

Memories of the States, Histories of the Historians: Epistemologies of the Pasts in the Czech republic and South Africa

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The early 1990s were a period that witnessed a number of nations undergoing a political transition to democratic rule. Alongside the former state-socialist countries, such as Czechoslovakia, or the Czech Republic, respectively, there was also the South Africa that had just shed off the apartheid regime, which was one of the last vestiges of colonialism. Although they had at this point encountered identical problems of a rupture in national narrative, democratization, and articulation of the collective memory of the oppressive past regimes, the prevalent strategies for addressing the problems differ in both countries.

A nexus of analogy between the Czech Republic and South Africa that offers itself readily to an analysis is their troubled past, or more precisely, the ways in which the two countries objectify it. As much as the respective pasts differ in many important respects, the challenges with which they confront contemporary collective memory exhibit similar configurations. The past needs to be rearticulated in the national narratives and it must be done under the conditions of democratization. The emphasis on the latter process sets off South Africa from many other post-colonial countries and approximates it to the post-socialist one, since the struggle against apartheid was primarily for democracy and not for independence. As a settler colony, South Africa also could not dispense with the presence of the colonizers and thus has to negotiate a place for them in the national community. Last but not least, post-socialism and the post-apartheid variant of post-colonialism were born simultaneously out of the same global geopolitical conjuncture. While South Africa remains an Other in the view of the Czech Republic (Czechoslovakia), it is also an Other that is “strangely familiar”. As Annie Coombes proclaims:

South Africa encapsulates a number of dilemmas that have faced both those nation-states recovering from long periods of colonization and those that have recently emerged from a long period of totalitarian rule – the situation in both Central and Eastern Europe since the fall of the Communist regimes.¹

We shall attempt to sketch out a couple of memorial strategies deployed in the framing of post-socialist and post-apartheid public histories. The focus will be on 1) the identification of the crucial steps that the state apparatuses have taken to account for the immediate past; 2) the identification of the main trends in national historiographies of the immediate past. The states' treatment of the past figures as a prominent symbolic action in the general public discourse. The historians' representations of the past are similarly powerful in the specific case of public memory. With the emergence of historical memory, the memory, as Paul Ricoeur puts it,² “acculturated” to the hegemony of history, people have become accustomed to accept the historian's explanation of past events as truthful (true to the memory) despite its external character as writing detached from experience.

¹ Annie E. Coombes, *History After Apartheid: Visual Culture and Public Memory in a Democratic South Africa*. Durham: Duke University Press 2003, p. 6.

² Paul Ricoeur, *Memory, History, Forgetting*. Chicago and London: University of Chicago Press 2004, p. 394.

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The apartheid past weighs heavily on the reimagined South African nation; but what is more peculiar and deserves a notice is the fact that the current state expresses this overtly in its highest law. The preamble of the Constitution of the Republic of South Africa begins with the following words: “We, the people of South Africa, recognize the injustices of our past.”³ Among its purposes, the Constitution lists the hope to “heal the divisions of the past” and, in the remainder of its text, it contains numerous references to “past racial discrimination”. Although these references can – and should – be related to the oppressive past far beyond the immediate past, i. e. to the entire colonial history, the primacy of the apartheid as the foremost target of these provisions is hardly deniable. The new South African state thus assigns itself a duty to remember its racist predecessor.

Besides this duty to memory, a patrimonial perspective on memory also appears at a few places in the South African constitution, which recognizes national “heritage” and “traditional” structures. This is an aspect that the South African constitution shares with the Czech one. The latter acknowledges patrimony as well when it proclaims the

citizens of the Czech Republic in Bohemia, Moravia and Silesia, at this time of the reconstitution of an independent Czech State, [to be] true to all the sound traditions of the ancient statehood of the Lands of the Crown of Bohemia as well as of Czechoslovak statehood, [...] resolute to protect and develop their natural, cultural, material and spiritual heritage.⁴

Yet this sole allusion to past appears to disregard its immediate, authoritarian part. Only the word – “reconstitution” – suggests existence of a troubled past. However, this past is unnamed and unspecified (there are no remarks akin to the references to “racial discrimination” that are found in the South African constitution). As far as the explicit text of the constitution is considered, state-socialism never existed, unless one would foolishly suppose it to be a part of the “heritage” that the lawmakers deemed as important to “protect and develop”.

