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CZECH DEMOCRACY 1918-1938 –
PARAGON OR PARODY?

Appraisals of the political system of the Czechoslovak 'First Republic' have varied greatly, ranging from the utmost praise to utter condemnation. Needless to say, these evaluations have not been unaffected by the political or national context in which they appeared. So, British and American accounts usually have been favourable towards the First Republic, while German portraits have tended to be less flattering.[1] In the post-1948 Czech context, the more oppressive the Communist regime was, the more hostile its attitude toward the First Republic. Conversely, after 1989, admiration of the First Republic seemed almost mandatory in public discourse as well as in scholarly writings.[2] Indeed, in 1995 President Václav Havel held up the state as

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[1] Compare *Mamatey*, Victor S./*Luža*, Radomír (eds.): A History of the Czechoslovak Republic 1918-1948, Princeton 1973 to *Hoensch*, Jörg K.: Geschichte der Tschechoslowakischen Republik 1918-1965. Stuttgart 1966, or to *Bosl*, Karl (ed.): Handbuch der Geschichte der böhmischen Länder. Vol. 4, Stuttgart 1970. I refer to post-war West German literature only. In recent years the picture has become far more varied on both sides of the Atlantic and German scholarship focussed less on Sudeten German grievances. See for instance *Miller*, Daniel E.: Forging Political Compromise: Antonín Švehla and the Czechoslovak Republican Party 1918-1933. Pittsburgh 1999. – *Feinberg*, Melissa: Elusive Equality: Gender, Citizenship, and the Limits of Democracy in Czechoslovakia, 1918-1950. Pittsburgh 2006. – *Zahra*, Tara: Kidnapped Souls: National Indifference and the Battle for Children in the Bohemian Lands, 1900-1948. Forthcoming (Ithaca 2008). – *Boyer*, Christoph: Nationale Kontrahenten oder Partner? Studien zu den Beziehungen zwischen Tschechen und Deutschen in der Wirtschaft der ČSR (1918-1938). München 1999. – *Wessel*, Martin Schulze (ed.): Loyalitäten in der Tschechechoslowakischen Republik 1918-1938. München 2004 (VCC 101). – *Zückert*, Martin: Zwischen Nationsidee und staatlicher Realität: Die tschechoslowakische Armee und ihre Nationalitätenpolitik 1918-1938. München 2006 (VCC 106).

[2] Reactions from the historical 'establishment' to heretical voices were at times furious. See *Olivová*, Věra: Manipulace s dějinami první republiky [Manipulations with the History of the First Republic]. In: Český Časopis Historický 91 (1993) 442-459, a review of the critical interpretation of conventional Czech historical self-perceptions offered by "Podiven" (a pseudonym for Petr Pithart, Petr Příhoda, and Milan Otáhal): Češi v dějinách nové doby: pokus o zrcadlo [The Czechs in Modern History: An Attempt at a Mirror]. Praha 1991, or Eva Broklová's review of *Klimek*, Antonín: Boj o hrad, vol. 1 Praha 1996. In: Politologická revue 3 (1997) 192-199. Klimek's offence consisted of bringing a less flattering portrait of T. G. Masaryk's political practice than commonly offered. Common to these reactions was the assumption that a critical opinion about the state of Czechoslovak democracy in the inter-war years was proof of the author's own anti-democratic attitudes today or of his hostility to his own nation. Commenting on the heated response to Klimek's work, Josef Harna spoke in 1998 of "[...] one of the greatest weaknesses of modern Czech historiography, namely the absence of an atmosphere of discussion." *Harna*, Josef: Česká historiografie a trendy výzkumu dějin meziválečného Československa ke konci 20. století [Czech historiography and trends in the study of the history of inter-war Czechoslovakia towards

an international paragon, claiming that "[...] a modern, democratic, liberal state was purposefully created here on the basis of the values to which the entire democratic Europe of today is committed as well, and in which it sees its future."[3]

The actual functioning of this "modern, democratic, liberal state" will be discussed in the following paper, but a key delimitation must first be explained: The title speaks of *Czech* democracy only, seemingly ignoring the fact that we are studying a Czecho*slovak* republic with a large German minority. There is a pragmatic side to this, since there is no scope here for a discussion of Slovak or Sudeten German attitudes towards democracy in general, or to the inter-war Czechoslovak version thereof in particular. But more fundamentally, this limited perspective reflects the predominant Czech perception, since the Czechs have tended to regard this democracy as their *national property*, and themselves as its fathers, its only real guardians – dismissing the Slovaks and the Germans as 'disloyal opposition' and then 'traitors' – and hence also the only true heirs to it today.[4] In the First Republic, this understanding of the relationship between nation and state also expressed itself in a very modest Czech interest in granting access to the minorities at the forums of *real* decision-making (the *Pětka,* the inner *Hrad* circle etc.), in spite of the occasional ministerial office for a Slovak or a German.

The political system – a brief presentation

In October 1918, Masaryk and the domestic national leaders uniformly declared that the new Czechoslovak state was to be a democracy. This was confirmed in the Czechoslovak Constitution of February 29, 1920, which described the state as a democratic republic with a president at its head, and a bicameral parliament elected by proportional vote with no limiting threshold. Suffrage was equal, secret, and universal, a segregation of powers prescribed, and all fundamental civil and political rights guaranteed according to contemporary standards. In the Republic's lifetime four general elections were held, in 1920, 1925, 1929, and 1935, with no ban on the Communists or on Henlein's Sudeten German Party. From 1920 until the Munich

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the end of the 20th century]. In: *Valenta,* Jaroslav/*Voráček,* Emil/*Harna,* Josef: Československo 1918-1938: Osudy demokracie ve střední Evropě [Czechoslovakia 1918-1938: The Fates of a Democracy in Central Europe]. Praha 1999, 41-47, here 44. – The situation has clearly improved in the second decade after the fall of Communism, which also has brought two major studies in the history of the First Republic: *Klimek,* Antonín: Velké dějiny zemí Koruny české [A Big History of the Lands of the Bohemian Crown]. vol. 13, 1918-1929, Praha, Litomyšl 2000; vol. 14, 1929-1938, Praha, Litomyšl 2002. – *Kárník,* Zdeněk: České země v éře první republiky [The Bohemian Lands in the Era of the First Republic] (1918-1938). 3 vols. Praha 2000, 2002, and 2003.

