl/warszawa/14,54420,25049494,75-rocznia-powstania-warszawskiego-relacja-na-zywo-z.html?disableRedirects=true>

gender as ‘the next radical post-enlightenment ideology. Like its predecessors, its source is opposition to Nature and tradition. Just like the Communists wanted to abolish property, seeing the root of all evil in property, the genderists want to abolish *plec*²²⁴ or at least deprive it of all meaning.’²²⁵

Fascinatingly, the cleric Gądecki, who is *not* homophobic also spoke in support of Jedraszewski’s August 1st sermon!:

"Persons belonging to so-called sexual minority communities are our brothers and sisters, for whom Christ gave his life and whom he also wants to bring to salvation. Respect for specific individuals, however, must not lead to acceptance of an ideology that aims to carry out a revolution in social mores and interpersonal relations. (...) Hence my appeal to local authorities not to make decisions that - under the guise of anti-discrimination - would conceal an ideology that denies the natural difference between the sexes and the complementarity of men and women. The wave of criticism that hit the metropolitan of Krakow, the archbishop and the professor, as well as the reactions of employers to people expressing their disapproval of LGBT+ ideology, testify to the entrenched totalitarianism of worldview in certain circles, which consists in removing people who think differently from the sphere of freedom."

A week after the second interview on *Wierze* which Youtube briefly banned, Lisicki’s magazine published an article called “The Red past of an Equality Expert.” The publicist Piotr Woyciechowski found the LGBT activist Jolanta Lange’s SB file in IPN and weaved it into the claim that Lange “continues her SB activity, no longer as a secret agent but through open anti-Catholic and anti-Christian operations.²²⁶ Ziemkiewicz opined on *Telewizja Republika* that ‘when I look at those four letters (LGBT) I just see old commies who are on the same lists as Comrade Jaskiernia and the Zandbergs of the world (...) lets name the key to all this stupidity, every time there’s some young left supposedly emerging in Poland, Political Critique or whatever, Razem, KOD, they say they’re coming up with new ideas and cadres for the left. The effect is always the same, the same old commies and the whole big new idea is ‘we hate the church, we hate patriotism, we want abortion and we stick out our four letters’²²⁷”

Clearly, Jedraszewski’s backers are speaking the language of anti-totalitarianism à la Courtois, but what is more confounding here is that the legal mechanisms that his critics are taking recourse to are also steeped in that language. Following demonstrations in Krakow demanding the Archbishop’s resignation, three complaints were made to the National Prosecutor’s office claiming that Jedraszewski had used fascist rhetoric on August 1st and had thereby committed crimes detailed in Article 256 of the penal Code.²²⁸ 256 holds that it

²²⁴ In Polish, strictly biological gender or sex.

²²⁵ Pawel Lisicki. *Gender: Kontrrewolucja. Eseje I Szkice*. (Krakow: Fronda, 2014)

²²⁶ Piotr Woyciechowski. *Czerwona przeszłość "ekspertki ds. równości"*

<https://dorzeczy.pl/kraj/111417/woyciechowski-czerwona-przeslosc-ekspertki-ds-rownosci.html>

²²⁷ This is a particularly searing pun. ‘Four letters’ signifies LGBT but also alludes to the Polish euphemism for the buttocks; *cztery litery* which designates *dupa* (ass) via apophasis.

²²⁸ “Abp Marek Jedraszewski pod lupą prokuratury. Wpłynęły zawiadomienia o możliwości popełnienia przestępstwa” *Wyobrzeza Online* Accessed August 4, 2023.

is illegal to propagate ‘any totalitarian order of the state.’ Back in June, Article 256 was updated to place communist totalitarianism on an equal footing with Nazism and they suddenly faced the possibility that if convicted, Jedraszewski could sue his plaintiffs using the same article for propagating communism.

A year later in European law, Polish anti totalitarianism was once again vindicated by the European Parliament’s September 2019 ‘Resolution 2019/2819’ – on ‘the importance of European remembrance for the future of Europe.’ The resolution amounts to an elaboration of the 2010 Resolution on Memory and Conscience – insisting that ‘raising the awareness of shared European legacy of crimes committed by Stalinist, Nazi, and other dictatorships is of vital importance for the unity of Europe.’ Further, it ‘Calls for 25 may (the anniversary of the execution of the Auschwitz hero Rotamaster Witold Pilecki) to be established as International Day of Heroes of the fight against Totalitarianism which (...) will also provide future generations with a clear example of the correct attitude to take in the face of the threat of totalitarian enslavement.’ With this clause, European law may institute a high holiday in the continental civic religion dedicated to a Polish martyr, actualizing once more the nearly two hundred year old ‘Christ of Nations’ thesis. Two days prior to Resolution 2019/2819 a temple dedicated to him was opened a block away from the Brandenburg Gate. The European Parliament’s September 2019 ‘Resolution 2019/2819’ – on ‘the importance of European remembrance for the future of Europe’ amounts to an elaboration of the 2010 Resolution on Memory and Conscience – insisting that ‘raising the awareness of shared European legacy of crimes committed by Stalinist, Nazi, and other dictatorships is of vital importance for the unity of Europe.’ Further, it ‘Calls for 25 may (the anniversary of the execution of the Auschwitz hero Rotamaster Witold Pilecki) to be established as International Day of Heroes of the fight against Totalitarianism which (...) will also provide future generations with a clear example of the correct attitude to take in the face of the threat of totalitarian enslavement.’ With this clause, European law instituted a high holiday in the continental civic religion dedicated to a Polish martyr. After affirming Pilecki, the EP resolution set its sights on threats to democracy in the present. The Resolution

15. Maintains that Russia remains the greatest victim of communist totalitarianism and that its development into a democratic state will be impeded as long as the government, the political elite and political propaganda continue to whitewash communist crimes and glorify the Soviet totalitarian regime; calls, therefore, on Russian society to come to terms with its tragic past;

16. Is deeply concerned about the efforts of the current Russian leadership to distort historical facts and whitewash crimes committed by the Soviet totalitarian regime and considers them a dangerous component of the information war waged against democratic Europe that aims to divide Europe, and therefore calls on the Commission to decisively counteract these efforts;

17. Expresses concern at the continued use of symbols of totalitarian regimes in the public sphere and for commercial purposes, and recalls that a number of European countries have banned the use of both Nazi and communist symbols;

<http://krakow.wyborcza.pl/krakow/7,44425,25071855,abp-marek-jedraszewski-pod-lupa-prokuratury-wplynelo-zawiadomienie.html>

18. Notes that the continued existence in public spaces in some Member States of monuments and memorials (parks, squares, streets etc.) glorifying totalitarian regimes, which paves the way for the distortion of historical facts about the consequences of the Second World War and for the propagation of the totalitarian political system;

In these four clauses, the EP performed the operation of naming the Enemy, taking up the fundamental Sovereign function according to Susan Buck Morss' political philosophy.²²⁹ This gesture on its own raised concern about the transformation of European-level democracy. More frightening is the scope of the enemy; it is both outside (Russia) and inside (the parks, the streets, the monuments) EU societies. The totalitarian logic is constantly in danger of unfolding *everywhere*. Days before passage of Resolution 2819, the Berlin branch of the PiS-funded Pilecki institute opened a permanent exhibition called '*Der Freiwillige: Witold Pilecki und die Unterwanderung von Auschwitz*.' Visitors descend into the basements under Pariser Platz and enter what is meant to be experienced as a sacred space. In the antechamber, black and white projections of footage from daily life in interwar rural Poland surrounded viewers. Peasants work, cattle mill around, and Catholic priests walk their beat in the village - a room filled with ghosts. In the centre, the curators displayed Pilecki's sword as if to say 'look, here is the weapon that failed to defend these people from what came next.' Next, visitors walked through a maze of stellae and ephemera recounting the annihilation of Poland in 1939, Pilecki's mission in Auschwitz, his final betrayal, show trial, and execution by Polish communists. At the nexus of nazi and communist parts of the exhibit, viewers could listen to Hannah Arendt's ruminations on the banality of evil, and the final piece of ephemera we encountered was a book called *The Imitation of Christ*. In the accompanying catalogue, director Radziejowska explained:

"Pilecki sent Thomas à Kempis's book *The Imitation of Christ* to his mother Maria just before his execution. That was his final act. At first I was under the impression that he wanted to use that book to save his family from hate and despair, but then someone pointed out to me that he had wanted to put his own story in that deepest of contexts and at the same time save his loved ones from the feeling of calamity. It might sound odd, but I think that Pilecki's behavior in his final hours ties into Maria Dąbrowska and Jan Kott's discussion from 1945 about the bearing of the heroes in Joseph Conrad's stories. The debate as to whether we make choices in accordance with our own personal values, even if those choices result in disaster, touched on the relevance of the Warsaw Uprising and continues to this day. In its essence it is a very universal debate which concerns every one of us."

For Radziejowska, Pilecki's memory represents a struggle faced by every human being. The people who carried posters with his image in the March of Memory behind the 'STOP TOTALITARYZMOM' banner might well have thought the same. It is impossible to judge which side of the debate Pilecki himself would have taken. On the one hand, he was a deeply traditional and conservative man. On the other hand, he risked his life to help oppressed minorities. A memory-entrepreneur of any political leaning could claim to continue his legacy. The overarching point here is that ephemeral links to the totalitarian past, be it Pilecki's sword or the Stasi file in BStU's reading room, are monuments to pain. The emotions they inevitably trigger cannot facilitate rational civil discourse. It is not surprising then, that when references to heroes and totalitarianisms enter the lexicon of post-communist political debates, peaceful democratic compromise has seldom been forthcoming.

²²⁹Susan Buck-Morss, *Dreamworld and Catastrophe*. (Boston: MIT Press, 2002) p 2-39.

The anti-gender studies movement in Poland is perhaps the most extreme example of how the antitotalitarian memory regime pushed by the EP, PEMC, and IPN furnished a new self-image for rightwing civil society actors. This self-image is a *tribal* one in the sense of tribalism elaborated by Zygmunt Bauman in his final work *Retrotopia*. For the late social theorist, Retrotopia names the spatio-temporal aftermath of what he has long theorized under the term liquid modernity; retrotopia is a condition wherein the modern nation state's capacity to capture utopian imaginaries is exhausted. In its place, a multitude of small and big 'gravely malfunctioning Leviathans' are trying to maintain hopelessly porous borders, defend against senseless 'auto-telic violence,' and keep track of populations whose lives are more and more thrown into a competitive frenzy by corporate managerial practices, higher education admissions procedures, and deregulated labor markets. As the Leviathans malfunction, their subjects are faced with a novel historical problem: how to find a model for stable association that transcends Leviathan *and* doesn't fall back on the only technique used to form such models in the past, namely by identifying the Enemy. In other words, the world is too interconnected now to invent identity based on alterity; our collective task involves matching a cosmopolitan consciousness to our cosmopolitan condition, lest we return to the world of Hobbes. Bauman wanted to start the work of articulating such a cosmopolitan consciousness by looking to Pope Francis' appeal for a culture of dialogue. But he observed that individuals in the core of Western capitalism have tried to solve the conundrum paradoxically, by going back to the future: back to tribes, back to the womb, and back to inequality. Instead of looking ahead in time and space to a 'planetary identity,' their tendency is to fall backward in time and space – on mediating bodies between the subject and Leviathan, ranging from internet echo chambers to gated communities to political neo-tribes in an effort to fortify their positions in the war of all against all. The tribe as a model of association finds identity in radical alterity and total exclusion – outsiders are not deemed worthy of dialogue, and only those who belong to the tribe are capable of reasoned speech.²³⁰

The situation in Poland's antigender debate and the escalating memory-war against Russia is reminiscent of this kind of tribalism. NGOs on the left saw themselves as rightfully serving the cause of democratization by promoting education and inclusion for sexual minorities. NGOs on the right interpreted that version of democratization as the early signs of totalitarian rebirth. The left responded with the slur 'Fascist!' or with counter accusations of a return to communist totalitarianism. The monistic view of the socialist past as totalitarianism furnishes the unbridgeable border dividing these tribes. It allows them to cast political opponents who avowedly support democracy as the agents of democracy's destruction.

I personally witnessed a radicalized version of this feedback loop in the streets of Warsaw in 2018, when I observed the infamous Independence March, an event reviled by the Western Press as an international fascist gathering. Indeed, the March is organized every year by the National Radical Camp (ONR,) a successor party of interwar Polish fascism. Similar successor parties from around Europe tend to join in as well. It is a parade that begins at the Roman Dmowski roundabout and winds through Warsaw's main boulevards until it reaches the National Stadium and most years, the march devolves into street fighting between participants and the police on the Vistula bridge three kilometres before the

²³⁰ Bauman, Zygmunt. *Retrotopia* (2017) Chapter: 'Back to Tribes'

Stadium. In the weeks leading up to the 2018 edition, press commentators speculated: would Poland show the world again that it's a hive of fascists or would the government find a way to make this special event into something other than a national embarrassment?

Like every year, the 2018 March was laden with controversy and paradoxes. A week prior, the mayor of Warsaw (a member of the opposition Civic Platform Party) declared the march was cancelled. "This city has suffered enough because of racism" she told the Radios. A day later President Duda declared he would organize his own parade called "For You Poland" that the mayor could not cancel and had nothing to do with the fascist march. A day later the Warsaw police threatened to stage a walkout on November 11 because they were simply sick of getting beaten up in the snow every year. Now the situation was infinitely worse for Duda than it had been 24 hours prior. Instead of no centenary march, the threat was he would have to potentially have a march in the same place at the same time as ONR without a wall of police in riot gear between them. Luckily for Duda, the chief of police offered a 1000 Zloty bonus for officers reporting on November 11 and the show could go on.

Duda's parade took off promptly at three in the afternoon followed by 1000 PiS supporters and a cordon of police. Behind them about 500 ONR and Italian Forza Nuova grunts led the illegal march followed by (what the press reported was) 400 000 civilians. In the midpoint of the planned route, the KOD (Committee for the Defence of Democracy – an association formed to oppose PiS' judicial reform in 2015, generally loyal to the Civic Platform (The name is a reference to the 1970s-era Workers' Defence Committee that preceded Solidarity) set up a protest against Duda's march in Wislocki Park across the street from the De Gaulle Statue. The park is slightly elevated over the street and the hillside was lined with police in full riot gear. Perhaps 100 KOD members stood silently holding white roses and banners simply reading "Constitution." When ONR passed by the park, someone within their ranks yelled "Constitution, Prostitution" and a barrage of flares and beer bottles directed at the KOD began. The police advanced a few paces and the fascists got on their way, but to my surprise the flares kept coming. Behind the fascists came a large group holding the iconic Solidarity Union flags from 1981 chanting 'raz sierpem, raz młotem, czerwoną holotę' (lets use hammers and sickles to beat up these red rabble) and lobbing the next volley of flares. A few hours earlier, Donald Tusk (something of an awaited messiah for KOD) said in a press conference that he thinks PiS' rule is analogous to the machinations of the Bolsheviks.

The chaos and cognitive dissonance that marked the final event of the Polish centenary illustrates the pathological impact of the anti-totalitarian memory regime. Both centre-Right factions of the former Solidarity movement (PiS and PO) employed anticommunist rhetoric to vilify the Other and simultaneously make a claim to legitimacy based on symbolic ties to the original movement. This pattern of political dialogue is the opposite of the civility and culture of dialogue that political theorists agree democracy needs. Poland's fierce culture wars about gender are the most extreme example, but the international arena witnessed an erosion of civility linked to the antitotalitarian political language as well.

The progressive erosion of civility and escalation of memory-wars in Europe and beyond had a severely pernicious impact on democracy. It is more significant even than the erosion of judicial independence in Poland and Hungary described in the previous chapter. I

write this because rule of law can be re-fortified if PiS and Fidesz are defeated in the future with a few acts of parliament. But the erosion of civility will not be reversed so quickly. The lack of social trust and tribal tensions between left and right can only be aggravated with each new crisis, as the pandemic showed in 2020.