The will to confront its unpleasant memories that makes the South African constitution stand out not only when compared to the Czech one, but also against the background of the entire tradition of constitutionalism. In the words of Eduard Fagan:

With all constitutions traces of the history of their making, of the context in which they came into being, are implicit in their choice of, and way of formulating, constitutional provisions. The South African constitution, however, in a number of provisions seeks expressly to capture the history and the context. It regulates the future conduct of government, of course, but it also contains a number of unusual provisions which are best explained as deliberate attempts constantly to remind the interpreter of the constitution of the unequal society that forms the backdrop to the text.⁵

³ *Constitution of the Republic of South Africa*. Act no. 108 of 1996.

⁴ *Constitution of the Czech Republic*. Act no. 1/1993 Coll.

⁵ Eduard Fagan, “The Constitutional Entrenchment of Memory.” In: Coetzee, C., and Nuttall, S. (eds.), *Negotiating the Past: The Making of Memory in South Africa*. Cape Town: Oxford University Press 1998, p.

The discrepancy between the two constitutions in terms of their relationship to the immediate past is evident. On the one hand, we see a duty to remember elevated to a fundamental law; on the other hand, we notice an act of deliberate omission. Nonetheless, the difference could easily be purely accidental. As we shall see below, the Czech Republic has its own take on enacting the duty to remember, albeit not as a part the re-constitution of statehood. Before speculating about the implications of these differences for the formation of official memory, we should continue to investigate other and presumably more important actions that the two states have taken in face of the past from which they had emerged.

To identify the key aspects of the official memories, we need to give heed to the specific legislation and institutions that the states have introduced to deal specifically with the past under discussion. These special laws and institutions fall under the umbrella of the methods of transitional justice.⁶ These may assume, for example, the following forms, as Barbara Misztal remarks about Central and Eastern Europe:

Among policies which have been implemented in Eastern European countries to deal with their communist past, the most common are: policies of lustration (screening the past of candidates for important positions with the aim of eliminating them from important public office), decommunization (excluding former Communist Party officials from high public positions), restitution of property, recompensation and rehabilitation of victims.⁷

Some of these mechanisms of transitional justice were employed in South Africa as well. For example, the restitution of property and land to people who were dispossessed by the undemocratic regimes, typically for political reasons, is a legal instrument that can be found in both the cases that we follow here. The experiences with restitutions are symmetrical. What Sean Field notes about the process of land restitutions in South Africa applies perfectly to the Czech Republic as well: “The land restitution cases are handled administratively and legally, and [...] there is no public space where land claimants can tell their stories. Many have suggested that just such a public process is necessary.”⁸ Although restitutions in the Czech Republic stirred from time to time an opinionated debate in the media, this has not affected their status as an administrative and judicial problem that requires no special attention of the state other than legislation of its principles. Measures such as restitutions, while being an important symbolic move by the state in the renunciation of past injustices, fall short of the complete dimension of justice that requires, in the words of Judith Shklar, to “take the victim’s view into full account and give her voice its full weight.”⁹

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⁶ See Ruti G. Teitel, *Transitional Justice*. Oxford: Oxford University Press 2000.

⁷ Barbara A. Misztal, *Theories of Social Remembering*. Maidenhead, Philadelphia: McGraw-Hill International 2003, p. 151.

⁸ Sean Field, “Imagining Communities: Memory, Loss, and Resilience in Post-Apartheid Cape Town.” In: Hamilton, P. and Shopes, L. (eds.), *Oral History and Public Memories*. Philadelphia: Temple University Press 2008, p. 117.

⁹ Judith N. Shklar, *The Faces of Injustice*. New Haven: Yale University Press 1990, p. 126.