[3]   'Czechs and Germans on the Way to a Good Neighbourship'. Speech delivered at the Charles University, Prague, February 17, 1995. English translation found at: http://old.hrad.cz/president/Havel/speeches/1995/1702_uk.html (accessed April 2007).

[4]   *Olivová,* Věra: The Czechoslovak Government and its 'disloyal' opposition, 1918-1938. In: *Morison,* John (ed.): The Czech and Slovak Experience. Selected Papers from the Fourth World Congress for Soviet and East European Studies, Harrogate, 1990. Houndmills, London 1992, 89-101. – *Kunc,* Jiří: Stranické systémy v re/konstrukci [Party systems in re/construction]. Praha 2000, 171.

Agreement of September 1938 these foundations of the political system were never seriously threatened. Only T. G. Masaryk and, from 1935, Edvard Beneš held the presidency, and the seventeen cabinets in twenty years were the outcome of technical reshuffling among coalition partners rather than expressions of any fundamental change. Thus, it seems fair to conclude with Joseph Rothschild that the "political history of interwar Czechoslovakia [...] was unique in East Central Europe not only for its uninterrupted constitutional and civil libertarian continuity, but also for a pattern of extraordinary stability."[5]

The Problem of the Second Republic

Against this background, the speed and scale of the collapse of this democratic system after October 1938 is all the more striking. Within two months, and without any pronounced political resistance or public protest, the pluralistic parliamentary system was abandoned, the old parties prohibited or absorbed into two new parties – one ruling, one subordinate and barely tolerated – an authoritarian regime installed, and many basic political and civic rights suspended.[6]

These developments call into question the solidity of the Czech commitment to democracy. The traditional way to handle this discrepancy has been to put a wall between the First and the Second Republic and claim a complete discontinuity between the two, placing *all* blame for developments in the latter on foreign influences and pressure. The Czech bending to this pressure is then explained by the trauma caused by the dramatic recent events. In Theodore Procházka's words:

Munich created unprecedented confusion in the minds of the Czech people [...] In this agitated state of mind they were prone to rejecting their traditional values and their past representatives only because they had temporarily failed.[7]

[5] *Rothschild*, Joseph: East Central Europe between the Two World Wars. Seattle, London 1974, 100.

[6] For two thorough accounts of the history of the Second Republic, see *Kuklík*, Jan /*Gebhart*, Jan: Druhá republika 1938-1939: Svár demokracie a totality v politickém, společenském a kulturním životě [The Second Republic 1938-1939: The Struggle Between Democracy and Totalitarianism in the Political, Social and Cultural Life]. Praha, Litomyšl 2004. – *Procházka*, Theodore: The Second Republic: The Disintegration of Post-Munich Czecho-Slovakia (October 1938 - March 1939). New York 1981.

[7] *Ibid.* 56. – Kárník too insists that it is erroneous to suggest that any domestic, 'pre-Munich' factors contributed to the collapse of the political system of the First Republic, see *Kárník:* České země, vol. 3, 634 (cf. fn. 2). – Kuklík and Gebhart also follow this paradigm, see *Kuklík/Gebhart:* Druhá republika 11-12, 36-50 (cf. fn. 6), and Jan Rataj's critical review of their book: Rataj, Jan: Konečná diagnóza druhé republiky? [The Final Diagnosis of the Second Republic?]. In: Soudobé dějiny 12 (2005) 1, 140-154, in particular 147. – Elsewhere, Procházka remarked with an interesting modal expression that "[t]he party system *had to* be simplified" (emphasis added), thereby presenting this process not as a matter of political choice, but as an objective necessity dictated by 'History' itself. See *Procházka*, Theodore: The Second Republic, 1938-1939. In: *Mamatey/Luža:* A History of the Czechoslovak Republic 262 (cf. fn. 1). – Josef Harna too resorts to psychology when explaining the rapid dismantling of party pluralism in the fall of 1938: "The Czech political party system [stranictví] collapsed only after Munich under the pressure from the international situation, accompanied by feelings of hopelessness, powerlessness and moral frustration brought for-

To interpret Czech political behaviour in the Second Republic through the pure-ly psychological framework of collective psychosis is, however, unsatisfactory. And as Peter Heumos has sarcastically remarked, attempts to explain the radical break with the previous democratic order as caused by the territorial losses suggest a one-dimensional, causal relationship between the loss of sovereignty and Czech au-thoritarian political developments. This leads to the related conclusion that Czech democracy itself was a dependent variable of foreign political stability, and hence just as 'in-authentic' as its counterpart.[8] Also, if the Germans and the Slovaks were the main anti-democratic forces in the First Republic, and the Czechs innately demo-cratic, the cession of Sudeten German territory and the establishment of Slovak autonomy ought to have strengthened Czech democracy, rather than provoke its immediate farewell.

Recently, 'revisionists' in the Czech Republic and abroad have challenged the traditional interpretation. Heumos has argued from a social history perspective that the political system of the First Republic suffered from certain "construction errors" that weakened its ability to mobilize politically in defence of democracy and left it with a certain "authoritarian potential."[9] From Prague, Jan Rataj has shown convin-cingly how the authoritarian ideology developed in the Second Republic had firm domestic roots and many ardent, well-prepared supporters inspired by contem-porary fascist models. The rapid introduction of anti-democratic, racist policies was by no means a mere passive adaptation to foreign pressures, and Rataj therefore concludes:

[...] the Nazi occupation on March 15, 1939 paradoxically prevented a completely fascist trans-formation of the Czech part of the state through Czech means of power and from Czech pro-grammatic sources.[10]

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ward by the dictate of Munich." *Harna,* Josef: Stranickopolitický systém v Československu v letech 1918-1938 [The Party Political System in Czechoslovakia 1918-1938]. In: *Malíř,* Jiří/*Marek,* Pavel (eds.): Politické strany: Vývoj politických stran a hnutí v českých zemích a Československu 1861-2004. Vol. I: Období 1861-1938 [Political Parties: The Develop-ment of Political Parties and Movements in the Bohemian Lands and Czechoslovakia, 1861-2004. Vol. I: The Period 1861-1938]. Brno 2005, 549.

[8] *Heumos,* Peter: Der Klabautermann und der lydische Hirte: Aus dem Schatzkästlein erbau-licher Historie, In: Bohemia 39 (1998) 409-421, here 409. – It can be argued that to some extent, the Czech political elites did see the degree of democracy at home as contingent upon international support of the Czechoslovak Republic.