Appendix 1 .1

**RADA POWIATU
W LESKU**

**Stanowisko nr 1.2019
Rady Powiatu Leskiego
z dnia 26 kwietnia 2019 r.**

w sprawie powstrzymania ideologii „LGBT” w Powiecie Leskim

Rada Powiatu Leskiego przyjmuje deklarację „Powiat Leski wolny od ideologii LGBT”, której celem jest obrona naszej wspólnoty samorządowej przed radykałami dążącymi do rewolucji kulturowej w Polsce poprzez atak na wolność słowa, niewinność dzieci, autorytet rodziny i szkoły oraz swobodę przedsiębiorstw.

Dla dobra życia, rodziny i wolności deklarujemy, że samorząd, który reprezentujemy nie będzie ingerować w prywatną sferę życia Polek i Polaków. Nie damy narzucić sobie wyolbrzymianych problemów i sztucznych konfliktów, które niesie ze sobą ideologia „LGBT”.

1. Nie zgadzamy się na wprowadzanie funkcjonariuszy politycznej poprawności w szkołach (tzw. latarników). Będziemy strzegli prawa do wychowania dzieci zgodnego z przekonaniami rodziców.

2. Zrobimy wszystko, aby do szkół nie mieli wstępu przyjaciele zainteresowani wczesną seksualizacją polskich dzieci w myśl tzw. standardów Światowej Organizacji Zdrowia (WHO). Będziemy chronili uczniów, dbając o to, aby rodzice z pomocą wychowawców mogli odpowiedzialnie przekazać im piękno ludzkiej miłości.

3. Nie pozwolimy wywierać administracyjnej presji na rzecz stosowania poprawności politycznej (słusznie zwanej niekiedy po prostu homopropagandą) w wybranych zawodach. Będziemy chronili m.in. nauczycieli i przedsiębiorców przed narzucaniem im nieprofesjonalnych kryteriów działania w szczególności w pracy wychowawczej, przy doborze pracowników, czy kontrahentów.

Deklarujemy, że Powiat Leski w realizacji swoich publicznych zadań, będzie wierny tradycji narodowej i państwowej, pamiętając o 1050 latach od Chrztu Polski, 100 latach od odzyskania Niepodległości Polski i 29 latach od odzyskania Samorządności Polek i Polaków.

PRZEWODNICZĄCY RADY

Marek Malecki

Memory Workers and the Decline of Hegemony

The age of imitation is over.

Ivan Krastev, *Liberalism Lost*, 2019.

He who invokes history is always secure.

The dead will not rise to witness against him.

Czeslaw Milosz, *Child of Europe*, 1945.

As previous chapters have shown, IPN has had the most drastic and negative impact on democracy in terms of both institutions and culture. This raises the question of the Polish anomaly. Like Czechia and Germany, Poland experienced a hardline communist regime that lied about its past and used violence to suppress dissent. The transition to democracy was mostly peaceful and negotiated, as in the other cases. Lustration led to similar levels of dissatisfaction and debate everywhere. Thus, it is not readily obvious why the past seems to matter more, and democracy has decayed much faster in Poland than in neighboring states. Below, I outline previous explanations for the Polish anomaly, draw out their inadequacies, and propose an alternative. Eschewing the psychoanalytic frameworks favored by academics and journalists treating the subject, I submit that the concepts developed by neo-Gramscian political sociology, which sees ideas and the intellectuals who produce them as the core of democracy rather than institutions and forms of communication, generate the most satisfying explanations.

The Polish Paradox

On July 16, 2017, the ruling party of Poland (Prawo i Sprawiedliwość, hereafter PiS) introduced a package of bills to reform the judiciary. If all three passed, their effect would have been to subject the regional courts, the Supreme Court and the constitutional Tribunal to direct personnel control by the Party. Debate raged into the wee hours, and PiS' *eminence grise* Jaroslaw Kaczyński sat mostly silent while opposition MPs taunted him to the tune of 'Lech would have never proposed such legislation' 'Lech understood the division of powers.' 'Lech had respect for democracy.' Around 2 in the morning, Jaroslaw had had enough, ran to the speaker's podium without the Marshall's permission and launched a classic tirade at the opposition: 'How dare you wipe your filthy treacherous snouts with the memory of my brother, God rest his soul. You were always trying to destroy him. You murdered him. You sewer scum.'

Six hours later, a historian and public intellectual named Piotr Gontarczyk appeared at the Poniatowski Palace in the hamlet called Jabłonne on the outskirts of Warsaw. He had been invited by the Institute of National Remembrance (IPN) to lecture a group of history teachers and graduate students from Austria, Hungary, Holland, Croatia, Greece, Romania, and Canada about the Sovietization of Poland in the 1940s. IPN was holding its annual 'Professional Training for Foreign History Teachers' and Gontarczyk is one of IPN's champions. In 2009 he took advantage of privileged access to their most classified documents to produce a sensational revelation of Lech Wałęsa's dealings with the secret police in the 1970s. The book *Człowiek z Teczki* (Man of Files) catapulted him, his coauthor

Slawomir Cenckiewicz, and the Institute at large into the center of Poland's media attention. His lecture at the 'professional training' advanced the thesis that Poland's universities and its courts had been Sovietized so thoroughly that historians should see the period as 'a civilizational catastrophe from which we will be recovering for a long time, because the courts and the schools are full of the communists' genetic and ideological children.'²³¹ The thinly veiled endorsement of PiS' reform package offered in the guise of an expert opinion on historical fact (IPN is the sole custodian and arbiter of the communist-era state archives) was not really challenged by the audience, and it was not expected that simple high school educators *would* question Gontarczyk, so question period was very short.

Meanwhile in Warsaw, the liberal and left papers were having the proverbial field day: Jaroslaw is unhinged, bent on revenge for the death of his brother. His paranoid fantasy that the leaders of Civic Platform killed Lech is evidence that the man is unfit for public life. This single morning unveiled to me the eternally recurring mechanics of Polish memory-politics in its specificity: IPN finds a way to legitimize PiS' antisystemic reforms and the opposition calls them insane. This is the essence of what the Poles call *polityka historyczna*. In Germany and Czechia, such scenarios are unthinkable. BStU's task is to stand as a monument to the successful vanquishing of communism by the ruling coalition and the West German judiciary. To warn of an enduring communist threat would amount to self-criticism and admission that the lustration process of the 90s had failed. Meanwhile, relations between the USTR and Kaczyński's analog Babiš take the form of an uneasy truce. They refrain from digging into his past as an StB informant and he refrains from messing with their funding. Because lustration in Poland was delayed by ten years, IPN's stance on the courts is no self-criticism but an argument for expanding itself *and* a war-cry in support of PiS. Both IPN and PiS formed at the turn of the Millennium and in those days, they were not bedfellows. PiS tended to criticize the institute for emphasizing too heavily the shameful chapters in Polish history and failing to properly come to terms with the communist dictatorship.²³² The early IPN was led by a legal scholar loyal to the Civic Platform named Leon Kieres who was forced by the Gross controversies to divert significant research funds to investigate the Jedwabne massacres away from equivalent projects in Katyń. Kieres' lackluster efforts at transitional justice made IPN an unlikely ally for PiS, the party screaming for justice against post-communist elites running Polish capitalism. The historical puzzle to be worked out in this chapter, therefore, is how the unlikely alliance between these institutions was formed, what made it possible, and how that alliance brought about the illiberal turn in Polish politics.

Tracing the uses and abuses of memory by illiberal regimes is a well-populated field. In *Retroactive Justice: the Prehistory of Postcommunism*, the Hungarian scholar Rev Istvan showed that in the old Eastern Bloc, there are meaningful links between how the names of dead leaders are used in the forum, the deep secrets of the state, and the symbolic universes of socialism and Christianity. Orban's memory-regime is about manipulating those links to pose

²³¹ I took part in the training as fieldwork for this chapter.

²³² Machcewicz, Pawel. *Spory O o HistoriePRL*. (Krakow: Znak, 2012) p. 183.

as the successor to the 1956 uprising.²³³ Few have captured the nuances with Rev's skill, and Western literature generally echoes the approach of Padraic Kenney in *Burdens of Freedom*:

In 1989, most would have expected that Poles, Czechs, and Hungarians would spend their time polishing monuments of old, proclaiming their ancient heritage and mugging those who disagreed. Instead the problems of WWII, the communist era, and 1989 itself have become important elements of national and international politics. History in every sense, is far from over here, and there are lessons for other nations in Europe and beyond.²³⁴

Somewhat more helpfully, the historian-of-emotions Maruška Svašek claims that 'it is common practice for nationalist politicians to select and incorporate particular historical narratives and emotional memories into their political discourse as a rhetorical device to evoke and strengthen nationalist sentiments.'²³⁵ This image of East Europeans clinging madly to old myths and holding irrational grudges that are exploited by cynical career-politicians on the Right is common in the Western press²³⁶; and Poland's illiberal turn in 2015 had a lot of public intellectuals pointing to the paradox of an anti systemic movement emerging amid high growth rates. Slavoj Žižek asked: "In the last 25 years there was a genuine economic success. Why then this crazy national-religious twist?"²³⁷ In a similar vein, the American historian Brian Porter-Szucs lamented that 'Europe had lost its Polish anchor' and pondered the paradox that victorious PiS successfully married progressive social policy to anti-communist sabre-rattling.²³⁸ For Žižek the Polish case was not just baffling but world-historic. The victory of PiS, he said, had finally laid to rest the neoliberal thesis on the end of history by dispelling the shaky syllogism that bustling capitalism always breeds stable democracy. His assumptions (that the *genuine* economic success was an obstacle to the national-religious twist, that the national-religious twist was *crazy*) were reproduced and elaborated on the pages of New York Review of Books in August 2018 with Timothy Garton Ash's *Jesus Rex Poloniae*. Ash thought that the paradox could be resolved by considering the intersection of religion and politics. Indeed, in 2018 Christian values were the ground for PiS' obstinacy in their staring-contest with the EU over the judicial reform. For example, consider how the sociologist / EP deputy Zdzisław Krasnodebski laid out the

²³³ Rev, Istvan. *Retroactive Justice*. (Stanford: Stanford U press, 2005), John Connelly "Memorial Day's A reason To Buy a Beachbag; Reflections from The USA on Istvan Rev's *Retroactive Justice*" in *East Central Europe* 36 (2009) 281–295.

²³⁴ Kenney, Padraic. *Burdens of Freedom* (Zed Books, 2006) p. 165

²³⁵ Maruška Svašek "Introduction" in *Postsocialism: Politics and Emotions in Central and Eastern Europe*. (New York : Berghahn Books, 2006) p. 16.

²³⁶ Jo Harper, "Introduction" in Jo Harper ed. *Poland's Memory Wars: Essays on Illiberalism* (Budapest: CEU, 2017) p. 46.

²³⁷ 1 Slavoj Žižek for Red Zone (RFE/RL and GPB) 2016. <http://www.radiotavisupleba.ge/a/citeli-zona-slavoi-zhizheki/27849242.html>

²³⁸ Porter-Szucs, Brian. "Europe has Lost its Polish Anchor" at <https://theconversation.com/europe-has-lost-its-polish-anchor-53691>

terrain of the conflict in January: “It is unclear to me how the ongoing state of exception in France and the fact that German judges can be members of political parties is in line with “European values.” In reality, Poland – which identifies with Christianity, civic patriotism, and the community of national values – also defends European values in their traditional form, so perhaps we should ask the European Commission to check if those values are not being undermined in the so-called liberal democracies.”²³⁹ This line of argument was common for illiberal-democratic ideologues; the Hungarian minister of state for EU relations advanced a similar thesis in September: “Hungary’s Christian-democratic government has listened to its electorate. We represent democracy, the rule of law and liberty of thought — a real democracy, not a democracy of illusions. As the Bible tells us, a solid house has to be built on solid values and beliefs.”²⁴⁰ Ash began his analysis with anecdotes about a rural Polish woman, a Far-Right priest and their paranoia about all kinds of foreign conspiracies. Next came a ‘list of ingredients’ (this is the author’s own metaphor) for a phenomenon called populism that he likens to a ‘political sickness spreading across the West.’ The list included a project to dismantle liberal democracy, links to interwar fascism, a discourse that mobilizes the rural masses against urban elites, an aggressive politics of memory and a law crowning Jesus Christ the King of Poland. The point of the article was to establish the link between Christianity and populism. There is a quote from Kaczyński saying ‘*Vox Populi, Vox Dei*’ and Ash calls it ‘Polish populism in a Latin nutshell.’ Next comes the assertion that ‘an ultra-nationalistic anti-Semitic Poland *does* exist.’ Ash announced that he would not be mistaking the anti-Semitic part for the Polish whole, so the reader can settle in and believe in the author’s objectivity. The central point of the analysis seems to lie in the section on memory politics, where Ash discusses the infamous Holocaust law from February 2018 and explains to the readers a mindset that makes Poles react so emotionally when their dark history is brought up: “Being victims of history themselves —remember the nineteenth-century romantic self-image of Poland as the “Christ among nations”—how could Poles possibly also have been victimizers?” Here he basically restated Marci Shore’s analysis from *Poland Digs Itself A Memory Hole* in the New York Times:

The rejection of the universal — the insistence on Polish exceptionalism — is at the heart of Poland’s “historical policy,” which aims to control the narrative of the 20th century in such a way as to glorify and exonerate Poles. The underlying principles are simple: a trope of Christ-like martyrdom; a Manichaeian division between innocence and guilt, and an assurance that everything bad came from outside. (...) Historical policy — like nationalism more broadly, in Poland as elsewhere — serves as an evasion of responsibility, an attempt at psychic consolation through the exporting of guilt, a desire to find a safe place in the world.²⁴¹

David Ost had a similar account in the edited volume *Poland’s Memory Wars*:

²³⁹ Krasnodębski, Zdzisław. “Déjà vu” in *Do Rzeczy* January 2018

²⁴⁰ Vargas, Judit. “EU’s Hungarian Witchhunt” in *Politico* September 2018.
<https://www.politico.eu/article/eu-hungary-sanctions-witchhunt-budapest-viktor-orban/>

²⁴¹ Marci Shore, . “Poland digs itself a Memory Hole” in *New York Times* February 2018.
<https://www.nytimes.com/2018/02/04/opinion/poland-holocaust-law-justice-government.html>

The Polish Pope John Paul II consistently spoke of undermining the culture of consumerism and individualism allegedly rampant in Europe and being promoted, as neoliberalism, to the world. The Polish right takes this seriously. Its more messianic representatives— and there are plenty of these—hark back to old Polish conceits of being the West’s fount of morality, its conscience, for which it has always paid a price. In this view, it is the very suffering of Poland, its victimization at the hands of stronger neighbors, which makes it uniquely qualified to redeem the West.²⁴²

The common thread between Zizek, Ash, Shore, and Ost is they try to solve the Polish paradox by taking a psychoanalytic approach. If the economy is good, then there must be some irrational, emotional, or metaphysical basis behind the success of PiS, which is widely called a ‘populist’ party.