South African state did, however, establish a public arena for expression of political grievances related to the past. A peculiar design to have stories of both the victims and the victimizers told marks the South African case off from many others, which we treat as principally comparable here. This peculiarity consisted of the foundation of the well-known Truth and Reconciliation Commission (TRC) in 1995, a year after the definite demise of the apartheid system. Its public character was an important innovation in this type of a transitional justice institution: “One significant aspect of the South African example [...] is that out of the nineteen instances of international truth commissions, the South African TRC was the first to be held as a form of public hearing.”¹⁰

Much of the scholarly literature on the South African public memory and history is devoted to the discussion of the TRC, which also testifies to the centrality of the institution in the “work of mourning” undertaken by the nation. Deborah Posel sums up the mission of the TRC as a quest for a “truthful” historical narrative around which a nation could rally:

Truth commissions have set out to write and present public histories in ways that position the pursuit of truth center stage in a drama of efforts to broker peace and transcend past histories of brutal violence and painful division. Truth commissions, then, are particular techniques of “nation building” that are deployed largely outside the West [sic!]¹¹

TRC also worked symbolically as a model for forgiveness. Its Amnesty Committee was granted a power to deliver amnesty to those who engaged in criminal behavior during the apartheid era on the proviso that a political motivation could be ascertained and full disclosure of the acts presented. Essentially, in so doing, the state gave a priority to reconciliation with the past and among its divided populace over its interest to enforce everyday legality. Although normally such a departure from the certainty of legal order could be expected to weaken the trust in the state apparatus, but the exceptional character of the institution combined with the urgent need to address past grievances may in fact strengthen the trust as the apparatus aligns itself more closely with the national community.

One would look in vain for a similar notion of transitional justice in the Czech Republic. The representative of the Czech state would probably concur with the hope of the South African lawmakers who

deemed [it] necessary to establish the truth in relation to past events as well as the motives for and circumstances in which gross violations of human rights have occurred, and to make the findings known in order to prevent a repetition of such acts in future¹²

¹⁰ Coombes, *History After Apartheid*, p. 244. The public nature of the TRC’s hearings also had an expectable corollary, as Coombes adds: “Another crucial dimension is that the TRC was turned into a media spectacle. The lies, the deceptions, the brutality, the tears, the weaknesses, and the strengths were transformed into theatre via the representations, which were broadcast regularly on SABC and national radio and reported in the national press” *Ibid.*

¹¹ Deborah Posel, “History as Confession: The Case of the South African Truth and Reconciliation Commission.” *Public Culture*, 2008, no. 20, p. 119.

¹² *Promotion of National Unity and Reconciliation Act*. Act. no. 34 of 1995.

However, the particular ways that each state uses to translate its proclamations into concrete institutions and practices differ so significantly that they, in fact, seem to follow quite disparate agendas. While the South African state seems to be resolute in its commitment not to forget, it also went out of its way to forgive. On the contrary, “to forget but not to forgive was the more common strategy in Central and East European countries leaving Communism behind”.¹³

Czechs have also witnessed a motion of transitional justice that, however, may be more aptly called a retroactive justice. That what appears to be perhaps a merely inconsequential terminological nuance, carries with it a conceptual difference sufficient to prevent a conflation of these two notions, which is otherwise a frequent occurrence. The basis for this retroactive justice was laid down primarily by two laws. The Act of 13 November 1991 about the period of the lack of freedom¹⁴ and the Act of 9 July 1993 about the unlawful character of the communist regime and about the opposition to it¹⁵ defined the immediate past as a legally precarious period that had not allowed for a proper functioning of prosecution and courts.

There are two important differences that make this strategy incompatible with the South African solution. Firstly, whereas the TRC made it possible for perpetrators of past wrongdoings to repent of their actions and avoid or cancel a punishment, the Czech legislation declared that the negative prescription on politically motivated offences committed in the past cannot count in the duration of the state-socialist regime, implying that there would be more punishment, not less. Secondly, the prosecution of such formerly unpunished offences should be carried out in standard courts. Thus, no special, transitional, status would be conferred upon those crimes. Restoration of the authority of everyday legality thus achieves primacy. In this manner, the state repudiates personal testimony as a necessary precondition in the pursuit of “truth” about the past. In this vision, the apparatus of the state is fully credited with the capability of unveiling the said “truth”. In effect, two distinct modes of remembering begin to take shape. One builds up from the bottom, while the other one works from the top down. As Wojciech Sadurski skillfully explicates, in a passage that is in opportune concurrence with this paper’s approach:

the difference between these truth commissions and the Czech declaration is that the former – such as the Commission on Historical Clarification in Guatemala or Commission for Truth and Reconciliation in South Africa – typically work their way from detailed, single-case accounts to generalised characterisations of the regime. [...] But the Czech statutory declaration [about the unlawful character of the communist regime] is nothing but interpretation, and – at best – a “generalised account”. [...] As such, it is not the basis for a consensus-seeking establishment of the facts about the past, but rather a dissensus-provoking state orthodoxy about the ideological lenses through which the past should be viewed.¹⁶