[9] *Heumos,* Peter: Thesen zur sozialgeschichtlichen Dimension eines Systemzusammen-bruchs: Das Beispiel der Ersten Tschechoslowakischen Republik 1938/39. In: Archiv für Sozialgeschichte 34 (1994) 55-61. – *Idem:* Strukturální prvky první československé republi-ky: Politicko-společenský systém, intermediární organizace a problém stability [Structural Elements of the First Czechoslovak Republic: The Political-Social System, Intermediary Organizations, and the Problem of Stability]. In: Soudobé dějiny 2-3 (1995) 157-168.

[10] *Rataj,* Jan: O autoritativní národní stát: Ideologické proměny české politiky v druhé repu-blice 1938-1939 [For an Authoritarian National State: The Ideological Changes of Czech Politics in the Second Republic]. Praha 1997, 234. – Similarly, and indirectly contradicting Harna (*Harna:* Stranickopolitický systém v Československu [cf. fn. 7]), Jan Holzer has argued that one cannot explain the reduction of the party system in the Second Republic through only the effects of Munich, as unifying processes had been visible since the mid-1930s. *Holzer,* Jan: Stranický systém druhé republiky [The Party System of the Second

Finally, even the Czech politicians in exile as well as the opposition during the Second World War may be considered 'revisionists,' since after 1938 *no one*, Democrat or Communist, wanted to return to the political system of the First Republic. These reactions are a significant key to the understanding of Czech inter-war democracy.

The Creation of the Political System

The foundations of the Czechoslovak political system were established shortly after the declaration of independence on October 28, 1918. On November 13, a Provisional Constitution was announced and the following day a Revolutionary National Assembly was established with 256 seats, of which 214 were distributed among the Czech political parties, while 40 were given to Slovak representatives and two reserved for the Czechoslovak legions.[11] The Assembly immediately appointed an 'all-national' coalition government led by Karel Kramář and elected T. G. Masaryk president. The Parliament and the President both claimed revolutionary legitimacy, and a fierce power conflict between the two characterized the following period. At first the Parliament claimed absolute power – as reflected in the Provisional Constitution drafted mainly by the Social Democrat Alfréd Meissner – but the body was soon subjected to intense regimenting by the leaders of the Czech political parties as well as the President, who on May 23, 1919 achieved a revision of the Constitution that strengthened his powers considerably. The party leaders imposed their authority from the outset by appointing the members of the Revolutionary National Assembly, and they considered the seats in Parliament to be party property, a viewpoint endorsed by the Constitutional Committee of the National Assembly in April 1919 when two Social Democrats defected from the party. The two were stripped of their mandates and replaced by other party members, a procedure that undermined the independence and hence the authority of the Parliament.[12]

This subjection of the Parliament was, according to Jiří Kunc, far from accidental: in a situation where everything – state borders and international recognition, the

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Republic]. In: *Malíř*, Jiří / *Marek*, Pavel (eds.): Politické strany: Vývoj politických stran a hnutí v českých zemích a Československu 1861-2004. Vol. 2: Období 1938-2004 [Political Parties: The Development of Political Parties and Movements in the Bohemian Lands and Czechoslovakia, 1861-2004. Vol. 2: The Period 1938-2004]. Brno 2005, 1039, see also 1054-1055.

[11] The Czech seats were distributed according to the so-called *Švehla key* (named after the leading Agrarian politician Antonín Švehla), based on the results of the 1911 elections to the Austrian Reichsrat. The key was introduced in July 1918 when the domestic Czech political leaders established the *Czechoslovak National Committee*. Actually, some of the Slovak seats were given to politically unaffiliated Czechs such as Edvard Beneš and Alice Masaryková, one of only eight women to enter the Parliament. See, *Lipscher*, Ladislav: Verfassung und politische Verwaltung in der Tschechoslowakei 1918-1939. München, Wien 1979, 22-23 (VCC 34). – *Klimek:* Velké dějiny, vol. 13, 52 (cf. fn. 2). – *Peroutka*, Ferdinand: Budování státu [The Building of the State]. Vol. 1. Praha 1933, 18-21, 259-262.

[12] *Kárník:* České země, vol. 1, 64 (cf. fn. 2). – *Klimek:* Velké dějiny, vol. 13, 52-55, 60, 113-114 (cf. fn. 2). – *Klimek*, Antonín: Boj o hrad, vol. 1: Hrad a Pětka [The Struggle for the Castle, vol. 1: The Castle and the Pětka]. Praha 1996, 33-36, 44-45.

attitude and the status of the minorities, even the political stance of the Czech and Slovak peoples – was in a flux

[...] the structuring of the political system is concentrated into a conflict about who defines the meaning of the state as a whole, and concretely into a conflict between a party principle and an anti-party principle [stranictví a antistranictví], since the Parliament is not respected as a representative of the general will.[13]

Thus, the contest between President and parties determined the political shape of the new state, but as Kunc points out, this was not just a power struggle between exile and home, or Masaryk and Kramář. It was also a clash of two very different conceptualizations of what Czech politics was about. The 'pillarization' *(Versäulung)* of the Czech party system was pronounced even before the war,[14] and so the parties continued with a political culture of consensus-seeking in national questions among well organized, but socio-culturally segmented parties, each jealously guarding its own 'territory.' Traditionally, the parties also had a low respect for the Austrian representative institutions and saw themselves in opposition to the head of the state.[15] Masaryk, by contrast, not only created the new Czechoslovak state in a revolutionary act, he also sought to revolutionize its soul in accordance with his own national philosophy. Politically, this led him to call for strong leadership – in 1919 Masaryk flirted with the idea of an interim dictatorship with himself as dictator – and to a wish to diminish the influence of the Czech parties, of which he was highly sceptical.[16]

Czech Democracy in Practice 1920-1938

The fact that the Revolutionary National Assembly drafted and approved not only the Provisional, but also the 'real' Constitution of February 29, 1920 (and with it a number of related laws, including the highly important Language Law), is frequently cited as proof of a democratic deficit in the making of Czechoslovakia. The national minorities were only brought into the political process at the parliamentary elections in April 1920, and their initial absence has led to much controversy, both about the democratic legitimacy of the state – a controversy enhanced by the Preamble's reference to the '*Czechoslovak nation*' as the political subject passing the Constitution[17] – and about who was to blame for the non-participation of the Germans in

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[13] *Kunc:* Stranické systémy 168 (cf. fn. 4).