From Psychoanalyzing Populism to Tracing Political Articulation

The psychoanalytic approach is connected to a class reductionism; PiS ostensibly mobilize ‘losers of the transition’ - the old, the rural, the un- or under-employed, the uneducated - who are particularly prone to emotional manipulation and populism.²⁴³ This chapter departs from that model for a couple of reasons. It seems to me that the model is too easily subsumed into the ideology of actors decried as ‘populists.’ If populists mobilize people against unresponsive elites, and the response of elites is to assign the people’s demands to the realm of the irrational, then the populist position is fortified. Concretely, ideologues allied to PiS call the psychoanalytic approach a ‘pedagogy of shame’ that Polish comprador elites use to discipline backward locals on behalf of French and German Capital.²⁴⁴ And indeed, the only effect stemming from the deluge of ‘diagnoses’ from the Western press and academy since PiS’ first victory was that its base grew by 5 million in the 2019 parliamentary election. Furthermore, the ‘losers of transition’ framework has nothing to say about the central question in this chapter: why IPN’s cadres (urban intelligentsias and hardly ‘losers’) eagerly jettisoned the German-style moderate anticommunist discourse of the early 2000s and became a mouthpiece for PiS’ brand of memory-politics. Finally, the psychoanalytic approach is belied by electoral data. When Ost penned his 2005 *The Defeat of Solidarity: Anger and Politics in Postcommunist Europe*, that kind of analysis had some backing in statistics. But the electoral map for Duda and Kaczyński’s first victory shows eastern and southern districts - by far the biggest recipients of EU structural funds and FDI - to have been the PiS strongholds. They dominate rural districts indeed but have a growing share of urban votes. The metropoli (over 500, 000 pop.) back PO, but PiS commands a not insignificant 27% of the vote here. More crucially, (51-200,000 pop.) and small (up to 50,000) cities (where most

²⁴²David Ost, . *Authoritarian Drive in Poland* in Jo Harper ed. *Poland’s Memory Wars*. p. 60.

²⁴³Jo. Harper, *Never Mind The Boleks!* in *Poland’s Memory Wars* p. 25

²⁴⁴Rafal Ziemkiewicz, . *Niezbuntowany Cham*

of the Polish urban population actually lives) pivoted toward PiS in 2015 and more decisively in 2019, when they won a plurality (38%).²⁴⁵ For Warsaw University's 'political marketing specialist' Norbert Maliszewski, the high performance of Kaczyński's party was predicated on this pivot by medium cities. It is also a paradoxical coalition of youth (18-29) with pensioners over 60, of farmers with service / administrative workers and the unemployed. Hence, what demands explanation is the forging of a novel transgenerational urban-rural farmer-worker alliance that produced the first parliamentary supermajority in the history of Polish democracy.²⁴⁶

A different approach is needed. Journalist Grzegorz Konat offered the beginning of an alternative class-analysis of the PiS coalition: "they represent one part of the bourgeoisie in conflict with another, which only instrumentally uses the broad masses, frustrated by decades of misery and contempt on the part of the dominant. Despite apparent overlaps between the working class and PiS's own petty-bourgeois social-base, in fact its "social" face stands far from anything approaching left-wing or pro-"people" policies." Konat's idea is that PiS' narrative of the betrayed transition allows entrepreneurs to square their faith in the market with the reality of their immiseration and low performance in competition with foreign firms. He continues: "PiS does not win elections (and especially does not win over 8 million votes) solely on the basis of its petty-bourgeois base — it does this with the support from a part of a disoriented working class. The fluidity between Poland's petty bourgeoisie and the working class obviously favors this confusion."²⁴⁷ What he means by fluidity is that small business owners tend to have a similar standard of living to wage-earners. This fails to account for why the redistributive turn in PiS' social policy circa 2015 did not lose them the loyalty of the fiercely anti-communist pensioners. Furthermore, if we insist that the working class is disoriented, then how can we account for their strategic voting behaviour in any meaningful way? Granted, Konat has recognized two crucial aspects of the puzzle: that Poland's lauded status as "Europe's growth champion" does not mean the place is void of economically driven social conflict; and that PiS found a way to form an unprecedented coalition between previously hostile social strata. The neo-Gramscian tradition of political sociology is concerned precisely with explaining how such coalitions form.

The Sardinian political philosopher Antonio Gramsci employed the notion of hegemony to designate a form of rule peculiar to democratic capitalism. This was in distinction to earlier leftwing theorists of hegemony (mostly from Russia and the Soviet Union) who used the term to demarcate the leading role of the working class in struggles for socialism. The context of Gramsci's thought was late-nineteenth and early twentieth century Italy, where relatively belated capitalist development contended with underdeveloped liberalism, a glaring division between North and South, huge peasant populations, and entrenched Catholic social power. This context had much in common with post-communist

²⁴⁵Mirosława Grabowska --, et al. *Wybory 2015 W Badaniach CBOS*. Warszawa: CBOS - Centrum Badań Opinii Społecznej, 2015. Norbert Maliszewski,

²⁴⁶Michał Danielewski "Wybory 2015. PiS zwycięstwo totalne: wygrał wśród młodych, starych, na wsi i w wielkich miastach [DANE, INFOGRAFIKI]" in *Gazeta Wyborcza* 25.10.2015 <https://wyborcza.pl/7,75398,19087125,wybory-2015-pis-zwyciestwo-totalne-wygral-wsrod-mlodych-starych.html>

²⁴⁷Grzegorz Konat, "How Poland's failed Transition fed the rise of the nationalist right." *Jacobin* 11.04.2019

Central Europe where East-West divisions, resurgent religious authority, large rural and small-town populations, and embryonic liberalism complicated the establishment of a severely belated capitalist economy. Thus, many of Gramsci's original insights strike a chord with scholars of the post-1989 world. His concepts and their subsequent elaborations by neo-Gramscian political theorists like Chantal Mouffe and Ernesto Laclau, Micheal Burawoy, Dylan Riley, and Cihan Tugal furnish a vocabulary to formulate the explanations I set out to generate. As this chapter relies heavily on Gramscian and neo-Gramscian theory of hegemony to conceptualize the link between memory and democracy, I define the key axioms forthwith before delving into how they will structure the analysis.

The first relevant axiom in the neo-Gramscian theory is that democracy and hegemony are mutually constitutive. The originator stated it clearly in his *Eighth Notebook* written from 1930-32 in a passage glossed *Hegemony and democracy*:

Among the many meanings of democracy, the most concrete and realistic one, in my view, is that which can be brought into relief through the connection between democracy and the concept of hegemony. In the hegemonic system, there is democracy between the leading group and the groups that are led to the extent that the legislation favors the transition from the groups that are led to the leading group.²⁴⁸

In other words, democracies are societies where the law permits upward social mobility, and the political class is not an exclusive caste. This is not a particularly original idea on its own. But taken together with Gramsci's notes on hegemony, it enjoins us to think of democracy in a fluid and dynamic way as *societies where ideas and the intellectuals who produce them can create alliances between previously conflicting or indifferent groups of people. These alliances are the key to historical change as they drive transitions between leading groups and leading ideas.*

Hegemony is a form of rule based primarily on consent - the subordinate individual, class, or class fraction in a system of rule consents because they can rationally calculate that their own interests are being addressed by the rulers and the rules they make. What distinguishes the concept from Weber's similar notion of domination are the details. Hegemony is less like Weberian *herrschaft* (lordship in German; Weber used it to denote the capacity to give commands and the likelihood that they will be obeyed) and more like the leading position in an alliance - precisely as the ancient Greeks used the term *hegemon* to designate the senior city-state in the anti-Persian Hellenic League.

Two forms of hegemony are possible according to the various essays in Gramsci's Prison Notebooks; in *The Modern Prince*, he speaks of the possibility for cultural / political / organizational hegemony based on a ruling class/ class fraction / party's ability to take up the mantle of intellectual / moral leadership. Also, according to the *Notes on Italian History* and *Americanism and Fordism*, economic hegemony is possible where a fraction can claim that the satisfaction of its own economic interests serves a broader national interest in economic development. This is no straightforward dichotomy. In *The Modern Prince*, Gramsci discusses what he believes is the key to successful political reform:

²⁴⁸ Antonio Gramsci, *Prison Notebooks Edited and Translated by Joseph A. Buttigieg Vol III* (New York: Columbia University Press, 2007) p. 345.

Can there be cultural reform, and can the position of the depressed strata of society be improved culturally, without a previous economic reform and a change in their position in the social and economic fields? Intellectual and moral reform has to be linked with a programme of economic reform—indeed the programme of economic reform is precisely the concrete form in which every intellectual and moral reform presents itself.²⁴⁹

Thus, any hegemonic project needs to combine cultural (moral/intellectual) and economic claims to effective leadership. In 1985, Laclau and Mouffe elaborated this idea by introducing a discourse-theoretical definition; for them hegemony equalled the capacity to build alliances between social groups (whether they be classes, ethnic, sexual, environmental or other interest-based substrata) by discursively combining the previously disparate demands or interests of various groups into a common demand or project. They call this the ‘practice of articulation’ and their reconstruction of Gramsci for the era of the New Social Movements privileged cultural hegemony, as they believed economic interests had to be understood *through* discursively produced cultural values.²⁵⁰

Cihan Tugal, Cedric De Leon, and Manali Desai developed the concept further by introducing the term ‘political articulation’ to designate “the process by which parties suture together coherent blocs and cleavages from a disparate set of constituencies and individuals, who, even by virtue of sharing circumstances, may not necessarily share the same political identity.” Integral parties (the ones who have the capacity for political articulation) are distinguished from traditional parties in that they rally constituents behind a project to transform society rather than questions of management. They can avail themselves of various ‘means of articulation:’ “rhetoric; public policy (...) co-optation, the provision of social services and infrastructure (as in patronage or public policy works projects); constitutional rules (for example, granting or changing voting, linguistic, worship, broadcasting and other rights, or the structure of representation) (...) and electoral mobilization, including the recruitment (and possibly transformation) of powerful civil society organizations.”²⁵¹

This axiom in the theory of hegemony (that it depends on a combination of moral/intellectual and economic projects) has major relevance to the analysis of politics in post-communist capitalism. 1989 was understood as a rupture in the hollow hyper-rational ideology used by unscrupulous Leninist parties and an opportunity to bring morality back into public life. Consequently, appeals to moral renewal (and Historical Truth) inundated the political field. History, however, shows that lasting hegemony was won only by those actors who could back up moral posturing with concrete economic transformation that at least appeared to correct the injustices wrought by communism. For example, Putin backed up his claim to restore the moral fibre of the Russian economy with selective criminalization of oligarchs. Thus, he could appear as a ‘people’s Tsar’ who tamed the excesses of gangster-capitalists. Viktor Orban used political economic mechanisms (regulating the sale of tobacco

²⁴⁹ Antonio Gramsci, “The Modern Prince” in *Selections from the Prison Notebooks*, ed. Quentin Hoare and Geoffrey Nowell Smith. (New York: International Publishers, 1971), pp. 132-133.

²⁵⁰ Ernesto Laclau, *On Populist Reason* (London: Verso, 2005) pp.1-20

²⁵¹ Cedric De Leon, Manali Desai, and Cihan Tugal Eds. *Building Blocs: How Parties Organize Society* (Stanford: Stanford University Press, 2015) pp. 2-10.

and closing foreign-owned retailers on Sundays) to generate a ‘new bourgeoisie’ loyal to himself behind the claim to moral renewal of the Hungarian nation. Jarosław Kaczyński followed his moral crusade against the postcommunists by taxing foreign bankers and using the revenue to fund social welfare transfers. These are the postcommunist leaders who have managed to achieve a seemingly adamant hegemony in the region, commanding supermajorities in the legislatures and growing their electorate even after accusations that they are a threat to democracy.

As for the rest, the failure to make economic reform the concrete expression of moral and intellectual reform resulted in weak or short lived hegemony. Lech Kaczyński focussed squarely on moral reform while sticking to second-wave neoliberal formulas and under his leadership, PiS only ruled Poland from 2005 to 2007 and then only in unstable coalition with far-right formations,. In Czechia, Vaclav Klaus’ reforms satisfied the Gramscian formula briefly. Neoliberal privatization was supposed to be the concrete expression of a return to the precommunist Czech moral-intellectual values of enterprise , industriousness, and ingenuity. As long as this Czech Thatcherism delivered enough growth, Klaus’ hegemony was secure. But the moral dimension collapsed when his friends were caught hiding profits from auctioning off state enterprises to foreigners. He fell several years *prior* to the EuroCrisis that finally slowed down Czechia’s growth. Likewise, the Polish Civic Platform government was defeated by PiS in a time of growing prosperity because their corruption scandals and failure to honor the dead of Smolensk undercut their moral image. Conversely, early postcommunist liberal governments (ie. Mazowiecki, Havel, Antal) with impeccable moral credentials fell quickly when privatization failed to deliver social levelling. Thus, moral posturing has not yielded hegemony without material benefits backing it up, and material benefits have not been enough to mitigate moral scandal. The historical analysis of any major project to transform society morally, politically, or economically in post-communist capitalism should therefore take the Gramscian formula as a starting point. How did PiS build a formidable capacity for *political articulation of urban precariats with rural pensioners* after 2010? Why and how was memory policy effective at cementing this coalition? What is the role of IPN in PiS’ articulation project?

In the coda to *Building Blocs*, the American sociologist Dylan Riley explains that the capacity for political articulation has its basis in hegemony. He distinguishes between two types of hegemony theorized by Antonio Gramsci. There is cultural / political / organizational hegemony based on a class/ class fraction / party’s ability to take up the mantle of intellectual / moral leadership. Also, economic hegemony is possible where a fraction can claim that the satisfaction of its own economic interests serves a broader national interest in economic development.²⁵² It is well established that since the annihilation of the Polish ex-communist left in 2004,²⁵³ the political field was dominated by two splinters of the post-Solidarity AWS: neoliberal PO and neoconservative PiS. The competition was ultimately between the two forms of hegemony drawn out by Riley - with PO representing economic hegemony and PiS representing cultural hegemony. In Chapter 2, I discussed how two contingent events - the crash of Tu-157 at Smolensk in 2010 and the discovery of the remains of ‘unwavering soldiers’ by IPN in 2012 strengthened the incipient

²⁵² Building Blocs, 179.

²⁵³ Harper, Jo. *Never Mind The Boleks! in Poland’s Memory Wars* p. 25

cultural hegemony of PiS while an underlying ‘quiet crisis of capitalism’ eroded PO’s economic hegemony. In the following years, PiS managed to reinvent themselves – to jettison their alliance to the unstable far-right coalition of 2005-2007, abandon neoliberal dogma, and embrace a redistributive social policy without risking the fallout of being branded a neo-communist party. Their alliance with IPN enabled a balancing act analogous to the one performed by Lyndon B Johnson who had to be tough on communism abroad to implement the Great Society at home. IPN’s memory policy imbued PiS with enough anticommunist legitimacy to move toward a social democratic formula and retain the loyalty of pensioners who remember state socialism’s economy of scarcity, precarious workers, and entrepreneurs eager to bolster their competitiveness.

A crucial question remains, namely: why did IPN maintain its informal alliance with PiS after the death of Kurtyka? To understand this, one needs to understand the *schema* defining the social role of historians in Poland. The BStU *schema* of *Aufarbeitung* limits historians to the role of helping society deal with painful memories. USTR historians are also largely depoliticized, preferring to see their discipline as a positivistic critical social science. Early IPN had a similar approach. In their annual report for 2003, they wrote: “A democratic political culture requires mechanisms that strengthen citizens' trust in each other, individuals who are inclined and capable of responsibly and enduringly supporting and defending values such as justice, respect for the law, and respect for public institutions. The Institute of National Remembrance serves and will continue to serve these values.”²⁵⁴ A notable shift in their self-perceived role in upholding democracy could already be seen in the 2007 report:

We remember the struggles of all Poles who, during the period of communist rule, sought to establish a democratic Polish state in which power, as a representative of the sovereign Nation, safeguards the observance of law, justice, and civic freedoms. Cultivating this memory, similar to documenting the fates of all citizens of the Republic during the dramatic years of World War II, remains the most important task of the Institute of National Remembrance.²⁵⁵

Since Kurtyka’s term as president, IPN historians increasingly saw themselves as organic intellectuals leading emancipatory struggles. The idea that writing Polish history, mostly a story of fighting foreign domination, is part of continuing that fight and that historians are expected to illuminate the sacrifices of the dead so the living can make good on that sacrifice can be traced back to the birth of the discipline in the nineteenth century. Cultural critics dubbed this constellation of ideas ‘romantic messianism.’