¹³ Iwona Irwin-Zarecka, *Frames of Remembrance: The Dynamics of Collective Memory*. New Brunswick: Transaction Publishers 1994, p. 127.

¹⁴ Act no. 480/1991 Coll.

¹⁵ Act no. 198/1993 Coll.

¹⁶ Wojciech Sadurski, *Rights Before Courts*. Dordrecht: Springer 2005, p. 231. Sadurski actually likens the truth commission model to historian’s work, to “the way in which an individual historian constructs a

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It may come across as inappropriate to open a summary overview of the post-socialist and post-apartheid historiographies with a reference to yet another statutory instrument, but the act of the Czech parliament on the Institute for the Study of Totalitarian Regimes and the Security Services Archive¹⁷ represents a major effort of the state to promote research specialized on the history of the state-socialist regime. By virtue of its status as an “institute”, the recently found organization enjoys academic status and employs qualified historians. What is worrisome is the prescription of its research focus, which the law’s preamble narrows to “[investigation and recall of] the consequences of the activity of criminal organizations based on the Communist and Nazi ideologies advocating suppression of human rights and rejecting the principles of a democratic state in the years 1938–1945 and 1948–1989”.¹⁸ It is here, not in the constitution, that the Czech Republic legislates duty to remember and, by the same token, passes it, albeit in an ambiguous manner, onto historians.

This “forensic” flavor, which in effect sees the past generations through a prism of victims and victimizers, was the main reason for a controversy that surrounded the passing of the act in 2007. Criticism came predictably from the M.P.s of the Communist Party of Bohemia and Moravia, a successor to the formerly ruling Communist Party of Czechoslovakia, but also from other leftwing parties and from an important segment of the community of historians. A peculiar forerunner of this institute is the Office for the Documentation and the Investigation of the Crimes of Communism, an organization that is actually a part of the Police of the Czech Republic, although it has, since 1995, carried out a lot of historiographical and archival type of work.

An obsession with archives is a salient feature of the Czech post-socialist historiography of the immediate past. This urge to construct, but above all, to declassify and make public the archives of the previous regime is something else than the “imperative of our epoche [which] is not only to keep everything, to preserve every indicator of memory – even when we are not sure which memory is being indicated – but also to produce archives.”¹⁹ These are the words of Pierre Nora from his famous article on the realms of memory that attempted to account for the changes in the social forms of remembering in modern societies, divested of their living memory. In this sense, the “imperative” to archive is a universalizing process. Yet as such it is also defined by “indiscriminate production of archives”²⁰ and that characteristic is only partly responsible for the very deliberate, targeted and discriminatory efforts to archive the traces of state-socialism. The latter are distinct by the purpose of revealing the identities of individuals who were either members of secret service police or who collaborated with them. Another detective trend in historiography

synthetic account on the basis of cases, facts and events” (*ibid.*); but as we shall see below, the work of a historian does not present a universally applicable model entirely free of social determination.

¹⁷ Act no. 181/2007 Coll.

¹⁸ *Ibid.*

¹⁹ Pierre Nora, “Between Memory and History: Les Lieux de Mémoire.” *Representations*, 1989, no. 26, p. 14.

²⁰ *Ibid.*

would examine the previously unknown documents of political nature in order to discover the backstage maneuvers of communist politicians.