[14] *Luft,* Robert: Politischer Pluralismus und Nationalismus. Zu Parteiwesen und politischer Kultur in der tschechischen Nation vor dem Ersten Weltkrieg. In: Österreichische Zeitschrift für Geschichtswissenschaften 3 (1991) 72-87, here 84-87.

[15] *Kunc:* Stranické systémy 170 (cf. fn. 4).

[16] Within his general interpretation of the war as a conflict between democracy and theocracy Masaryk found that modern democracies (USA and Great Britain) rationally operated with only two political parties, while letting people's individualism and subjectivism express itself in various churches and sects. In Catholic countries the state-supported church upheld a unity, while subjectivism found an unhealthy outlet in party politics, see *Klimek:* Boj o hrad, vol. 1, 32-33, 106-107 (cf. fn. 12). – Also in 1919 (and indeed later!) Beneš called for a reduction of the number of political parties, and especially for the formation of one 'socialist bloc' *ibid.:* 50, 101-103.

[17] Masaryk's old friend Jan Herben drafted the Preamble. It is evident from Herben's presen-

particular.[18] But actually the whole people of the new state, defined in § 1 of the Constitution as 'the only source of all state power in the Czechoslovak Republic,' was denied influence in its drafting; nor did the citizens of Czechoslovakia get the possibility to confirm or reject the Constitution in a later referendum, a unique feature among the new states of Central and Eastern Europe.[19]

One may well argue that the weakening of the Parliament and the non-testing of the popular will were political necessities in a chaotic situation, in which domestic stability was a precondition for international support and recognition, and that both President and party leaders deserve praise for their willingness to compromise and

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tation that 'Czechoslovak' was understood in an ethnic sense, see *Peroutka*, Ferdinand: Budování státu [The Building of the State]. Vol. 3. Praha 1936, 1446-1448. – *Rádl*, Emanuel: Válka Čechů s Němci [The War of the Czechs With the Germans]. Praha 1993 (1st edition 1928), 125-127. – *Klimek:* Velké dějiny, vol. 13, 147-148 (cf. fn. 2). – Broklova's attempt to present the phrase as parallel to similar phrases in the American and the French Constitutions, which speak of the American or the French people in a clearly political and civic sense, is therefore unconvincing, see *Broklová*, Eva: První československá ústava: Diskuse v ústavním výboru v lednu a únoru 1920 [The First Czechoslovak Constitution: Discussions in the Constitutional Committee in January and February 1920]. Praha 1992, 9. – See also *Znoj*, Milan: Demokracie a národní identita: český případ [Democracy and National Identity: The Czech Case]. In: Moderní dějiny 2, Sborník k dějinám 19. a 20. století, Praha 1994, 41-51.

[18] Peter Burian expresses the conventional German perspective. In an article otherwise very favourable in its evaluation of the democratic principles embedded in the Constitution, he concludes that even the most scrupulously correct democratic system could not repair the damage stemming from the injustice of the exclusion of the Germans from a share in its making, see *Burian*, Peter: Demokratie und Parlamentarismus in der Ersten Tschechoslowakischen Republik. In: *Volkmann*, Hans-Erich (ed.): Die Krise des Parlamentarismus in Ostmitteleuropa zwischen den beiden Weltkriegen. Marburg/L. 1967, 85-102, here 91, 102. – See also *Slapnicka*, Helmut: Recht und Verfassung in der Tschechoslowakei 1918-1938. In: *Bosl*, Karl (Hg.): Aktuelle Forschungsprobleme um die Erste Tschechoslowakische Republik. München, Wien 1969, 93-112, here 98 (BWT 1). – *Lipscher:* Verfassung und politische Verwaltung 59-60 (cf. fn. 11). – Broklová, on the contrary, bluntly dismisses all such objections (repeating the opinions of Tusar and other Czech politicians from around 1920), and places all blame on the disloyal Germans, while Peroutka admits that in 1920 most Czech parties had a strong interest in presenting the Germans with a fait accompli. See *Broklová*, Eva: Československá demokracie: politický systém ČSR 1918-1938 [Czechoslovak Democracy: The Political Systém of the ČSR, 1918-1938]. Praha 1992, 23. – *Peroutka:* Budování státu, vol. 3, 1440 (cf. fn. 17). – Compare also with *Kárník:* České země, vol. 1, 90-101 (cf. fn. 2). – *Klimek:* Velké dějiny, vol. 13, 147-148 (cf. fn. 2). – English and American accounts have tended to ignore the problem, or to see the exclusion of the Germans as a necessity or at most tactical error given the German unwillingness to recognize the state, see *Wallace*, William V.: Czechoslovakia. London 1977, 144-150. – *Beneš*, Václav L.: Czechoslovak Democracy and Its Problems, 1918-1920. In: *Mamatey/Luža:* A History of the Czechoslovak Republic 95-98 (cf. fn. 1). – *Mamatey*, Victor S.: The Development of Czechoslovak Democracy, 1920-1938. In: Mamatey/Luža: A History of the Czechoslovak Republic 173 (cf. fn. 1). – *Rothschild:* East Central Europe 93 (cf. fn. 5). – *Agnew*, Hugh LeCaine: The Czechs and the Lands of the Bohemian Crown. Stanford, California 2004, 178-180.

[19] *Burian*, Peter: Die neue Staat und seine Verfassung. In: *Heumos*, Peter/*Lemberg*, Hans (eds.): Das Jahr 1919 in der Tschechoslowakei und in Ostmitteleuropa. München 1993, 203-214, here 209-212 (BWT 17).

their determination to create a democratic political system. But many practices established in these formative years continued even after the Constitution was passed and the political situation stabilized, to the effect that political stability was secured at the expense of constitutional rules and democratic norms. A certain tension between constitutional theory and political practice may be unavoidable, but in the Czechoslovak case the offences against the letter of the Constitution were, in some respects, quite serious. One may talk of three kinds of offences.