In fact, the painter and art theorist Tomasz Kozak noticed that Romantic Messianism enjoyed a rebirth in many domains of public life in the aftermath of the Smolensk crash. Back in 2006, Kozak had produced a found-footage film montage called *Luciferian Lesson*.²⁵⁶ The main motif of the piece was a fragment of the 1962 children’s film

²⁵⁴ Instytut Pamięci Narodowej 2003, *Informacja o działalności Instytutu Pamięci Narodowej w okresie 1 lipca 2002r. – 30 czerwca 2003r.* (Warsaw: IPN, November 2003) p. 20.

²⁵⁵ Instytut Pamięci Narodowej 2007, *Informacja o działalności Instytutu Pamięci Narodowej w okresie 1 stycznia 2007 - 31 grudnia 2007* (Warsaw: IPN, November 2007) p. 12.

²⁵⁶ Tomasz Kozak, *Lekcja Lucyferyczna* {audiovideo}

<https://artmuseum.pl/pl/filmoteka/praca/kozak-tomasz-lekcja-lucyferyczna>

'Two Boys who Stole the Moon' which starred two child actors named Lech and Jarosław Kaczyński. It was their first public appearance. Kozak manipulated fragments of the film to produce a fantasy scenario summarizing their life and eerily foretelling Lech's death. First, the boys are lost in a field. Lech says 'let's go left!' and they go left for a little while. This move represents the first phase of the Kaczyńskis' public life as activists in *Solidarity*. Then Jaroslaw yells 'Let's go right!' and they go right, signifying the foundation of PiS in 2001. They proceed to mount giant storks and start flying. Finally both boys are knocked out of the sky by thunder and fall to their deaths. What follows is a rebirth of the Polish soul as a 'Luciferian Christ' who embodies freedom and self-knowledge. Four years later, Kozak turned out a half-prophet when Lech Kaczyński did in reality fall out of the sky to his death in Smolensk. Polish identity was reconfigured in reality but not quite how he had imagined.

Kozak claimed that the Smolensk catastrophe was a late-modern Event (in the sense that it was observed with television voyeuristically from the safety of the home) that was viewed by the public through a 19th century frame – the frame established by the cultural movement called Romantic Messianism.²⁵⁷ As such, he said, the discussion of the catastrophe became a catastrophe in itself: the first five days were marked by dignified mourning and restraint on all sides – and then the decision was made to bury the Kaczyńskis in the antechamber to Marshall Pilsudski's resting place in the Crypt of the Silver Bells under the Wawel Cathedral. At this point, the discourse polarized radically and the name of Lech Kaczyński took on a new life as a link between all past emancipatory struggles and PiS' fight against the post-communists. Kozak's aesthetic theory of the burial as Event was not pure provocation. It has great explanatory potential, and in what follows I try to flesh it out with a brief intellectual/cultural history of the messianic 'frame'.

Pregnant Death: The Birth of Romantic Messianism In Burial

The Crypts under the Wawel Cathedral where the Kaczyńskis lie house a constellation of memories and concepts that make up the gravitational center of the Polish symbolic universe. It is the resting place of the kings, the archbishops, and the national poets. But to understand the deep significance of this space for the public sphere, it is necessary to rewind to 1814, when the first controversial burial took place.

The Congress of Vienna transformed the Napoleonic satellite called the Grand Duchy of Warsaw into the Congress Kingdom of Poland ruled by the Tsar Aleksander I. He bargained hard for the title with the French, British, and Austrians in Vienna, but he also needed to perform his kingship in front of the Poles in Krakow. The first performance was a clumsy and dangerous dance with the dead. Aleksander's first gesture was to let He allowed the legions who had fought for Napoleon to return home with honor; that is, with their standards, weapons and the remains of their dead commander-in-chief, Prince Józef Poniatowski in tow. Poniatowski was a Marshal of France and he drowned during the Battle of The Nations in 1813. For over a year, the corpse remained in limbo in the Augustinian Brethren's cellar in Leipzig. The Poniatowski family's appeals for the remains' release were

²⁵⁷ Kozak, Tomasz. *Wytępic Te Wszystkie Bestie? Rozmowy i Eseje*. (Warsaw: Kronos, 2010)

refused by the Tsar, who had greater plans for them.²⁵⁸ Germane here are the anthropologist Robert Hertz's insights on the intermediary period between death and the burial of royalty:

As long as the temporary burial of the corpse lasts, the deceased continues to belong more or less exclusively to the world he has just left(...)During the whole of this period the deceased is looked upon as having not yet completely ended his earthly existence(...) his successor cannot be named until the corpse has had its final burial; for until that burial the deceased is not truly dead, he is simply 'asleep in his own house'²⁵⁹

Aleksander wanted to end Poniatowski's earthly existence with very precise timing. The burial should have been intended to be a prelude to his (Aleksander's) coronation and a covenant with his subjects-to-be. It should have been made clear that Poland was no longer Poniatowski's House. The dead Marshal was therefore kept in limbo until 1814, when Aleksander was sure the Congress would award him the Kingdom.

In the words of the historian Andrzej Kijowski, the Tsar 'had no intention simply to subjugate Poland; he wanted, but to take all of her, together with all her traditions and honor.'²⁶⁰ In Aleksander's own words to an Austrian deputy, 'treating the Poles as I do now, I will turn them into Russians and they will still think they are Polish.'²⁶¹ To give a Marshal of France an elaborate state funeral in his own domain would be at once an act of forgiveness and a reminder that Aleksander had buried the Revolution. As the Poles began their funeral march from Leipzig, Russian generals stationed in the Congress Kingdom attended mass dedicated to Poniatowski in the Cathedral of the Holy Cross in Warsaw. When the remains arrived, Aleksander charged his field-marshal Barclay De Tolly with organizing proceedings in the city. Russian battalions lined the outskirts and the Polish legions gathered within, firing salutes every thirty minutes from six in the morning. The coffin was covered with the purple coronation cloak of Stanisław August Poniatowski, the last king of the First Commonwealth and the Prince's ancestor. His old royal standard was also placed beside the catafalque, making clear the other subtext; this was also a funeral for Polish sovereignty. Kijowski draws on an 'eye-witness account' of the ceremonies to judge that the officially sanctioned cult of Poniatowski was saturated in 'propaganda comparable to that of the USSR.'²⁶² The prayers said over his body celebrated the mercy of the Tsar and the evil of Bonaparte. Particularly soaked in Tsarist rhetoric was the poet Kazimierz Brodzinski's elegy which had the Poles 'turn their hopes to the North, where it smiled to them from their new Master's womb.'²⁶³

²⁵⁸ Andrzej Kijowski (1979) "Krypta Sw. Leonarda" in Kijowski, Andrzej. *Rachunek Naszych Słabosci*. Warsaw: Oficyna Wydawnicza Volumen, 2009. pp. 150.

²⁵⁹ Hertz, Robert. (1907) *Death and The Right Hand*. Aberdeen : University Press, 1960. Trans. Rodney & Claudia Needham. pp. 36.

²⁶⁰ Kijowski, 152.

²⁶¹ Ibid.

²⁶² Ibid., 154.

²⁶³ Ibid., 155, 157.

Hertz proposed that the final burial ceremony's object is to 'free the living from the obligations of mourning.'²⁶⁴ The living in this case could not digest the final ceremony or accept the liberation from mourning. Even Adam Czartoryski, who had worked closely with Aleksander to consolidate the new order, marked the day of the mass in his diary with Poniatowski's supposed last words: "better to die with honor than live in shame."²⁶⁵ Four years later, the disturbed Czartoryski arranged for the Prince to be reburied. The coffin was transported to the holiest of holies in Poland; the Crypt of St. Leonard under Wawel (which now neighbors Kaczyński's crypt.) Hertz elaborated that during the final burial 'the living mark the end of one period and the beginning of another; they abolish a sinister past and give the deceased a new and glorified body with which to enter worthily the company of his ancestors.'²⁶⁶ In discussing the reburial of Imre Nagy in 1989, Istvan Rev built on Hertz and suggested that the living feel a duty to properly reclaim and integrate the dead as a dead member of society.²⁶⁷ In his mercy, the Tsar had integrated Poniatowski as a dead member of his empire. The Prince's surviving officers and their poet friends could not countenance this. By moving his remains to Krakow they hoped to reclaim him as a member of the Polish nation. An unofficial cult of Poniatowski emerged in forbidden poetry, transforming his career of incessant blunder and eventual suicide into an epic of valor and martyrdom. Kijowski remarks that in this cult 'was born the stereotype of the Polish tragic hero whose love for Fatherland leads him into error and eventual annihilation by geopolitics. Therein was also born the traditional opposition between honor and reason, idealism and realism.'²⁶⁸

In 1818 the globetrotting revolutionary Tadeusz Kosciuszko died in Switzerland and the Tsar immediately arranged for his body to be interred at the Crypt of St. Leonard. His appointed speaker for the ceremony was the priest Lancucki. After thanking God for putting Aleksander on the sacred throne of the Jagiellons, he reintegrated Kosciuszko into imperial society:

Kosciuszko embraced the throne of the Monarch, the awakener of the Polish nation; he laid at his feet the whole weight of the tragedy and orphaning of the Fatherland. He trusted the Monarch that under his sceptre she would be happy, and as if no longer in need of life, passed into eternity on October 15.²⁶⁹

In 1814 Kosciuszko famously refused to cooperate with the Tsar, even though Aleksander had invited him to Vienna with Czartoryski. For the empire to claim the leader of the first Polish revolt against Russia (1794) as a sympathizer was a barefaced lie and the inspiration for another hero-cult. This burial had given neither the dead nor the living any peace. The officers of the new, more repressive Tsar Nicholas's Polish Army in Warsaw

²⁶⁴ Hertz, 54

²⁶⁵ Kijowski, 154.

²⁶⁶ Hertz, 55.

²⁶⁷ Rev, 34.

²⁶⁸ Kijowski, 161.

²⁶⁹ Ibid., 162.

began to conspire,²⁷⁰ and at their meetings they swore secrecy on a crucifix and Kosciuszko's portrait. When no crucifixes were available the portrait sufficed. His myth was a combination of Christ and Cincinnatus. The soldiers spoke of Kosciuszko the peaceful farmer who only went to war when it was unavoidable and who also inspired Revolutionary soldiers to great virtue and fortitude with miracles and a saintly lifestyle.

In November 1830, the Polish Congress Kingdom's officer corps began an insurrection against their suzerain Grand Duke Constantine (Tsar Nicholas I's cousin) with the idea of thwarting a Russo-Prussian grand strategy to invade France and unseat the July Monarchy. This original Warsaw Uprising was crushed and ultimately led to the dismantling of the last vestiges of Polish autonomy in the Empire. Warsaw University was closed and the Congress Kingdom's military and cultural elites exiled to the West. In the émigrés' imagination, their sacrifice in the struggle against Russia had saved the French Revolution. But that revolution was incomplete in their eyes – instead of overturning the social order, it had simply installed the bourgeois-monarch Louis Phillippe with his cabal of crony-capitalists. Marx had yet to announce the industrial proletariat as the revolutionary subject, so the vanquished were debating how to win the loyalty of the peasants (who had not risen in 1830) in the next uprising. Some proposed emancipation, others full agrarian-socialism based on the designs of Fourier. Among the latter were a revolutionary cell of Polish exiles called the London Commune. They announced their design for such a future revolt in an 1834 manifesto:

The French revolution at the end of last century was the John the Baptist of the new faith and till now the Christ has not appeared (...) This Christ will not be an individual man but some great nation which, having assimilated everything truly good in the achievements of all its predecessors, and having created from this an ordered whole, will bring humanity to a new social faith. Why should Slavdom not be this Christ of the New Faith?²⁷¹

The Christ-metaphor had a double-layered function. On the surface there was the trope of martyrdom; Christ's Passion represented Poland's destruction by Russia and her sacrifice in the name of the wider European Revolution. On a second level, it was important that the coming Revolution usher in 'a new social faith' based on the socio-political gesture attributed to Jesus of Nazareth in Matthew 11:28 – "Come to Me, All you who are weary and heavy burdened and I will give you rest." One may hazard the thesis that the truly distinguishing gesture of Christianity is this moment of articulating universality. Poland and by extension Slavdom were supposed to universalize the revolution by bringing its promise to the peasants and workers, whereas the French episode had only instituted the domination of the bourgeoisie.

The Christ metaphor synthesized the soldier's myths with Giuseppe Mazzini's notion of the social mission of nations. But to the vanquished Poles, the messianic-populist project seemed philosophically unthinkable. To be precise, the intellectual elites of the exile

²⁷⁰ Porter Szucs, 24.

²⁷¹ 'Gmina Londyńska Emigrantów Polskich do Emigracji Polskiej,' 6 Sept. 1834, GLP, pt 4, no. 4. For context see: Brock, Peter. *Polish Revolutionary Populism: A study in Agrarian Socialist Thought from 1830 to 1850*. (Toronto and Buffalo: University of Toronto Press, 1977) p. 17.

community in Paris and London were ‘stuck’ on German Idealism. The recently deceased GWF Hegel had concluded that the ‘Owl of Minerva takes flight at dusk’ by which he meant that one could only grasp a social totality at the moment of its twilight. In other words, once a philosopher or a revolutionary had grasped the dynamics of a social or political system well enough to conceive its undoing, that system would have already changed on its own. So due to the limits of Reason and the flow of Historical Time, the rapidly crystallizing power of the absolutist states was irreversible. For the revolutionary strategists of stateless Poland, the idea that the State was the March of God in the World meant that the Christ of Nations would be stillborn at every attempt to bring him into the world, and 1830 had confirmed it.

The Youngest Old Hegelian

But the populists’ hope was reawakened in 1836 by a brilliant and scandalous treatise called *Prolegomena Zur Historiosophie*. Its author was the Poznanian count August von Cieszkowski who arrived at the University of Berlin to study philosophy just after Hegel’s death. Cieszkowski had participated in the November blunder in Warsaw, but remained committed to the national cause. He could not reconcile this commitment with the overdetermined and fatalistic system of Hegel, and so set out to revise the system itself. In the *Prolegomena*, Cieszkowski drew out tensions between Hegel’s *Phenomenology of Spirit* and *The Philosophy of History* to conclude that History was not the autonomous unfolding of an Absolute Idea or Spirit, but rather the aggregation of conscious human action – what he called Die Tat or ‘the deed.’²⁷² Produced when the count was only 26, *Prolegomena* earned him the sobriquet ‘The Youngest Old Hegelian’ in Berlin and in Paris, and the nascent community of Polish émigré poets took it up as a manifesto of Romanticism. They severely misunderstood it – Cieszkowski’s notion of ‘the deed’ was closely related to the theory of association produced by Claude Henri De Saint Simon and Charles Fourier. It was essentially an argument for Polish elites to turn to science, commerce, and philanthropy instead of armed rebellion. He suggested that ‘the deed’ would spread knowledge and dissolve class boundaries, pushing historical time into what he called the Organic Age, a Utopian future similar to the one imagined by Christ when he taught his disciples the Our Father. Von Cieszkowski died before he completed what he believed would be his real *chef d’oeuvre* called [Ojczyzna Nasza] ‘Our Father’ – a text that secularized the Lord’s Prayer and turned it into a set of grounded social demands. Instead of recognizing Von Cieszkowski’s nuanced theses on historical time, praxis, and dialectical Christianity, the re-energized Romantic poets led by the mystic Adam Mickiewicz (who coined the formulation Christ of Nations in his 1832 play *Dziady*) read it primarily as the victory of a Polish mind over German philosophy and a vindication of their own populist project. They interpreted the **deed to mean the heroic deed** - the idea that the Polish nation’s mission in the face of History was to sacrifice itself like Christ for the freedom of all the nations.²⁷³ The martyrdom of Christian soldiers like Kościuszko, not science or social transformation pushed Historical Time forward for *these* messianists.

²⁷² Andre Liebich, “Cieszkowski: Praxis and Messianism” in *Selected Writings of August Cieszkowski*. (Cambridge: Cambridge University Press, 1979) p. 8.