This fringe history that proliferates in intimate connection with the state's objectives represents, of course, only a fragment in the overall historiographical discipline. Yet, in the debates on the immediate past, it is a fragment of considerable importance. The standard historiography offers little counterweight to the former tendency and could hardly claim a similar public significance. The output of the research is extensive enough in a number of publications, but the research's scope is very narrow regarding the perspectives employed. Resembling the history of "great men", the history of the previous regime becomes a stage where the impersonal "Party" is the main actor. In a curious consequence, the state-socialist and the post-socialist historians seem to share a similar vision of history, where the Communist Party is the true leader of the masses, only now the normative statements differ. Young historians from the post-socialist generation described the situation in a following critical manner:

The historiography of the Communist dictatorship] heavily relies on the theory of totalitarianism, in which the power structures of the state and the Party are in sharp opposition to society. [...] Moreover, not only the new social history approaches but the traditional structural social and economic history of the Communist period as well are seriously lagging behind research on power politics.²¹

The South African historians could reasonably choose to examine the apartheid past along a similar pattern, where the National Party and international politics of the Cold War would be the main factors in shaping the history. Many, in fact, employ other perspectives. Whereas social history has a strong position in the Czech Republic in the study of older periods, we have seen above in the assessment of historiography of the state socialism that it has suddenly a little role to play when it comes to the immediate past. This contrasts strongly with the South African case, where "an emancipatory ideal has been best served by a return to the speaking subject (primarily through oral history methodologies) and in the selective appropriation of the national popular by social history".²² The latter seems to be such a prolific approach that it actually invites a lot of criticism. Thus, unlike in the Czech historiography, where the "masses" of state socialist citizens hide from a historian's eye in the shadow of powerful political players, the South African historiography, with its emphasis on social and oral history, according to its critics, Gary Minkley and Ciraj Rassool, produces

a particular conception of individual and collective memory. [...] Collective memory is seen as the collective meanings that belong to the political field, while individual memory is also seen to be primarily part of this field as it makes sense of historical details in direct relation to political legitimacy.²³

²¹ Pavel Kolář and Michal Kopeček, "A Difficult Quest for New Paradigms. Czech Historiography After 1989." In: Antohi, S., Trecsenyi, B. and Ápor, P. (eds.), *Narratives Unbound. Historical Studies in Post-Communist Eastern Europe*. Budapest –New York: CEU Press 2007, p. 223.

²² Premesh Lalu, "When Was South African History Ever Postcolonial?." *Kronos*, 2008, no. 34, p. 270.

²³ Gary Minkley and Ciraj Rassool, "Orality, Memory and Social History in South Africa." In: Coetzee, C. and Nuttall, S. (eds.), *Negotiating the Past: The Making of Memory in South Africa*. Cape Town: Oxford

Ergo, collectivities as well as individuals are conceptualized as overpoliticized subjects according to this view. In what is basically a defense of the phenomenological dimension of the memory of apartheid, the critics dispute the encroachment of historiography on everyday life: “Tradition, memory, and orality cease to be arenas negotiating society’s relationships between past and present. This is left to history and the written word.”²⁴ Albeit Minkley and Rassool may be justified in their attempt to protect memory from history, it should still be worthy to acknowledge that within the range of historiographical approaches, those prevalent in South Africa tend to border with the sphere of collective memory (this could be the exact same reason why the memory is, according to them, so much threatened). When confronted with the predominant South African historiographical trends, should we assume that there are important constituencies in the Czech society that would welcome their deeper inscription into the history of state socialism? Or is it perhaps that a political subject would be hard to find if it were searched for “from below”?

The challenges faced by the Czech historiography are clearly of a different nature than the overpoliticization of collective memory. For the “totalitarian” paradigm, the political agency is located almost exclusively in the hands of former political elites. Yet the real problems stem from the peculiar erosion of borders between the state’s memorial politics, historical science, and standard criminal and judicial apparatus. Paul Ricoeur rightfully alerts us to the danger of having the distinction between historian and judge blurred:

The judge has to pass a judgment – this is the function of a judge. Judges must come to a conclusion. They must decide. They must set at an appropriate distance the guilty party and the victim, in accordance with an imperiously binary topology. All this, historians do not do, cannot do, do not want to do; and if they were to attempt it, at the risk of setting themselves up as the sole tribunal of history, this would be at the cost of acknowledging the precariousness of a judgment whose partiality, even militancy, is recognized.²⁵

To be fair, it should be recognized that there are also similarities in the discipline of history in both countries. The South African historians strive to re-research and re-represent the pre-apartheid history in order to come up with a “view of history as perceived by those experiencing it within the country rather than from the colonial/settler perspective”;²⁶ pretty much the same thing goes on in the Czech Republic where

much effort has been spent filling in ‘blank spots’ ignored by Communist-era historiography. These blanks include not only periods such as the immediate postwar era, but also understudied topics such as the Holocaust, the transfer/expulsion of the Sudeten Germans and the events of 1968.²⁷

University Press 1998, p. 99.