Firstly, there was the non-fulfilment of constitutional provisions. The Constitutional Court never functioned properly, and the seats in the Court were even left vacant for seven years after 1931.[20] The Senate never came to play any independent role,[21] nor was the institution of the referendum ever used.[22]

Secondly, additional legislation restricted the civil rights guaranteed in the Constitution.[23] A major restrictive act was the "Law for the protection of the Republic" of 1923, which – though aimed at violent extremists and passed shortly after the assassination of Alois Rašín – with its vague, all-inclusive definitions of what constituted an offence against the state could be used against anyone.[24] The

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[20] *Slapnicka:* Recht und Verfassung 102 (cf. fn. 18). – *Klimek:* Velké dějiny, vol. 13, 146 (cf. fn. 2). Compare to *Broklová:* Československá demokracie 47 (cf. fn. 18), or *Kárník:* České země, vol. 1, 102-103 (cf. fn. 2); both authors describe only what the Constitutional Court was meant to be and do, not its real fate. Curiously, Kárník ignores the organization and functioning of the judicial system in his otherwise very comprehensive history of the First Republic.

[21] The introduction of the Senate in the Constitution was controversial, and its eventual construction did little to differentiate it from the Chamber of Deputies (both chambers were elected by proportional vote). The Chamber of Deputies was elected for six years and the Senate for eight, but this provision was never respected. The issuing writs for elections to the Chamber of Deputies always resulted in the dissolution also of the Senate and simultaneous new elections. In this way, one avoided the inconvenience of having a different political composition of the two chambers; the wish to save money also played a role! The Senate had few political competences and in the end it served mostly as a retreat for elderly, second-rate, or worn-out politicians, see *Lipscher:* Verfassung und politische Verwaltung 61-63 (cf. fn. 11). – *Slapnicka:* Recht und Verfassung 101 (cf. fn. 11). – *Klimek:* Velké dějiny, vol. 13, 142-143 (cf. fn. 2). – *Broklová:* Československá demokracie 31-33 (cf. fn. 18).

[22] According to Broklová, who quotes Peroutka, the politicians were convinced that they were more responsible and sensible than the disorganized people. Also Masaryk shared this scepticism about the political sensibility of ordinary people, see *Broklová:* Československá demokracie 34 (cf. fn. 18). – *Slapnicka:* Recht und Verfassung 98 (cf. fn. 18) gives further examples of such dead content in the Constitution.

[23] Slapnicka points out that in 1920 civic rights were often defined *less* liberally than in the Austrian Constitution of 1867, since the freedoms granted in the Czechoslovak Constitution were made conditional on further regulation by law. The author gives many examples of films, books, even songs, that were forbidden in inter-war Czechoslovakia, see *Slapnicka,* Helmut: Die Grundrechte des geistigen Lebens und die Zensur. In: *Bosl,* Karl/*Seibt,* Ferdinand (eds.): Kultur und Gesellschaft in der Ersten Tschechoslowakischen Republik. München 1982, 151-162 (BWT 10).

[24] For example saying that Czechoslovakia was a vassal of France, or that the Emperor was better than Masaryk became criminal offences, see *Klimek:* Velké dějiny, vol. 13, 384-388 (cf. fn. 2). – Kárník admits that this legislation "balanced on the edge of constitutionalism," adding that in the 1930s it was "insufficient" and thus twice tightened, but he does not

freedom of the press was steadily reduced, especially from 1933, and as one Czech National Socialist politician argued: "First is democracy, and only then comes the freedom of the press."[25] 'Democracy,' obviously, became synonymous with the existing state order, and the leading Czech parties did not hesitate to use democratically dubious means to protect it. In October 1933, a law was passed that allowed for the dissolution of subversive political groups or parties. The law was used against only two Sudeten German, pro-Nazi parties in the immediate wake of its passing, but it remained democratically suspect: it empowered the government, and not the courts, to decide the legality of a party, giving the government a tool to change the composition of the Parliament and thereby create a majority at will. Only lack of consensus in the government saved the Communists or Henlein's Sudeten German Party from being banned.[26]

The third type of violation of the letter and the spirit of the Constitution aimed to strengthen the executive – or the political parties – at the cost of the Parliament. The importance of the Parliament and its plenum was reduced by the creation of a 'Permanent Committee' (*stálý výbor;* § 54 in the Constitution), a board of sixteen deputies and eight senators which took over many of the National Assembly's competences when the Parliament was not in session. As a small organ it was easier to control and from 1920 forward, especially in the early 1930s it was used frequently, which further degraded the Parliament.[27] Also, in clear contradiction with the Constitution's § 22, a 1919 practice established that the seats in Parliament belonged to the parties and not to the elected deputies, so that these would lose their seats if they broke the party discipline.[28] This, of course, weakened the prestige of the deputies and made them totally dependent on the party leaders. Also, during elections the parties presented their candidates on 'fixed-order lists,' which made it impossible for the electorate to express individual preferences amongst these candidates. The parties were allowed to arrange the lists used for distributing supplementary seats even *after* elections had been held, which amounted to a violation of the principle of direct elections. The combination of these restrictions and compulsory voting made

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reflect further upon the consequences of this for the quality of democracy in the First Republic, see *Kárník: České země,* vol. 1, 234-236 (cf. fn. 2).

[25] Quoted from *Slapnicka:* Die Grundrechte des geistigen Lebens 161 (cf. fn 23).

[26] Paradoxically, this was the only law that regulated the legal status of political parties. The parties were not mentioned in the Constitution, or even regulated by law. See *Lipscher:* Verfassung und politische Verwaltung 109-112, 155-157 (cf. fn. 11). – *Klimek:* Velké dějiny, vol. 14, 265-267 (cf. fn. 2). – *Kárník: České* země, vol. 2, 137-140 (cf. fn. 2).

[27] *Klimek:* Velké dějiny, vol. 13, 191 (cf. fn. 2).

[28] This practice was confirmed by a decision of the Electoral Court in 1923. Most members of the Electoral Court were appointed by the political parties, however, so that a decision in favour of the parties was close to inevitable. All parties agreed to these measures, but as the decision of the Electoral Court was challenged by lawyers, the parties instead began to force their candidates before elections to write undated declarations giving up their mandates. The party leadership could use them at any moment, then, see *Lipscher:* Verfassung und politische Verwaltung 112-114 (cf. fn. 11). – *Beneš:* Czechoslovak Democracy and Its Problems 98 (cf. fn. 18). – *Klimek,* Antonín: Počátky parlamentní činnosti v Československu. In: Parlamentní zpravodaj 9 (1997) 449-451.

elections appear 'mechanical,' and led to a loss of political interest within the general public.[29]

The cabinet was often reorganized, but due to the national and political composition of the Parliament there was never any prospect of a genuine change of guard among government and opposition. Rothschild points out:

Though the electorate four times denied the outgoing coalition an ongoing majority, the political consequences were relatively trifling, the chronic government parties considering themselves more-or-less immune to effective electoral retribution.[30]

The government therefore consistently ignored all suggestions from the opposition and introduced several regulations that made difficult the work of the opposition in Parliament. The opposition then turned to shouting or other forms of obstruction or sealed itself in lethargic passivity.[31] Parallels to the pre-war Austrian Parliament can certainly be drawn.