²⁷³ Andrzej Walicki “The Traditions of Polish Patriotism,” in Stanislaw Gomulka and Antony Polonsky, eds. *Polish Paradoxes* (1990) pp. 14.

The synthesis of Mickiewicz's hero-worshipping mysticism and Cieszkowski's associationism was Joachim Lelewel's militant historiography. Also a veteran of the November insurrection, and author of the Novembrists' slogan 'W Imię Boga, za waszą wolność i naszą'²⁷⁴ Lelewel produced monographs on medieval history, numismatics, and Spain. But his life's work was a synthetic history of Poland, in which he transposed the social content of the Christ of Nations thesis from Cieszkowski and the London Commune onto the past. He claimed the tradition of *gminowładztwo* - the strong position of village communes in medieval society - was the kernel of Poland's special understanding of absolute freedom. Russian *miry* and south-Slavic *zadrugas* were equivalent, so Slavs

in general knew freedom innately better than the State-worshipping Prussians and money-crazed Western Europeans. The project of his 15-volume *Polish History Explained in Common Language* was to remind the would-be leaders of a potential sequel to 1830 that empowering peasants was the only path to independence. For his biographer Marian Henryk Serejski, Polish romanticism had a particularly long resonance because Tsarism severely restricted the political organization of bourgeoisies who in turn used the ideology of Organic Work to accept their weakness and keep the growing proletariats from developing their own political organizations. Revolutionary strategy remained fixated on an alliance of downwardly mobile gentries and peasants. Stemming from this, national culture remained obsessed with the legend of Kosciuszko's peasant battalions and the exploits of Polish soldiers in the service of emancipatory struggles abroad - Kosciuszko in America, Poniatowski in the French Empire, and Bem in Hungary. Like them, Lelewel understood that the resurrection of Poland could be achieved only through a wholesale reconstruction of the international order that kept his nation off the map. So he committed himself to organizing on the international arena, founding the Democratic Society for Unity and Brotherhood of All Peoples with Marx and Engels in 1847. If the message for his Polish gentry audience was to empower the peasants, then his message for the international audience was that Poland represented something more Universal, and that its independence would signal a higher freedom for humanity. He viewed his historiography as an integral part of that struggle, as is clear from his 1841 text *Poland As She Resurrects*. Lelewel opened with a lament that his dead Novembrist comrades could never read it. But he continued:

“My idea cannot be separated from the youth and children of Poland nor from those who went to the grave together with the Fatherland, nor those who fell into captivity, nor those who are full of hope and expectation. This bond forged by my idea cannot be sundered by any human force. Hence as I sketch out the history of Poland since the fall of the Commonwealth, my story inevitably addresses the youth, the great hope of Poland as she resurrects. I don't know how but my story will burrow itself deeply into their hearts; into *your* hearts and souls, beloved children of suffering Poland! Listen!”²⁷⁵

²⁷⁴ 'In the name of God, for your freedom and ours.' It first appeared on a banner in Warsaw in January, 1831. It was originally imagined that it would announce an alliance between the Polish Novembrists and the Russian Decembrists.

²⁷⁵ Joachim Lelewel, *Polska Odradzająca Sie. 1843. p.3*

For Lelewel, the point of historiography was a direct interpellation of subjects as agents of History. Because Poland was stateless, chronicling the struggle for independence was not separate from its continuation. The historian's task therefore was to form bonds between the dead and the living and prevent the annihilation of the national idea. There is nothing uniquely Polish about this. What *is* particular to Poland is how the experiences of communism and post-communism preserved and revived the Romantic legacy.

20 Million Heroes; Communism and Messianism

Two years after the death of Lelewel, the January Insurrection awarded small-holdings to the peasantry. The insurrectionaries were crushed like the Novembrists, but the Tsar had no choice but to uphold the reform. Lelewel's concept of Polish messianism was preserved by his friend and collaborator Karl Marx, who reflected on the fate of the January Insurrection in 1867:

About thirty years ago a revolution broke out in France. It was an event unforeseen by the Providence of St Petersburg, which had just concluded a secret treaty with Charles X to improve the administration and geographic arrangement of Europe. As soon as the sad news arrived the Tsar Nicholas called together the officers of his guard and delivered to them a short warlike harangue, summing up with the words, 'To your horses, Gentlemen! (...) The Prussians were supposed to deploy their concentration on the Rhine, the Polish army to enter Prussia and the Muscovites to follow in the rear. But then, as Lafayette said in the Chamber of Deputies, 'the advance guard turned on the mass of the army' – the Warsaw Uprising saved Europe from a second anti-Jacobin war. (...) There is but one alternative for Europe. Either Asiatic barbarism, under Muscovite direction, will burst around its head like an avalanche, or else it must re-establish Poland, thus putting twenty million heroes between itself and Asia and gaining a breathing spell for the accomplishment of its social regeneration.²⁷⁶

In characteristic fashion, Marx laid out the material basis for Lelewel's idea of Polish universality, prefiguring a long marriage between romantic messianism and Polish socialism. The rebirth of Poland was enacted by the socialist revolutionary Pilsudski, who was raised in the Russian partition where Lelewel's histories were taught in secret. In his 2nd Commonwealth Lelewel entered the official curriculum.

After seizing power, The PZPR published Lelewel's collected works in 1952, and his 15-volume *Polish History Explained in Common Language* continued to be used as primary reading. The notion of primordial communal rule, the civilizational mission of slavdom, and the social role of historians survived within the strictures of dialectical materialism.

²⁷⁶ Karl Marx, (1867) *Poland's European Mission*. Speech delivered in London, probably to a meeting of the International's General Council and the Polish Workers Society on 22 January 1867, text published in *Le Socialisme*, 15 March 1908; *Odbudowa Polski* (Warsaw, 1910), pp 119-23; *Mysl Socjalistyczna*, May 1908. From Karl Marx and Frederick Engels, *The Russian Menace to Europe*, edited by Paul Blackstock and Bert Hoselitz, and published by George Allen and Unwin, London, 1953, pp 104-08. Scanned and prepared for the Marxist Internet Archive by Paul Flowers. Emphases added by me.

Simultaneously, the uniquely independent character of Polish universities under state-socialism provided some room on the stage for historians to play the role outlined by Lelewel more freely. It was performed with a quiet and unmovable resilience by Henryk Wereszycki and later with scandalous aplomb by Pawel Jasienica. The former was born Heinrich Vorzimmer and took his stage-name from a river in Ukraine where his battalion halted a Cossack charge during Budionny's offensive. In the 2nd Commonwealth, he wrote histories of the January Insurrection and England's stance on the Polish Question. After surviving the Nazi camps, he took positions at Wroclaw in 1947 and Krakow in 1956. With untouchable antifascist credentials, Wereszycki openly polemicized with the Party on how to properly interpret history. In 1960 he was eclipsed by a rising star of dissident historical interpretation named Jasienica. Born Leon Lech Beynar, he took his stage-name from a village in Lithuania where he hid after sustaining wounds in an engagement between the 1st Armored Division of the People's Army and the brigade of Lupaszko wherein he was an adjutant. In the series of essays *The Commonwealth of Both Nations* Jasienica embedded critiques of the Party-State into an analysis of the decline of the Polish monarchy while offering a synthetic history pitting 'privileged strata' against 'toiling masses' that inspired both workers and students in 1968. Michnik himself credited Jasienica with keeping the hopes of student activists alive in the period of underground organizing that led to the creation of Solidarity.

One such hopeful organizer was a young history graduate at the University of Warsaw named Janusz Kurtyka who was active in the Independent Student Association (NZS) from 1980 and dedicated underground research to recovering the memory of the anticommunist resistance Lelewel's imperative to use history to awaken youth to the struggle for Polish independence and the regeneration of Europe. 1989 vindicated him, and the Romantic schema survived, albeit with a new anticommunist inflection.

Kurtyka used his new freedom to study at CEU in Budapest. Later, he ran for public office on the ticket of the Catholic party Fatherland, and found little success. He returned to Krakow to try his hand at transitional justice. In charge of IPN's freshly opened Office For The Prosecution of Crimes Against The Polish Nation, Kurtyka opened 483 lustration cases and won three convictions. Notwithstanding, he rose to the director's office of the Krakow branch and tried to shape it according to the Lelewelian sense of mission. He sought to reach more youth by instituting high school teacher-training and swelling the budget of the civic education division, to whom he opened previously restricted archival fonds.²⁷⁷ He negotiated with the newspaper *Dziennik malopolski* to give his researchers a permanent column and make history speak to the public sphere. In interviews, he expressed his vision for the institute in grand messianic diatribes: "we are like Jews coming out of Egyptian captivity for forty years waiting for the death of a generation with slave-mentality. We will be brought into the Promised Land by leaders for whom freedom is self-evident and unfreedom is just a story"²⁷⁸

Pregnant Death Again: Toward the New Messianism

²⁷⁷Zoltan Dujisin, A history of post-communist remembrance: from memory politics to the emergence of a field of anticommunism. in *Theory and Society* (2020)

²⁷⁸ Antoni Dudek, *Instytut*.

What made Smolensk an Event was the reappearance of the martyr figure represented by Lech and Maria Kaczyński. Their death on the cursed soil where Katyń was committed,²⁷⁹ *en route* to celebrate the massacre in 1941 was so laden with symbolism that it seemed to rewind the cultural clock to the 1800s. The archbishop of Krakow announced that the Kaczyńskis were going to their rightful place among the nation's heroes. The philosophers Andrzej Rymkiewicz and Piotr Nowak penned a popular essay called *Wawelska Skala* in which they claimed 'With Lech Kaczyński, the last half century is joined with a symbolic arch through the dead of Katyń and the Warsaw Uprising to our great past. (...) In him and through him is drawn a new form of Polishness. It crosses its own boundaries, finds new shape and coherence. This is what we call an Event. It sublates the debates of the past and shows us new horizons of the future.'

As if to follow the script of the essay, the Katyń Museum in Warsaw added the frock of Archbishop Zdzisław Paszkowski, salvaged from Smolensk, to the front of their exhibit. At the back, there is a portrait of the Kaczyńskis and a full list of the crash victims. The Museum sits in a *lieu de memoire* of similar gravity to the Wawelian Crypts. It is located in Pavilion X of the Citadel, built in 1831 to jail and torture the Novembrists. According to the Museum's guides 'the culmination of Russian repression against Poland is in here.' They remind visitors of the fact that in the Communist period, dissidents were tortured and murdered in Pavilion X for telling the truth about Katyń. It was a space where the Soviets committed 'memoricide' to follow the attempted genocide. The Katyń Museum insists on comparing the victimhood of the Katyń families to the tragedy of Auschwitz-Birkenau and at the same time highlights the Jewish ancestry of leading Polish Communists. Lech Kaczyński is celebrated in this Museum as both a martyr murdered by a Russian-led conspiracy and a hero for his efforts to commemorate the Polish Resistance (in 2002 as mayor of Warsaw he opened and curated the Museum of the Warsaw Uprising.)

Also in the aftermath of Smolensk, Jasna Góra weaved a piece of the plane's wreckage into the Black Madonna.²⁸⁰ The Pauline Monastery in Częstochowa may be Poland's most important *lieu de memoire*, hosting about 100,000 Catholic pilgrims a year. In 1655, it withstood a Swedish siege (according to folklore, due to divine intervention) and the event became the centerpiece of the neo-Romantic novelist Henryk Sienkiewicz's *Trylogia* which in itself is a centerpiece of the national tradition. Like *Forefather's Eve*, *Trylogia* is compulsory high school reading. Everyone over 13 knows that Jasna Góra and its Black Madonna represent Poland's version of divine violence, or the ancient alliance between the Church and the Army in the fight against foreign tyranny. The treatment of Tu-147's wreckage as a relic in this tradition signaled a return to the Messianic mode of thinking about history. Smolensk was not understood as a contingent historical event, but immediately cast as the latest episode in a heroic struggle.

Kurtyka died at Smolensk with the Kaczyńskis, but this didn't signal the end of messianism in IPN. To the contrary, it was viewed by his successors in typical romantic messianic fashion as a sacrifice to History. Since the time of Kosciuszko and Lelewel, messianism demanded from the living a continuation of the struggles of the dead. As a way

²⁷⁹ An urn containing that soil has been resting in the Crypt of St. Leonard since 1990.

²⁸⁰ A medieval icon of the Virgin Mary and the Christ-Child on her arms that the local peasantry used to say had miraculous properties.

of being in time, messianism touches a very deep human concern with death; since we want our own projects and struggles not to go to waste when we die, it follows that we respect the unfinished business of the dead. Prior to his demise, Kurtyka was preparing a collection of theoretical essays called *From the History of Agony and Conquest* to outline his vision for expanding and popularizing research into the Excommunicated Soldiers. The title was a direct echo of the Excommunicated Soldier Pawel Jasienica's final essay *The History of Agony*. On the first anniversary of Kurtyka's death, IPN printed Kurtyka's final collection and the logic of messianism began to unfold in concentric circles. Key players on the board of directors took it upon themselves to continue Kurtyka's struggle; Jaroslaw Szarek, who would succeed Kurtyka, understood his own tenure through the messianic logic:

"(Kurtyka) was a courageous man with strong character. He did not know the word 'surrender,' and he regarded honor as a natural duty. He dreamed of an independent Poland in spirit, loyal and proud of its identity. He envisioned a strong, independent, and modern state built on truth and honesty, rewarding righteousness while condemning betrayal and villainy. The Third Polish Republic, preserving remnants of the communist years of captivity, was not the kind of state he accepted—thus, he never accepted it in such a form. He was concerned about the similarities with the Republic of the late 18th century, which he observed after 1989. Shortly before his death, he warned against Russian embassy interference in Polish affairs. He was aware of the enormity of the work leading to breaking free from enslaving internal and external dependencies that, after years of oppression, still limited society. In one of his last interviews, he said that he understood the actions of the Institute of National Remembrance 'as an attempt to awaken the nation to greatness by restoring its memory and rebuilding its identity.' He fulfilled this mission first as the director of the Krakow branch and then as the president of the Institute of National Remembrance. We must fulfill this mission to the end."²⁸¹

BEP took it upon themselves to continue the struggle of the Excommunicated soldiers by bringing their story to the public schools. When I interned at the Rzeszow branch in IPN, I was astonished PiS sought to continue the struggle of the Excommunicated by grafting the sacrifice of Lech onto their sacrifice and fulfil both by doing away at last with the post-communists in PO who they started accusing of organizing Lech's death.

IPN continued to be one of the most highly endowed public entities and history PhD candidates streamed into BEP to study the Excommunicated Soldiers and present their findings to high schoolers earning more than any stipend Jagiellonian or UW could offer. I volunteered there myself in 2013 and met many young historians finding great fulfillment from this expanded Lelewelian labor. Messianism makes for powerful ideology because it gives world-historic meaning to the mundane. Archivists, history teachers, and researchers at the beginning of their careers could see themselves as vanguards in a fight for the regeneration of Polish society after communism. That's the fight Kurtyka marshalled them to anyhow. What he failed to do as a prosecutor in the 90s became a culture-war waged by the BEP after his death. I remember attending a book-launch in Rzeszow for a graphic novel about the September

²⁸¹Cecylia Kuta, Jaroslaw Tęsiorowski, Cecylia Kuta. *OBUDZIĆ NARÓD DO WIELKOŚCI Wystąpienia Janusza Kurtyki przed Parlamentem RP 2005–2010* (Instytut Pamięci Narodowej – Komisja Ścigania Zbrodni przeciwko Narodowi Polskiemu 2019.) p. i

campaign and hearing people in their twenties talking about the necessity of recovering that history because ‘we are still yoked by the lies of communism.’

Thus, the romantic-messianic idea cemented an alliance between IPN historians and PiS. This alliance allowed PiS to transition to a social-democratic social policy while maintaining their identity as the champions of anticommunism. That transition, in turn, allowed them to mobilize a voting bloc including precariats and pensioners that gave them a supermajority in the Sejm and allowed them to erode liberal democracy.