²⁴ *Ibid.*

²⁵ Paul Ricoeur, *Memory, History, Forgetting.*, p. 320.

²⁶ Coombes, *History After Apartheid*, p. 177.

²⁷ Chad Bryant, “Whose Nation?: Czech Dissidents and History Writing from a Post-1989 Perspective.” *History and Memory*, vol. 12, 2000, no. 1, p. 48-9.

It should thus be made explicitly clear that the notion, which is emerging here, of the difference between the two historiographies and, specifically, between their preferred methods and approaches, relates solely to the occasions when the immediate past is the object.

Another principle that the two historiographies seem to share is the uneasiness about abandoning the burden of its own social as well as disciplinary history. This burden, as has been already hinted at above, consists of epistemological and methodological preferences, as well as of the concomitant choices of the objects of inquiry. Thus, on the one hand, Chad Bryant may observe in the Czech historiography a persisting tendency to emphasize the “‘factographical’ standards” and trace the tendency back to the state-socialist era, when the espousal of positivism served as a tactic that “allowed historians to employ the correct ideological language in order to present their findings, playing a sort of game which allowed them to avoid censorship (and repression) while still having their works published”.²⁸ On the other hand, Premesh Lalu can question the self-proclaimed post-colonial status of South African historiography by claiming that “those knowledge projects, such as social history, that arose in the opposition to apartheid”²⁹ continue in “the production of subject that was always, and necessarily, threaded through a structure of racial capitalism”,³⁰ instead of making way to a proper post-colonial approaches, such as subaltern studies. Hence, although the specific preferences and choices of the respective historiographies differ, as this paper tries to demonstrate, they seem to have in common their rootedness in the recent past and in the ways in which historians attempted to bypass the political supervision of their discipline.

Conclusion

The cases of the two countries and their respective political and historiographical treatment of recent past suggest that the epistemology of historical knowledge is socially overdetermined. On the one hand, the South African state has striven to provide platform and methods of transitional justice that would allow for the apartheid past to be revisited in public and that would stimulate storytelling and forgiveness. The state itself commits constitutionally to remember the past. The South African historians, in similar fashion, are ready to listen to historical actors and their primary resource is the collective memory of the former subalterns. On the other hand, the Czech state views the past as self-evident in terms of victimhood and guilt and does not hesitate to legislate these definitions. Stories need not to be told. Remembrance is required, but passed onto the work of historians. They, in turn, show only limited interest in those presumably oppressed by the state-socialist regime. Instead, they focus on the archival traces of the functioning of the oppressive apparatus and, in a somewhat tautological movement, provide the judges and the authorities with further disclosures on the predefined guilty parties. The pillars of the post-apartheid public history seem to be the responsibility of the state, reconciliation, storytelling, and precedence of collective memory over the “uncanny”³¹ of the history. The Czech post-socialist public history, in contrast, relies on the responsibility of individuals, prosecution, investigation and precedence of the archive over collective memory. The difference could thus be viewed

²⁸ *Ibid.*, p. 49, 40.

²⁹ Lalu, “When Was South African History Ever Postcolonial?,” p. 267.

³⁰ *Ibid.*

³¹ Ricoeur, *Memory, History, Forgetting*, p. 393ff.

also as centered on the value of testimony, of which Ricoeur remarks that it “opens an epistemological process that departs from declared memory, passes through the archive and documents, and finds its fulfillment in documentary proof”.³² It may be impossible and even undesirable to attempt at resolving this dichotomic dimension of testimony, which spans from declarative memory to documentary proof, by choosing one extreme over another. However, what is more disturbing is to find a continuing approximation of political doxa and historical epistemology in the countries that wished to escape the unilateral discourse of oppression.

³² *Ibid.*, p. 161.