The Parliament was thus unable to challenge the government in any way, but in 1933 some government parties found it inconvenient and time-consuming to consult Parliament at all, and so in June – after much controversy in the governing coalition – they passed a so-called 'Authorizing Bill', which authorized the government to make various economic decisions during the world-wide economic crisis. The Agrarians were the chief architects of the law, which they used to improve their position in the coalition and to attack the Social Democrats: one of the first government decrees lowered unemployment relief, and from 1933 agricultural policies were conducted almost exclusively by decrees.[32] On Agrarian initiative, the bill was repeated-

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[29] *Broklová:* Československá demokracie 79-83 (cf. fn. 18).

[30] *Rothschild:* East Central Europe 135 (cf. fn. 5).

[31] *Klimek:* Velké dějiny, vol. 13, 518-520 (cf. fn. 2). – *Klimek:* Velké dějiny, vol. 13, 239-240 (cf. fn. 2). – *Lipscher:* Verfassung und politische Verwaltung 129-133 (cf. fn. 11). – In 1933, obstruction from the German nationalist parties particularly brought the government to change the parliamentary standing orders, so that deputies deemed to be obstructing could be excluded and physically removed from the negotiations in Parliament. Kárník admits that this step represented a "considerable curtailment of parliamentary freedom," but he considered the step necessary "if the Parliament was not to be put out of operation," see *Kárník:* České země, vol. 2, 137 (cf. fn. 2). – Yet the problem was that the only 'operation' left for Parliament in 1933 was to rubber-stamp decisions made elsewhere, with the opposition excluded.

[32] The Agrarians and the National Socialists pushed very hard to get this law passed. Originally, they even suggested that the authorization should be given to the President and the Premier only (at that time Jan Malypetr, an Agrarian), an idea also supported by Masaryk. The National Democrats, the Social Democrats, and the People's Party were reluctant to support the law, especially the 'narrow authorization,' and expressed their fear of Agrarian authoritarian intentions. As the People's Party argued, authorization should be given to the whole government (this eventually became the case), though this would again be superfluous since the Parliament obediently followed cabinet orders regardless, see *Klimek:* Velké dějiny XIV 231-239 (cf. fn. 2). – *Kárník:* České země, vol. 2, 82-85 (cf. fn. 2). – *Trapl,* Miloš: Political Catholicism and the Czechoslovak People's Party in Czechoslovakia 1918-1938. New York 1995, 80. – *Lipscher:* Verfassung und politische Verwaltung 151-154 (cf. fn. 11). – In formal terms, the Parliament had the right to convene within 14 days to object to the decrees. Given the strict party control of the parliamentary majority this of course never happened.

ly renewed until 1937, and its scope widened to the point at which government decrees could replace existing legislation (according to many Czech legal experts this amounted to a violation of the Constitution). The government thus assumed a legislating function at the cost of the Parliament, and in 1933 the Agrarians and the National Socialists openly argued that the Parliament was too clumsy an institution, technically and politically, to serve the needs of the time. As Emil Franke, a leading Czech National Socialist, put it, "our democracy is suitable for normal conditions, quiet times [klid], and relative wealth. If conditions are extraordinary, one cannot exclude equally extraordinary measures."[33]

In sum, the democratically-elected Czechoslovak Parliament was, from the beginning, deliberately weakened to the point at which it could not serve as a forum for any real political decision-making, and in 1933 the government found means to avoid the trouble of hearing it at all. Even Broklová has admitted that it never attained any "significant shape or function" and that it "looked most like a voting machine" for decisions made elsewhere.[34] Thus, the Parliament was never used as a democratic instrument for conflict regulation, and this has led Heumos to suggest that the stability of Czechoslovak parliamentary democracy was facilitated by its never having been exposed to the burden of true responsibility![35] As seen, even the judiciary's authority to serve as a guardian of democratic constitutionality was reduced to insignificance, and so the fate of Czech democracy was solely in the hands of the executive, i. e. the government (and the parties behind) and the President.

The Parties and the Pětka

Around 1920-1921 (and anticipated since 1918), the so-called *Pětka* (Group of Five) established itself, an unofficial group of top politicians from the five major Czech parties, the Agrarians; the National Democrats; the People's Party; the Social

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[33] Quoted from *Hradilák*, Zdeněk: Československá sociální demokracie a zmocňovací zákon v roce 1933 [The Czechoslovak Social Democracy and the Authorization Bill in 1933]. In: Příspěvky k dějinám KSČ 7 (1967) 29-51, here 42. – Opinions differ greatly on the importance and function of the law. Broklová claims that it was a mere technical measure aimed at defending democracy without any intent to side-track the Parliament; see *Broklová:* Československá demokracie 112-113 (cf. fn. 18). – Heumos, on the other hand, finds that parliamentary democracy in Czechoslovakia was thrown overboard with this law, see *Heumos,* Peter: Die Entwicklung organisierter agrarischer Interessen in den böhmischen Ländern und in der ČSR. Zur Entstehung und Machtstellung der Agrarpartei 1873-1938. In: *Bosl,* Karl (ed.): Die Erste Tschechoslowakische Republik als multinationaler Parteienstaat. München, Wien 1979, 323-376, here 373 (BWT 9). – *Lipscher,* in between, is somewhat contradictory. He insists that the law was not undemocratic, since the Parliament could still exert its rights, while also ascribing its passing to the growing influence of right-wing parties seeking to curtail democracy, see Lipscher: Verfassung und politische Verwaltung 153-154 (cf. fn. 11). – Klimek ends his presentation by stressing that "[...] in contrast to certain other states it did not come to an abuse of the Authorization Laws in Czechoslovakia" (see *Klimek:* Velké dějiny, vol. 14, 239 [cf. fn. 2]), without, however, defining what, in his opinion, constitutes 'abuse.'

[34] *Broklová:* Československá demokracie 46 (cf. fn. 18).

[35] *Heumos,* Peter: Konfliktregelung und soziale Integration: Zur Struktur der Ersten Tschechoslowakischen Republik. In: Bohemia 30 (1989), 52-70, here 68.