The importance of the ideas governing the social role of historians is even more sharply apparent when we reflect on the differences between Polish and Czech patterns of memory politics and democratic decline. In the former case, there was a process of radical politicization of the NMI and a strong alliance with populism. In the latter, there was depoliticization and transformation into a research institute. In 2009, both institutes were controlled by directors that James Mark would term radical anti communists, namely Kurtyka and Zacek.

Zacek’s brand of memory politics took inspiration from Janusz Kurtyka’s IPN and tried to duplicate their project in Czechia. But the ‘illiberal turn’ that fanned the flames of Polish anticommunism made Zacek’s projects turn to ash in his mouth. The following section turns to the exceptionality of Czech post-communist memory politics. What can be said about Czech society and culture that accounts for the weakening of anticommunists in post-communist democracy? Where did the impulse to generate a history that transcends the horizon of experience and move past ‘primitive anticommunism’ come from? Why has the constructivist conception of history taken hold in the USTR and nowhere else? Why did the institute break with the German model, the European anticommunist/antitotalitarian consensus, and the Czech state’s mainstream memory-politics since 1989?

Ambivalence as Historical Emotion

It has been suggested that communism is remembered fondly by Czechs in comparison to their neighbours because the standard of living was high in the 80s. I do not accept this as an explanation. Nostalgia, one might say, is the East German historical emotion.²⁸² Poland on its part is inundated with *ressentiment*. But the specifically Czech disposition to the past is *ambivalence*. When I spoke to Matejka about USTR’s new concept, he told me “we are done playing catch-the-communists because, frankly, no one really cares here.”²⁸³ This wasn’t the first time I encountered this appraisal. Indeed in 2014, Matejka’s superior Zdeněk Hazdra spoke in the Senate that “our country desperately needs an institution that can break that general indifference to contemporary history.”²⁸⁴ In 2018, I travelled to Prague to observe the *Czechoslovak Century* festival. In the evenings, people I hung out with in the park would ask ‘why are you studying this? no one cares.’ In the summer

²⁸²Dominic Boyer, "Ostalgie and the Politics of the Future in Eastern Germany." *Public Culture* 2006; 18 (2): 361–381.

²⁸³ Personal Communication with Ondřej Matejka March 2020

²⁸⁴ Poslanecká sněmovna Parlamentu ČR: Přepis VSV ze dne 3. června 2014: „Aktuální situace v Ústavu pro studium totalitních režimů a jeho budoucnost” https://www.senat.cz/xqw/xervlet/pssenat/webNahled?id_doc=72837&id_var=61197 Accessed May 9th 2021

prior to the festival, Babiš faced a no-confidence vote in the Senate as he struggled to form his second government in coalition with the KSČM. The journalist Michal Chmela's summary of the proceedings was : "The opposition played its anti-communist hand and found out that, to their shock, no one cared."²⁸⁵ With that in mind I pressed Matejka to comment on why no one in the Czech Republic cares about history while everyone in Germany, Poland, Hungary, Ukraine and Russia seems to care a lot. His answer was that Czechia has much lower levels of social conflict than Poland because Klaus was 'almost a social democrat compared to Balcerowicz.' Moreover, he claimed there was an underappreciated historical continuity between late socialism and post-communism. The normalization period (1969-89) was based on an implicit deal between state and society: the state guarantees a minimum of material well being, and the people refrain from massive political projects or autonomous civil society formation. The deal was cemented by widespread distribution of smallholdings in the countryside for weekend houses. This produced a uniquely Czech kind of liberal subject: averse to grand political visions but tied to a tradition of heteronomous civil society in defense of his property. This seemed a trenchant and enlightening analysis, but I remained curious about the cultural roots of Matejka's own kind of ambivalence, in his wish to generate a history that transcends the horizon of experience in a society where apparently no one cares about history. For those roots, the historian must reach deeper - to the moment when 'invented traditions' ostensibly established a tight link between historical consciousness and national identity.

There is something exceptional about Czech intelligentsias, and historians especially. They have a tradition of ambivalence, or at least of suspicion toward metahistorical rationality (grand narratives) going back to the middle of the 19th century. This is no essential aspect of the national character. Very much to the contrary, it is the product of a highly self reflexive discursive shift in the schema describing the role of historians in society. If we imagine an intelligentsia as an object with continuity across time, we see that the Czech intelligentsia is constituted by an internal debate about its 'mission' vis-à-vis the nation that began very early compared to its neighbors. It seems like that the Czechs began deconstructing the very idea of mission a hundred years before anyone spoke of deconstructionism in Western Europe. In the time when Polish historians pursued a mission to resurrect the Christ of Nations and the German Bildungsbürgertum imagined themselves as agents of a universal Enlightenment, their Czech counterparts were reckoning with the reality that there was no code to crack in History, and History offered no clear guidelines for action in their present. As Milan Otahal noted, there was no underlying historical justification for Czech nationhood, it was a choice made by certain intellectuals in a time of German cultural supremacy²⁸⁶

Loss of Faith

One way to grasp the uniqueness of czech Czech intelligentsias' disposition is by plotting the divergent trajectories of the legacy of Hegelian philosophy of history in the Czech lands, Poland, and Germany in the *fin de siècle*. In the mid 19th century the German

²⁸⁵Michal Chmela, "A Spectre of Communism is Haunting the Czech Republic" *Political Critique* August 1, 2018 <http://politicalcritique.org/cee/czech-republic/2018/spectre-communism-czech-babis/>

²⁸⁶ Milan Otahal, "O české specific", in Milan Havelka ed. *Spor o Smysl Českých Dějin* (Torst, 1995)

Hegelian milieu at Berlin University saw a split between right and left Hegelians.²⁸⁷ On the right were those who took seriously Hegel's rumination that the Prussian state represented the culmination of History. On the left stood Moses Hess, Marx and his followers who took seriously the dialectical method outlined in the *Phenomenology* and culled new laws of historical development from it to speculate on the self-destruction of capitalism through the declining rate of profit and the rise of new social forces called classes that Hegel could not imagine. Nonetheless, the Hegelian legacy remained vibrant through the Biedermeier period into the Kaiserreich and beyond. Dialectical social knowledge, finds Boyer, continues to structure the thinking of German intellectuals from East and West.²⁸⁸ Meanwhile in Prussian Poland, the Graf August Von Cieszkowski reconstructed the *Geschichtsphilosophie* in a text called *Prolegomena Zur Historiosophie* wherein he proposed Hegel's triadic pattern of history was missing a fourth moment: the Organic Age. In the Organic Age, Cieszkowski predicted the Absolute State would give way to self-administered Associations dedicated to resolving class antagonisms, redistributing profit, and furthering scientific knowledge.²⁸⁹ His compatriot Joachim Lelewel found precursors to the Associations in premodern Slavic forms of communal organization - the Polish *gmina*, the Russian *mir*, and the south-Slav *zadruga* and speculated that the Slavs carried a historical mission to revive those forms and establish a Europe of Associations. The afterlives of Cieszkowski and Lelewel's vision were the ideology of Organic Work and Józef Piłsudski's socialism. In Austrian Bohemia, the historian František Palacký employed the Hegelian schema to propose that the kingdom's Czech speakers were bound up in a dialectical relation with German speakers. The latter were on a Historical path to the Absolute State while the former represented an innate disposition to self rule and primitive democracy. Their interactions in Bohemia were destined by History to unfold into a more perfect form of democratic life where Czech and German cultures could one day reach a synthesis. As evidence for primitive Slavic democracy, Palacký presented the medieval Queen's Court Manuscript discovered by the philologist Vaclav Hanka in 1817, wherein the chronicle recounts how pre-Christian Queen Libuše called an assembly of her thanes to deliberate matters of state. In 1886, Tomáš Garrigue Masaryk conclusively exposed the Manuscript as a forgery and the leaders of the Czech national revival started to diverge from the European trends in historical consciousness and elite historicity. Elsewhere in Europe, nationalist intellectuals developed progressively more grand narratives of history to ground national ideologies. For the English Whigs, there was the notion of universal Progress. The French bourgeoisie knew they were carriers of a universal revolution. The German *bildungsbürgertum* *Bildungsbürgertum* saw themselves as carriers of universal enlightenment. Polish, Italian, and other national intelligentsias considered themselves prophets of the Christ of Nations. But the fin-de-siècle Czech intelligentsia experienced a 'loss of faith'²⁹⁰, beginning a tradition of rejecting grand narratives in favor of methodological positivism.

²⁸⁷ Frederick C. Beiser (ed.), *The Cambridge Companion to Hegel*, Cambridge University Press, 1993, p. 339 n. 58. Warren Breckman, *Marx, the Young Hegelians, and the Origins of Radical Social Theory: Dethroning the Self*, Cambridge University Press, 1999, p. 49.

²⁸⁸ Dominic Boyer, *Spirit and System* (Chicago: University of Chicago Press, 2005) 61.

²⁸⁹ Andre Liebich, "Cieszkowski: Praxis and Messianism" in Liebich ed. *The Selected Writings of August Cieszkowski* (Cambridge University Press, 2010)

²⁹⁰ David Cooper, *Anatomy of a Successful Forgery: The Czech Manuscripts* (Talk given at University of Illinois, September 2020)

Faith Restored?

For Masaryk, the self-reflexive turn did not necessitate a full rejection of the link between Czechness and democracy. In fact, he thought the memory of the Hussite Wars and the annihilation of the Czech nobility at the battle of White Mountain in 1620 had set the Czech people on a unique historical trajectory that could equip them for democratic life. Their historical situation gave them the opportunity to play a leading role in world history by teaching the value of 'humanity.' When he led the Czechs to national independence, Masaryk instituted Jan Hus' dictum that 'Truth shall prevail' as the national motto. The truth that the Queen's Court manuscript was a forgery did not negate the truth of primitive Czech democracy, but rather unveiled a higher truth: that democracy was discussion and that it was rooted in protestantism²⁹¹ Protestantism. Masaryk's reformulation of the Czech metanarrative This was also the first seed of constructivism in Czech metahistorical thinking - for Masaryk, it was possible to draw meaning from History, but it was up to him to construct that meaning.

Though it was undressed by the historian Josef Pekar in a highly public debate, Masaryk's metanarrative was subsumed into the KSCM's official historical policy. In a 1948 lecture, the musicologist and, Minister of Education, opportunist and once-fawning Masaryk biographer Zdeněk Nejedlý dismissed Masaryk's metahistory as a bourgeois abstraction, but insisted that the Hussites had begun a progressive democratic tradition that was finally fulfilled in 1948 by the communist takeover.²⁹² With the 1953 insertion of Gottwald's mausoleum into the Žižka monument, Nejedlý's new metahistory was carved into the archimedean point of the Prague landscape.

Self- Reflexive Turn

The dissident counter narrative of the 70s was formulated by Jan Patočka, who finally rejected the notion of primordial Czech democracy. If the Czechs loved democracy so much, asked Patočka, why did they not stand and fight the Nazis in its name? In the Hegelian struggle with the Germans, the Czechs had reached no synthesis, but chose to retain the role of bondsman. The peasant origins of the Czech elite blocked their capacity to grasp transcendental ideals which required the bosom of a native aristocracy to formulate.²⁹³ This may be termed the second self-reflexive turn of the intelligentsia, who rallied around the idea of anti-politics, which had no place for legitimation through metahistorical logic.

²⁹¹Roman Szporluk "Masaryk's Idea of Democracy" in *The Slavonic and East European Review* Vol. 41, No. 96 (Dec., 1962), pp. 31-49

²⁹²Michal Kopeček, "Czech Communist Intellectuals and the "National Road to Socialism": Zdeněk Nejedlý and Karel Kosík, 1945–1968." In *Ideological Storms: Intellectuals, Dictators, and the Totalitarian Temptation*, edited by Tismaneanu Vladimir and Iacob Bogdan C., 345-90. Budapest; New York: Central European University Press, 2019. Accessed May 21, 2021. <http://www.jstor.org/stable/10.7829/j.ctvs1g8th.17>.

²⁹³ Aviezer Tucker, "Shipwrecked: Patočka's Philosophy of Czech History." *History and Theory* 35, no. 2 (1996): 196-216. Accessed May 14, 2021. doi:10.2307/2505361.

The aspiration to remake the World according to such logic was a dangerous temptation that produced the communist regime. Not only historians but literary and artistic luminaries subscribed to this turn. Hrabal's *Kdo Jsem* began with an extended abdication of pretense to make a political impact. The transition brought no renewed search for meaning in History; in 1990, the exiled Marxist-humanist philosopher Ivan Svitak summed up his own theory of Czech history with the lamentation that 'others make History, we just suffer it.'²⁹⁴ Like Patočka, he viewed the failure to stand up to Hitler as the collapse of any remnants of the Czech historical mission to advance democracy. After this failure, he diagnosed, the Czechs could find meaning in history only through the prism of victimhood. History appeared as a succession of betrayals in '38, '48, and '68. Victimhood was no solid ground for group identity, so it was better to give up searching for such ground in the past altogether. Havel's own skepticism about democratic institutions and aspiration for 'post-democratic structures' and a 'new rootedness in the Universe' to counter post-totalitarianism can be seen as the final negation of the metahistorical category of primordial Czech democracy.

This disposition held on well into the post-communist era. Kundera famously ruminated that history has little to offer but 'an infinite realm of nontruths that copulate and multiply like rats.'²⁹⁵ Or take the example of the filmmaker Jan Švankmajer, who spent the 60s and 70s making animated caricatures of the Marxian theory of history.²⁹⁶ In 2018, he contributed to the explosion of historically-themed cultural production sparked by the centenary of the Czechoslovak state with his last feature film *Insect*. He began the film with a shot of himself speaking directly into the camera:

Ladies and Gentlemen, it is common practice for the authors of books to write a foreword. Perhaps not because they want to explain to slow-witted readers the meaning of their work, but to give them a key for reading their book. Whether sitting down with a cup of coffee, or lying on a beach under an open umbrella or under a blanket holding a flashlight. Sometimes a foreword also talks about how the book was created. So why not have one in a film as well? The Čapek brothers wrote the insect play in 1924. At that time Hitler was sitting in a Munich pub, drinking beer and crossing Jewish ancestors off his family tree. And the Georgian Jugashvili was just taking on Lenin's legacy, only so he could later turn it into one big gulag. So the play was not yet supposed to be a political satire. It was pure juvenile misanthropy. No wonder that the Czech flag-wavers still sobering up from the euphoria of newfound independence scolded the Čapeks for their inappropriate pessimism. And the young brothers listened. They wrote an optimistic ending to the play. Oh what a lovely day. The birthday of the beshittedness (*předposranost*) that later came into monstrous bloom in the Czech lands and became the national attribute. But that's not what our film is about. What is it about then? I don't know. I just wrote the screenplay as it came out of me in one go, as automatic writing goes. Without any rational or moral control. That's the only way to avoid the messianic temptation of great artists to reform mankind, to improve, to warn, to refine. Won't work. Read

²⁹⁴Ivan Svitak, *The Unbearable Burden of History: The Sovietization of Czechoslovakia* (Academia, 1990)

²⁹⁵ Kundera, Milan. *The Curtain* (Harper Perennial, 2007)

²⁹⁶ Švankmajer, Jan. *Možnosti Dialogu* (Praha: Kratky Film Praha, 1983, 35mm)

Freud. The only adequate answer to the cruelty of life is the scorn of imagination, as one Czech cursed poet would put it.²⁹⁷

Švankmajer's scorn for the metahistorical imagination is less auteurist than his visual style. It is indeed a common disposition among Czech intelligentsias and non-elites alike. One can summarize the development of this disposition by reference to the schema of Hayden White's *Metahistory*. Palacky's conservative Romantic tale of Czech struggle with Germans argued in an Organicist mode, wherein the democratic ideal unfolds in the Czech people, who are its synecdoche, was basically preserved by Masaryk, who revised it to have a liberal implication. Despite the forgery at the heart of Palacky's narrative, Masaryk did not make the transition to irony. Neither did Nejedly, who kept the underlying poetic structure of the national idea and shifted the ideological implication to radicalism. The dissidents did shift to irony and paired it with a contextualist mode of argument underlying a liberal implication and made Czech history into a satire. This disposition would make the majority of Czech intellectuals critical of the early USTR when it did form, because they saw in USTR a project to generate a new metanarrative.