Democrats; and the National Socialists (represented by Antonín Švehla, Alois Rašín, Jan Šrámek, Rudolf Bechyně, and Jiří Stříbrný respectively). In 1922 Bechyně explained the *raison d'être* of the *Pětka:* the conflict potential in Parliament had to be reduced, since the national and social composition of the Czechoslovak state made these conflicts "deeper and more dangerous than elsewhere." The Parliament needed strong leadership, for "without the Pětka, Parliament would become a disputatious body, in which reasonable politics would be replaced by demagogy."[36] The goal of the *Pětka* was to make governance efficient by reaching binding political compromises and securing a majority for them in Parliament. In deep secrecy (no members ever took notes) the five men decided what issues to put on the political agenda (and which ones to exclude), as well as what to do with them. The *Pětka's* ability to obtain results made it the most powerful political structure in the country, controlling not just the Parliament, but also the government.

Initially, the *Pětka* had Masaryk's support, but later the *Hrad* made several attempts to weaken it and curtail the influence of the parties. To keep a balance between the two, the tradition of hearing Masaryk on all bills before they were passed in Parliament was introduced to supplement the *Pětka's* 'pre-screening' of the political agenda.[37] The power struggle between the *Hrad* and the parties was often intense and the means employed were not always kosher, but especially from the mid-1930s onwards, when foreign threats against the Republic grew, the two sides reduced their attacks against each other, and a kind of stalemate set in.[38]

Peroutka and many other observers have given the *Pětka* a favourable evaluation, finding the discipline imposed necessary in the given historical context.[39] Kunc calls the *Pětka* an early example of consociational democracy and the only alternative to non-democratic solutions as in Italy or Spain. He also points out that the almost *welfare-state-like* cooperation between socially antagonistic political actors was dictated by a wish to keep Germans and Slovaks, and Fascists and Communists, away

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[36] Quoted from *Peroutka,* Ferdinand: Budování státu [The Building of the State]. Vol. 4. Praha 1936, 2166.

[37] *Broklová,* Eva: Masarykova sociálně etická dimense demokracie. In: *Broklová,* Eva (ed.): Sto let Masarykovy české otázky [One hundred years of Masaryk's The Czech Question]. Praha 1997, 188-196, here 192.

[38] *Klimek:* Boj o hrad, vol. 1, 174-175 (cf. fn. 12). The original *Pětka* ceased to exist in 1926, but it was replaced later by committees of six or eight members (depending on the number of coalition partners) with similar functions, but mostly with less power.

[39] Broklová recognizes that both government and Parliament merely took orders from the *Pětka,* but she maintains that this represented only a general trend in 'modern democracy' towards oligarchization and towards a reduction of the role of the Parliament. The *Pětka* was thus crucial to the preservation of Czechoslovak democracy and Broklová claims (with only a reference to Beneš) that similar organs could be found in many other countries, see *Broklová:* Československá demokracie 45-46 (cf. fn. 18). If one were to take Broklová's logic to the extreme, one would have to conclude that an ultimately modern democracy has no use at all for a Parliament, and that the regimes of 1945 and then 1948 and after in this respect represented progressions in modernity. – Miller by contrast argues (unfortunately without any supporting references) that the *Pětka* did *not* dictate terms to the National Assembly, as it cooperated with a 'Pětka of Deputies' representing the coalition parties in Parliament, see *Miller:* Forging Political Compromise 78 (cf. fn. 1).

from the main decision making, and that a price was paid in terms of the inadequately functioning democratic institutions.[40] Klimek too ends his essentially favourable account by stressing that the activities of the *Pětka* (and the *Hrad*) represented a necessary trade-off, sacrificing some of democracy's purity in order to save it.[41]

But as pointed out by particularly Peter Heumos, a certain democratic deficit was not the only problem arising from this political arrangement. *Pětka* policies were often the outcome of pure horse trading among the parties, a *quid pro quo* that made it difficult to develop a coherent political line or impose grand solutions. The parties bought stability at the expense of flexibility and efficiency, as no change could be enforced if it threatened the multifarious interests of the ruling cartel of parties. Thus, the *Pětka* was unable or unwilling to put many serious problems on the agenda; for instance, Heumos ascribes the lack of regional economic equalizing and the neglect of the social dimension of the 'Slovak problem' to this inability to cut through cronyism.[42]

Furthermore, the parties divided different ministries among themselves, and came to consider 'their' ministries as party property, to be manned by party members. A similar process took place in the local civil service, in banks, insurance companies, health insurance societies etc., so that the main parties possessed their own institutions encompassing all aspects of the social welfare of its members. In 1938 Peroutka called Czechoslovak democracy "the most organized democracy in the world, and its political parties [...] the most disciplined."[43] But this extreme degree of organization was not unequivocally a democratic asset. The profound pillarization of society ensured that the parties (including their trade unions and other social organizations) spent much energy consolidating and protecting their domains, and often they wore themselves down in the struggle for self-preservation. If interest representation is functional only when aggregated and monopolized to a degree that gives it political resonance, the Czechoslovak system of fragmented over-organization may be said to have been dysfunctional. This may also be a key to the rapid and complete collapse of this system after 1938.

It has been argued that this disaggregation of social conflicts was, to some extent, a deliberate strategy from the leading parties, especially as a means against the labour movement.[44] But the prize for 'solving' conflicts by atomizing them was a failing

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[40] *Kunc:* Stranické systémy 169-171 (cf. fn. 4).
[41] *Klimek:* Velké dějiny, vol. 13, 244-245 (cf. fn. 2). – Kárník calls the devaluation of the Parliament that followed from the *Pětka* rule "[...] a high tax Czechoslovak democracy had to pay so shortly after being introduced, a survival tax", see *Kárník:* České země, vol. 1, 142 (cf. fn. 2).
[42] Two examples from Heumos: in 1926 Agrarians and the People's Democrats traded an increase in priests' salaries for the introduction of agricultural customs; and in 1930 the Agrarians and the Social Democrats traded import restrictions on cucumbers for a higher dole, see *Heumos:* Konfliktregelung und soziale Integration 56-57 (cf. fn. 35).
[43] *Peroutka,* Ferdinand: A Portrait of Czechoslovak Democracy. In: *Čapek,* Karel et al.: At the Cross-Roads of Europe: A Historical Outline of the Democratic idea in Czechoslovakia. Praha 1938, 247-275, here 274.
[44] *Heumos:* Konfliktregelung und soziale Integration 61-64 (cf. fn. 35). – *Shaw,* Jackson: Massenorganisationen und parlamentarische Demokratie. In: *Bosl,* Karl (ed.): Die demo-