This is why Žaček was so weak in comparison to Kurtyka. In 2007, Kurtyka had secured expanded funding for IPN from the coalition of PiS and the populist LPR and Self Defense Party. Likewise, Žaček's institute had been legislated into existence by the post-dissident ODS and their populist allies Public Affairs and the Greens. Both coalitions would collapse in the near future, but Kurtyka's young cadres at the Bureau of Public Education were fiercely loyal (see chapter 3) because he was the source of their material well-being and he struck a chord with their inherited messianism; Poland had a huge problem with intelligentsia -overproduction in the post-communist period, especially in the social sciences. Kurtyka's IPN was an opportunity to complete PhDs and launch careers as historians in much better financial conditions than the university could offer. Schmidt's institutes with their monopoly on state grants generated an equally loyal entourage. Žaček's education department, on the other hand, relied on international grants.²⁹⁸ Thus, the educators could pursue their ambivalent disposition toward history and conceptualize a constructivist approach to education. Dujisin points out that **the strength of anticommunist memory entrepreneurs depends on their ability to forge alliances in politics and academia**. Kurtyka had a powerful network of allies in these fields while Žaček had a weak one. His political allies were on the verge of severe defeat by populist newcomers resurgent Social Democrats, who he would unwisely antagonize. Kurtyka's allies were also defeated shortly after the beginning of his tenure, but they would reclaim power in 2015 to cement his legacy. Moreover, the near-universal acclaim that Polish intellectuals gave to Kurtyka's vision for the institute meant that his basic project would have to be continued by his successor Kaminski. The opponents of PiS who took power from 2007-2015 could find no one to reconstruct the institute in a way that would serve them. In the Romanian case, Tișmaneanu was the most high-prestige intellectual in the whole field; his own cultural capital *became* the scientific capital of IICMER. Attempts to criticize his vision found exactly zero publishers in Romania and had to be printed abroad. Meanwhile, the Czech academic field was full of voices calling for reform in Zacek's USTR. Kurtyka's project found backing from intellectual heavyweights like the director of Jagiellonian University's history department Andrzej Nowak and

²⁹⁷ Švankmajer, Jan. *Hmyz* (Praha: Jan Švankmajer, 2018, 35mm)

²⁹⁸ Personal Communication with Ilana Hartikkainen March 2020

sociologist Zdzisław Krasnodębski. This imbued PiS' with the scientific capital needed to reinvent anticommunist politics. Žaček, on the other hand, would meet brutal criticism from historians at the Academy of Contemporary History and Charles University in almost every endeavor he undertook. His failure to win hegemony over the intellectuals as Kurtyka did coincided with the erosion of his ODS allies' hegemony in the political field.

Rather than inspire a movement for historical justice like the one that materialised behind Kurtyka, Žaček's 'revelations' inspired calls for his resignation by Vaclav Havel himself. He became increasingly isolated and alienated from the Czech intelligentsia at large, and never managed to secure the kind of expanded funding that allowed Kurtyka to recruit a cadre of acolytes who could dominate the institute after he was gone. Instead, USTR came to an unspoken truce with the former StB informer and current Prime Minister Babiš; he did not interfere with their budget or pressure their agenda and they refrained from creating a spectacle of his StB file in the manner of IPN's 'revelations' about Wałęsa's relation to the SB²⁹⁹. For Babiš, memory-politics was a game played by the 'traditional parties' and not relevant to the interests of the 'working people' that he claimed to speak for. USTR's cadres were no supporters of Babiš, but they valued depoliticization above all else. Thus, the Czech state dismantled the mechanism perpetuating anticommunist politics in other Central European societies, described in detail by the sociologist Dujisin-Muharay. His *History of Post-Communist Remembrance* posits that politicians

“will rarely overextend themselves by directly entering historiographic, journalistic, or artistic controversies. Their participation in such debates could easily be construed as illegitimate. A more effective approach consists in enlisting allies—historians, journalists, artists—whose position in their respective fields is perceived as legitimate to outsiders.”³⁰⁰

The enlisted historians, journalists, and artists expect increased funding and exposure in return. With those increased resources behind them, they are able to produce more content to bolster the anticommunist narrative with *scientific capital*. This feedback loop is very difficult to break; even when accusations of collaboration with the repressive apparatus or dirty dealings during the transition are dismissed by courts for lack of evidence, anticommunists see the rulings as evidence that the courts are packed with communists. USTR was fully embedded in such a feedback loop from its foundation. But the loop never spiralled into a massive project for reconstructing society like it did in Poland and Hungary. Instead, the praxis of anticommunism seemed to hit its limit in Czechia, USTR depoliticized itself, and veered away from the Polish trajectory.

BStU never hit this trajectory because the principle of *Überparteilichkeit* was enshrined in the StUG and the notion of *Aufarbeitung* remained at the core of their leaders' value systems throughout its history. The German historical discipline proper was pioneered by Leopold von Ranke, inventor of the history seminar and author of mammoth histories of the Hohenzollerns, the Reformation, France, and an incomplete world-history beginning with antiquity. Ranke, a colleague of Hegel at Berlin University in the 1820s, rejected

²⁹⁹ Personal communication with Ondřej Matejka, March 2020.

³⁰⁰ Dujisin, Z. “A history of post-communist remembrance: from memory politics to the emergence of a field of anticommunism.” *Theor Soc* 50, 65–96 (2021). <https://doi.org/10.1007/s11186-020-09401-5>

philosophy of history in favor of an empiricist dedication to relating historical facts ‘as they actually occurred.’ In generating historical explanation, Ranke valued fidelity to the primary sources above all else. Ironically, the sources available to him were mostly generated by statesmen and their interlocutors, so Ranke did not need to share Hegel’s state-centric philosophy to reproduce a state-centered historiographical oeuvre. The West German historian Fritz Fischer identified a ‘Hegelo-Rankean school’ that dominated the discipline for over a hundred years. Fischer’s thesis was that the majority of German academic historians after Ranke had settled into the role of apologists for authoritarianism.³⁰¹ This was a function of their position as de jure state employees and their belief in Ranke’s thesis about the primacy of *Aussenpolitik* in the life of the nation.³⁰² National pride about victories at Königgratz and Sedan and empire in Africa, and national anxiety about the existential threat posed by the growth of socialism only cemented traditional historians in their positions up to 1914.

Neo-Rankeans of the *fin-de-siecle* weaved social Darwinism into their theory of history, holding that the nation-state was innately driven to conflict with other states lest it perish at the hands of stronger rivals. This quickly morphed into a stance of advocating fleet-building and *weltpolitik*. Outliers like Rupert Lamprecht’s cultural history, Nietzsche’s *Untimely Meditations* and Max Weber’s sociological history failed to break into the mainstream. Under Weimar, the conservatives clung to the myth of British encirclement, insisting that German war aims had been defensive and the war-guilt clause of Versailles was an absurdity. In short, they continued to be apologists for the Kaiserreich.³⁰³ Thus, their discipline went from being largely irrelevant to the public life of the Republic to a tolerated - if not integral - element in the Nazi ideological edifice.

When Fischer published these unpleasant truths in 1961, his colleagues were flabbergasted. Many of them had survived Nazism with their university posts intact, and his *War of Illusions* implicated them in a highly problematic legacy. Karl Ferdinand Werner’s 1974 article *German Historiography under Hitler* rubbed salt into the wound. Desperately, Gerhard Ritter and colleagues clung to the old line that Germany had been encircled by British naval power, forced into a war out of fear, and then crushed by the peace so badly that the people turned to Hitler. German fascism was explained away as a variant of *totalitarianism* whose roots were in the French Revolution and mass democracy rather than Prussian militarism or any specifically German phenomenon.³⁰⁴

The Fischer controversy put an end to this obfuscation in the historiographic field and ushered in a ‘revolt of the younger generation of historians’ and according to one observer, ‘deepened the democratization of West German society.’³⁰⁵ Jettisoning the Hegelo-Rankean apologetics for the German state opened the floodgates of historical questions. If Nazism could no longer be explained by the *Dolchstoßlegende* and the injustice of Versailles, historians had to seek new lines of inquiry into the social, cultural, civic, and economic roots of German fascism. This came in tandem with a broader socio-cultural explosion of yearning for reckoning

³⁰¹ Moses, John. *The Politics of Illusion: The Fischer Controversy in German Historiography*. (St. Lucia: University of Queensland Press, 1975) pp. 60-67.

³⁰² Georg G. Iggers “The crisis of the Rankean paradigm in the nineteenth century” *Syracuse Scholar* (1979-1991), Vol. 9, Iss. 1 [1988] p. 4.

³⁰³ Moses, 109.

³⁰⁴ Mary Fulbrook, *German National Identity After the Holocaust* (Cambridge, UK, 1999), 114. See also Friedrich Meinecke, *Die deutsche Katastrophe: Betrachtungen und Erinnerungen* (Wiesbaden, 1946).

³⁰⁵ Moses, 133

with the Nazi legacy around 1968. Prior to Fischer, there was silence about any historical reckoning with German guilt. Now the youth called on the old generation to speak openly about their complicity. It was a point of no return for German historiography, collective memory, and public history. From this point forward, German historians bore an implicit responsibility to exercise some sort of *Aufarbeitung* - an attempt to understand how and why this society had embraced fascism, coming to terms with the collective guilt for that embrace, and culling the lessons needed to avoid ever turning to fascism again. Willy Brandt's iconic *Kniefall* in front of the Warsaw Ghetto Uprising memorial in 1970 signaled that the political field was ready to practice a memory politics of collective guilt as well. After the *Historikerstreit* (see Chapter II) a soft taboo on any nationalist reading of German history set in. No German equivalent to Polish messianism had any chance of becoming a leading idea.

NMIs, Intellectuals and Democratic Hegemony

A final elaboration in the neo-Gramscian school was developed in Dylan Riley's interpretations of Gramsci's *Notes on Italian History* toward a theory of fascist movements in interwar Europe. He shows that hegemony has three moments: intra-class hegemony determines inter-class hegemony which in turn prefigures counter-hegemony. The exemplary historical sequence was English liberal democracy where the Whigs established a strong intra-class hegemony vis-à-vis the Tories through the institution of parliament, which allowed landowners to hash out legislation with merchants and industrialists peacefully and ensure profitable growth for all. This in turn allowed the pluralistic but unified ruling classes to generate strong inter-class hegemony over workers, who saw their wages and political rights increasing with the profits of the various sectors of the ruling class. When organized labor emerged as a counterhegemonic force in English politics, it did so by peacefully participating in the parliamentary game and gaining legislative concessions from Capital in a conciliatory and quiteist manner, allowing democracy to flourish.

By contrast, the abortive democratization projects on Europe's peripheries that resulted in fascist regimes were derailed by the failure of liberal elites to establish intra-class hegemony vis a vis conservatives; Giolitti's *transformismo* system blocked the development of an adequate party system and in turn failed to incorporate the Southern ruling classes politically. Likewise, the Weimar Republic's social welfare system alienated industrialists in times of boom and left workers unsatisfied in times of bust. In the absence of intra-class hegemony, liberal and conservative sectors of the elite were in sharp, visible conflict and could not peacefully resolve disputes in a way that made politics appear to serve the nation as a whole and inter-class hegemony was impossible. This blocked the peaceful incorporation of counter-hegemonic political movements of communist, nationalist, or religious persuasions. They radicalized and their right wing ultimately forged alliances with the disaffected conservative sectors of the elite. So the military, church hierarchies, and landed capitalists as well as industrialists looked to fascist militias to help unseat the liberals and protect the state from communist counter-hegemons and democratization was reversed.

Accelerated, albeit less radical, versions of this pattern can be observed in the democratization of post-communist central Europe. When the party-states were replaced by liberal democracies, it was intellectuals that were decidedly poised to construct hegemonic

ideas of post-socialist democracy.³⁰⁶ Privatization of state enterprise and the establishment of capitalist economies was entrusted to expert economists and managers. Institutions of jurisprudence, education, and finally collective memory were entrusted to intellectuals as well. Gauck's idea of *Aufarbeitung* was a potential formula for intra-class hegemony. Intellectuals were meant to lead political, economic, and cultural elites in a unified effort to democratize the state.

But the NMIs proved inimical to intra-class hegemony in a number of ways. First, they fundamentally altered the political economy of historical knowledge production. Fierce competition over control of the secret police archives generated new and unbridgeable splits in the intelligentsias. Those who had not been selected to direct the NMIs, spend their budgets, choose their cadres, plan their research projects, design public education initiatives and set the terms of the lustration debates found themselves excluded from highly prestigious and potentially lucrative positions. Moreover, *their own positions* were threatened by the very existence of NMIs as it became impossible to predict who the insiders would choose to denounce as *ancien-regime* collaborators. The only viable options were to attack the legitimacy of NMIs or vie for control. For comparison, Charles Maier found that the *Historikerstreit* of the 1980s had structural underpinnings in a change of the German university-system's political economy:

The struggle to control historical comparison is not really about National Socialism, but about the last twenty years of German cultural politics. The left has long since lost whatever power it might have had selectively to control historiographic agendas, university politics, evaluation of examinations, professorial appointments, or general cultural reputations. Only some of the historical categories on which the left relied in its earlier effort to shape historical discourse still stand, no longer able to dominate the historiographic landscape but provocative reminders of an earlier claim to hegemony. Is there not a danger, too, that, left to stand, they might one day serve again as strongholds? Even though not occupied, should they not be razed? The *Historikerstreit* has really been a struggle over those remaining towers.³⁰⁷

The establishment of NMIs generated a comparable albeit more complicated kind of struggle. Rather than 'abandoned watchtowers,' NMIs emerged as formidable new strongholds. Thus, another Gramscian concept - that of the 'war of position' is helpful in developing Kubik & Bernhard's question about 'the conditions under which memory-wars are fought and won.' For Gramsci, the 'war of position' is the form of struggle for hegemony in advanced capitalism where 'the state is only an outer ditch' and civil society is 'an inner network of fortresses and earthworks.' NMIs equipped their stewards with the ability to 'bombard' both state and civil society - anyone active in public life in post communism was likely to have a secret police file that could be used to destroy their career. It is not surprising then, that they became epicentres of escalating memory-wars from Germany to Ukraine. Sometimes NMI leaders would attack academia as a bastion of ex-communist influence and academics counterattacked NMIs as amateurish stooges of the rightwing politics and capitalists. Recall, for instance, how Stefan Heym claimed that East Germany in the 90s was governed by the Gauck-Behörde and Treuhand. In other periods, as

³⁰⁶Lawrence Peter King and Iván Szelényi. "Intellectuals under Postcommunism." In *Theories of the New Class*, (United States: University of Minnesota Press, 2004) 123 -138.

³⁰⁷ Maier, 32.

during Birthler's tenure at BStU, IPN under Kieres, or USTR under Hazdra, the conflict was inverted and conservative political actors accused the NMIs of sheltering ex-communists.

As leadership of the NMIs was determined by political mechanisms, (votes by Parliament, appointments by President, publicly controlled executive boards) the intelligentsia fractions vying for control of NMIs were thrown into conflict with sectors of the political class, state bureaucrats, and economic elites, so a sequence of shifting alliances with neoliberals, neoconservatives, social democrats, and populists resulted. Memory-wars among elites waged through television debates, in the press, and with scrambles to dig up dirt on the enemy in the secret-police archives precluded inter-class hegemony as publics lost trust in politics as a whole. As the NMIs shifted alliances with various political patrons, all sides became compromised by scandals, accusations, and libel. Thus, when the counter-hegemonic populists appeared, they could not be incorporated into mainstream liberal politics peacefully. To the contrary, they either escalated the culture wars to the point of rejecting liberal democracy (as they did in Poland, Hungary, Romania, Slovakia and Germany) or eschewed them and eroded democratic practice informally as they did in Czechia.

Finally, the memory institutes were established in the context of a severe crisis of intelligentsia overproduction. Post-communist universities produced far more humanities graduates than they could hire, and large disaffected groups of young underemployed academics - surplus intellectuals if you will - flocked to the NMIs and the emergent populist parties, creating the basis for a novel alliance between populists and NMI workers, further derailing the sequence of intra-class-inter-class-counter-hegemony required by a stable democracy. All this being said, it is possible to articulate the precise problem with Polish memory politics and democratization: IPN weakened liberal democracy by furnishing certain fractions of the intelligentsia with a novel and powerful organizational 'shell' from which to vie for intra-class hegemony against state bureaucracies and economic elites. Paradoxically, this weakened the hegemonic capacity of the post-communist elites as a whole because the intra-class economic hegemony of capitalist managers was confronted with a moralistic intra-class hegemony of intellectuals. Without secure intra-class hegemony, inter-class hegemony was weakened, and counterhegemonic populists had a base of allies in surplus-intelligentsias with access to highly sensitive historical evidence which could be used to produce illiberal ideological texts to legitimate de-democratizing political projects. Poland is the most extreme example of this phenomenon among the cases dealt with here, but there is a growing body of research to suggest that the same developments have occurred in Hungary, Romania, Ukraine, and the Balkans.³⁰⁸

³⁰⁸ Lau 702-706, Dujisin 65-96, Mark xvii, Leah, 3.

VIII

The Price of Mismanagement

Empires get wrecked. Principles get crushed. Saviors get crucified.

History gets what?

History fucking gets over it

-Mgla, *Age of Excuse VI*, 2019

The future resembles the past as much as one drop of water resembles another.

-Ibn Khaldun, *Muqaddimah*, 1377

The history of Gauck's therapeutic project and the ones inspired by him proceeded much like the plot of Peter Weiss's *The Persecution and Assassination of Jean-Paul Marat as Performed by the Inmates of the Asylum of Charenton Under the Direction of the Marquis de Sade*. Weiss's 1967 meta-play depicts the efforts of the French imperial bourgeoisie's attempt to establish a memory-regime in Napoleonic France. Coulmier, director of the mental asylum at Charenton, instructs the Marquis de Sade, his prisoner, to direct a play about the demise of Jean Paul Marat that portrays Napoleon I as a savior of the Revolution. It is meant to be a form of art therapy for the inmates, an exercise in civic education, and entertainment for the bourgeois and gentry audience. The performance is chaotic, however, as the actors frequently go off script to muse their own recollections of the Revolution, and Coulmier has to intervene from the audience to maintain the play's pedagogic integrity. His interference worsens the situation as De Sade, far more intelligent than Coulmier, asserts himself as director to defend the creative vision. He spontaneously casts himself as Marat's interlocutor and launches into extended soliloquies about nature, desire, and violence that warp the play's meaning without directly challenging the facts Coulmier wanted to see. Dumbfounded, he

watches as De Sade strips and allows a catatonic murderer cast as Charlotte Cordé to flog him with her unwashed hair. In between lashes, De Sade thinks aloud about what the point of a Revolution is without Universal copulation. The inmates begin to chant ‘What’s the Point of a Revolution Without Universal Copulation?’ First quietly, then louder and louder, until the song gets them so frenzied that they turn on the audience, including Coulmier’s family, and kill them.

Like Coulmier, Gauck lost control of the therapeutic process almost immediately. His Central European analogs Kieres and Zacek experienced the same. Rather than mass healing, the opening of their institutes led to a stream of denunciations, scandals, careers destroyed, suicides, political crises and an only limited sense that justice had been done. Sensationalistic and profit-driven behaviours of the journalists who mined the archives were only partly to blame for this, as there were De Sade-type characters in their histories as well. Weiss’ De Sade participates in Coulmier’s spectacle as a faithful servant but undermines it from within. Kowalczyk’s statement that *Aufarbeitung* was in need of its own working-through, Kurtyka’s radical reconstruction of the IPN, and the USTR Education team’s turn toward pedagogical constructivism were - in their own ways - gestures of undermining from within. In this sense, each institute went through a process of ‘Charentonization’ within the first five years. Their trajectories diverged drastically as time went on. BStU went through a sort of gradual ‘musealization’³⁰⁹ as its staff was absorbed by the Federal Archives in 2020 and its headquarters became a permanent public exhibition. IPN meanwhile embarked on a path of radical politicization and alliance with rightwing populists. USTR’s trajectory was academicization. To recapitulate Chapter VII, this divergence was a function of pre-existing cultural schemas describing the social role of historians. In all cases, the internal tensions and chaotic interactions with the journalistic, political, and academic fields during their early histories precluded the institutes from progressing toward their stated goal of entrenching democracy. Eroding public trust in the judicial system, sharpening intra-elite conflict, declining civility in public discourse, declining hegemony of liberal elites and the concomitant rise of populist movements followed. Citizens of the ex-DDR *Länder* experienced BStU’s *Aufarbeitung* as one of the many forms of *Besservessi* colonization and humiliation. Poland witnessed the most severe side-effects, where IPN contributed to a severe paranoia about the living legacies of totalitarianism that made it possible for PiS to present their legislative assault on the Polish judiciary as democratization.

Only in the Czech case can it be argued that the projected benefits may outweigh the side effects in the foreseeable future. The reformed USTR seems to have found a formula for teaching the darkest chapters of history in a way that may enhance democracy moving forward. That formula is to use sources from the secret police archives as tools for training students in critical thinking and civility. This may represent a model for creating a truly pro-democratic memory regime for Europe. Some have warned that plurality of interpretations can lead to moral relativism. This is, in my view, nonsense. Pluralism is a prerequisite for democratic politics. Thus, the reformed USTR’s teaching model must be the future if memory is to serve democracy in Europe.

Whither European Memory?

³⁰⁹ André Desvallées and François Mairesse (Eds.). *Key Concepts of Museology*. 2010.

Memory-studies scholars have produced a great deal of ‘guidelines’ and ‘recommendations’ for how a ‘European identity’ could be grounded in collective memory.³¹⁰ The history of NMIs discussed above may be valuable for them to digest. A recent example is Peter J Verovšek, who wishes to “combat the presentism of many existing studies of the politics of memory in Europe” by proposing that political and cultural leaders *are* able to bend and shape collective views of the past, but they are only able to do so during specific windows of opportunity ie. *historical ruptures*.³¹¹ The end of the Second World War, he argues, was a rupture that allowed proponents of European integration to replace nationalist forms of collective memory (heroic narratives) with transnational narratives of tragedy that allowed Europeans to ‘imagine and build a common future.’³¹²

Verovšek writes that ‘constructive resources of collective remembrance’ were the bedrock of European integration from 1952-58. Specifically, he traces how the founding fathers of the European Community Jean Monnet, Robert Schumann, and Konrad Adenauer developed ‘cognitive, motivational, and justificatory resources to move away from the nation-state’ from their experience with the ‘European Rupture’ of 1918-1945. Likewise, Jacques Delors, Francois Mitterand, and Helmut Kohl were driven by the moral imperatives imposed by the memory of Auschwitz when they spearheaded the second phase of European integration in 1985-2003.³¹³ Thus, a ‘classic narrative of integration’ holding that deepening cooperation among member states was the key to avoiding a return to the horrors of the twentieth century served as the mnemonic justification for the EU until 2004.

According to Verovšek, this classic narrative was challenged first by the Eastern Enlargement of 2004; 1989 came to compete with 1945 as the commonly recognized rupture from which the community should re-imagine the present. For the ‘New Europeans, 1945 did not stand for the wellspring of constructive new political imaginaries, but rather the beginning of a new period of unfreedom. This generated a ‘crack’ in the continent’s memory that widened with the onset of the Eurozone Crisis of 2010. Without direct experience of the rupture of 1945 to remind themselves of the need for transnational solidarity, leaders during the Crisis period started to fall back on national memories to justify arguments for austerity policies, scaling back integration, and returns to the nation-state.³¹⁴ Memory became a source of fragmentation rather than integration as Southern Europeans likened the German demands for austerity to Nazi occupations while austerity-proponents reminded that high inflation in the thirties had preceded the rise of fascism.³¹⁵ ‘As the generation that remembers the age of Europe’s total war dies out, there is a danger that the moral demands of memory that the rupture of 1945 brought about will die with them’ - warns Verovšek. Pure economic instrumental rationality cannot replace those moral demands, as the common market, monetary union, and the European Central Bank have exacerbated regional inequalities, especially on the north-south axis, rather than generating

³¹⁰ Aleida Assmann, “Europe: A Community of Memory” *GHI BULLETIN NO. 40* (SPRING 2007) see also: Jan-Werner Müller, “Introduction,” *Memory and Power in Post-War Europe: Studies in the Presence of the Past* (Cambridge, 2002)

³¹¹ Verovšek, Peter J. *Memory and The Future of Europe: Rupture and Integration in the Wake of Total War*. (Manchester: Manchester University Press, 2020) p.9.

³¹² *Ibid.*, 4.

³¹³ Verovšek, 97-99.

³¹⁴ *Ibid.*, 108-109

³¹⁵ *Ibid.*, 145

economic convergence. The integration project, therefore, requires a new grounding in memory-driven morality. The solution, for Verovšek, is a 'heroic' memory-regime dedicated to the 'fathers of Europe:'

Just like the United States after the Civil War, the leaders of the EU today must hark back to the normative resources of collective memory provided by the founders of the Union and reappropriate them for the present to ensure that these shared, community institutions are transmitted to the next generation. If they do not, the increasingly fractured project of integration could indeed tear itself apart.³¹⁶

My hope is that the histories of the national memory institutes I produced in this project reveal why such a project would be futile. By Verovšek's own logic, the moral imperatives of memory are dependent on belonging to the generation that actually experienced the rupture. This generation is not coming back. Therefore, cultivating a collective memory on such a scale would require the construction of some kind of institution to gather an archive of the founders, organize new research, produce teaching aids, create exhibits, engage media and solicit funding from the political field. As this project has shown, the creation of such institutions generates more social conflict than consensus. Strife among intellectuals over who will lead the institutions and formulate their overarching programs inevitably spills over into the press and the political field. NGOs voice displeasure about who is excluded from the official memory and who is privileged. Politicians quickly recognize the strategic imperative to treat the institutions instrumentally. Whatever the 'normative resources of collective memory' teach us about the need to be one European family, the reality in the field of intellectual production is that academics depend on differentiation, 'stance-taking,' and critical engagement (often direct conflict) with the work of peers to generate capital.³¹⁷ The university system has its own system for managing, rewarding, and reproducing the universal drive to distinguish oneself. Prestige and resources are distributed to the most distinguished producers by committees and boards of their peers. Memory institutes do not have such a mechanism because their funding and program are subordinated to politics. Thus, a disagreement that would be a productive albeit polemical exchange between scholars in an academic journal has the potential to spiral into an all out 'memory war' in the context of constructing integrative memory regimes. An integrative European memory cannot be created by academics any more than national memories were created in Germany, Czechia, or Poland.

Moreover, I have severe reservations about how memory-actors in Central and Eastern Europe would receive an official memory glorifying the integration of the 50s. When I attended the IPN's annual teacher-training program in 2017, one of the most poignant moments was a presentation given by the archeologist Krzysztof Szwagrzyk, who had been digging up the remains of the Unbroken since 2012. In the middle of the slideshow, after several harrowing photographs of bullet-riddled skulls and decaying personal items his team found under Łaczka, Szwagrzyk projected the poster for Howard Hawks' 1953 musical comedy *Gentlemen Prefer Blondes* starring Marilyn Monroe. He commented that

³¹⁶ Ibid., 180

³¹⁷ Dylan Riley, "Bourdieu's Class Theory: The Academic as Revolutionary" in *Catalyst* Vol. 1 no 2 Summer 2017, 131 See also: Pierre Bourdieu and Jean-Claude Passeron, *Reproduction in Education, Society and Culture* (Thousand Oaks, CA: Sage, 1990), 152–53; Pierre Bourdieu, *The State Nobility: Elite Schools in the Field of Power* (Stanford, CA: Stanford University Press, 1998), 383.

in the period when Poland's Unbroken Soldiers were giving their lives to protect European civilization from being annihilated by communism, the Western Europeans were gleefully enjoying frivolities like *Gentlemen Prefer Blondes* at the cinema. This kind of seething *ressentiment* is a real social phenomenon in Central and Eastern Europe; a widespread (if not common) historical emotion that the West has struggled to recognize.

Hindsight, Political Memory, Auto-Telic Violence

This dissertation was written and rewritten from the luxurious position of hindsight. 2020 marked a historical rupture in so many ways. The pandemic, growing awareness of ecological crisis, and the most significant war in Europe since WWII ended the 'mnemonic age' described by so many social scientists. The collective consciousness of Europeans was violently reoriented away from memory and toward the future. It was not the radiant future heralded by 19th century Utopians of various stripes but a future of looming disasters. From this vantage point, how does the history of memory-institutes, memory wars, memory regimes, and memory entrepreneurs appear? From a purely material standpoint, it appears as a tragic waste of resources. When the Coronavirus hit the continent, the most vulnerable populations in East European societies found their healthcare systems severely inadequate and died by the thousands in hospital hallways and ambulances. Would the billions of tax-Euros spent on reconstructing shredded Stasi files or the dozens of PEMC conferences where second-rate historians rehashed debates about totalitarianism have been better spent on stockpiling respirators? When Ukraine was invaded, Europe was quick to condemn Putin but painfully slow to send armored vehicles. Should Europeans have prepared weapons to deter Russian aggression in the future instead of opening exhibits and institutes to document Soviet war crimes of the past? This is not to say that memory is not important for societies, there are mountains of memory-studies research to prove that it is. Rather, it is to say that Central European states *over-invested* in trying to manage collective memory. The history of German, Czech, and Polish NMIs shows that the returns on investment are too low and the costs of mismanagement far too high. Post-communism was fundamentally different from previous eras of modernity in that Orwell's maxim that 'He who controls the past controls the future' was stood on its head. In the nineteenth century, nationalist movements succeeded in shaping the future by creating cohesive usable pasts. Communist dictatorships aspired to control the future by controlling the past but failed to adequately control that past – the secrets and lies about their atrocities eventually caught up with them. Then the post-communist states created the most sophisticated mechanisms for controlling the past in history – the NMIs – and lost control of the future all the same.

One might argue that the bloodshed in Eastern Europe occurring at the time of writing is a byproduct of overinvestment into memory. Putin's propaganda formulation that Ukraine needed de-Nazification was based on a factual kernel – the Ukrainian NMI was briefly controlled by fascists from 2014 to 2018. To construct a chapter about the history of the Ukrainian institute, its role in the memory war with Russia, and the extent to which that memory war motivated the shooting war is made difficult by the current security situation. Nonetheless, the way in which memories of WWII have been invoked by both sides since the Maidan events suggest that memories of violence generate auto-telic violence.

Populist attacks on Polish courts and Hungarian universities are forms of auto-telic violence too. The memory of being bludgeoned by UB batons in '68 or '81 and their parents being murdered is invoked by post-communist populists while enacting other forms of

violence on their perceived enemies. Thus, the question moving forward is how to reform political memory so that the cycle of autotelic violence is disrupted. Once again, the Czech model of autonomy from politics and pedagogical constructivism holds the most promise. Ultimately, the lesson is that massive top-down projects to shape the worldviews of populations of entire states or regions seldom produce the desired effect. Memory can no longer serve as a medium of social cohesion as it did before. Those who try to control the past might lose control of the present.

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