'state-mindedness' (státotvornost) in the population, a lack of interest in the general political make-up of the state. People spent political energies in the microcosms of the many party organizations, while general democratic integration, i. e. participation or interest in broader political issues, was low.[45]

The political heritage of the Habsburg era also contributed to this socio-political fragmentation. The central parliamentary institutions of Austria, the *Reichsrat* and the Diets, never functioned effectively as forums for political integration and interest aggregation, and they were met with considerable Czech scepticism and at times even boycotts. Instead, national Czech politics (and ideology) to a high degree centred on local self-organization, resulting in a diverse civil society, bound together as much by national ideology as by institutional structures. The two-tiered system of local government established in 1862 facilitated this process, but the limited curial franchise at all levels (except from 1907 for the Reichsrat) and the parallel functioning of a supervising state bureaucracy exempted from public participation or control, again acted as barriers to any mass involvement or interest in representative rule. Political structures and the communitarian, self-governmental, personalized and consensus-seeking Czech political culture thus both contributed to upholding a boundary between the local (meaningful and relevant) and the national (remote and irrelevant) political strata.

Even internally within the parties this lack of dynamism made itself felt. The various party leaderships were, Rothschild argues, stuck in "oligarchical and paternalistic rigidity," and nothing was done to "involve the younger generations in political responsibilities." The failed rejuvenation of the parties was reflected also in the composition of the Parliament: in 1920 the average age of its membership was 42.6 years; in 1935 it was 45.6, and without the Sudeten German Party a full 65.4 years![47] In the parties, the youth organizations responded to this stagnation with calls for political reform, often in radical, anti-democratic directions. Corporatist ideas, at times inspired by Italian fascism, were broadly popular, and many projects either aimed to replace parliamentary democracy with a more 'efficient' form of rule based on a corporate representation of economic interests, or called for a comprehensive unification of society by means of forced political and social integration and strong leadership.[48] This ideological confusion also affected the party elites, and some scho-

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kratisch-parlamentarische Struktur der Ersten Tschechoslowakischen Republik. München Wien 1975, 35-52, here 47-52 (BWT 7).

[45] *Heumos:* Konfliktregelung und soziale Integration 58-59 (cf. fn. 35).

[46] *Rothschild:* East Central Europe 135 (cf. fn. 5). – Kárník reaches much the same conclusions, see Kárník: České země, vol. 2, 80-82, 350-352, and vol. 3, 494-496 (cf. fn. 2).

[47] *Broklová:* Československá demokracie 84 (cf. fn. 18).

[48] *Lipscher:* Verfassung und politische Verwaltung 161-168 (cf. fn. 11). – *Klimek,* Antonín: Boj o hrad, vol. 2: Kdo po Masarykovi? 1926-1935 [The Struggle for the Castle, vol. 2: Who After Masaryk? 1926-1935]. Praha 1998, 366-373. – *Heumos,* Peter: Pluralistische Machtorganisation als Garant der Demokratie? Zur Struktur und zum autoritären Potential der Ersten Tschechoslowakischen Republik. In: *Oberländer,* Erwin et al. (eds.): Autoritäre Regime in Ostmitteleuropa 1919-1944. Mainz 2001, 136-139, here 139. – These developments and intra-party disagreements make Olivová's division of the Czechoslovak parties into three camps – republican, nationalist, and communist – in which nearly all Czech par-

lars have seen the Agrarian commitment to the existing order as a reflection of the party's belief that it could secure its interests within the system (cf. the Authorizing Bill), rather than as a clear ideological commitment to democracy. The Social Democrats (and the *Hrad* factions in the other parties) were increasingly pushed to the defensive,[49] and it may be argued that only the generally perceived need to stand together in defence of a political order that enjoyed the support of the country's main Western allies prevented a change of the political system in a less democratic direction. Developments from October 1938 support this hypothesis.

Thus, the final assessment of the Czech inter-war party system has often been negative. George Kennan described the common view vividly in 1939:

For many years the Czech political parties have sat around the board and split any and all political spoils with the exactitude of small boys dividing a stolen melon. Their preoccupation with the relative size of their share, rather than with the extent of what was there to divide, has been one of the contributing factors in the catastrophe which has overcome the nation.[50]

Among the Czech elites, the need to reform the party system by reducing the number of parties was felt equally, therefore, by the right-wing representatives of the Second Republic at home, and by Beneš and his centrist and left-wing supporters in exile in London.[51]

The Hrad

Kunc, however, does point to one important line of defence for the party-*Pětka* system: it formed a decent counterbalance to the *Hrad*-circle, and to the *Hrad*'s political engineering at the expense of the established political system.[52] Klimek also appreciates this balance, and finds that the *Hrad* was correct in its scepticism of the

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ties fall in the republican (i. e. democratic) camp, highly problematic, see *Olivová:* The Czechoslovak Government 90-93 (cf. fn. 4).

[49] See *Kuklík*, Jan: Programový vývoj Československé sociálně demokratické strany dělnické za první republiky [The Development in the Programme of the Czechoslovak Social Democratic Workers' Party During the First Republic]. In: *Marek,* Pavel (ed.): Současný stav a perspektivy zkoumání politických stran na našem uzemí [The Contemporary State and the Perspectives for the Study of Political Parties on our Territory]. Olomouc 1999, 64-79, here 72-74, on reform plans in the Social Democratic Party and the leadership's inability to respond thereto.

[50] *Kennan,* George: From Prague After Munich – Diplomatic Papers 1938-1940. Princeton, New Jersey 1968, 99.

[51] Significantly, in evaluations of the political system of the First Republic Edward Táborský and others criticized less the *Pětka* system (i. e. the system of pre-negotiating and deciding the political agenda without parliamentary control), than the excessive number of parties which made decision-making too complicated, see *Táborský,* Edward: Czechoslovak Democracy at Work. London 1945, 94-101, 104-106, 156-157. This line of critique focuses more on making the political system more efficient than on democratizing it. See also *Beneš,* Edvard: Demokracie dnes a zítra [Democracy Today and Tomorrow]. Praha 1945 (1999 edn.), 274-283. Beneš calls here for a reduction of the number of political parties in order to make democracy healthier.

[52] *Kunc:* Stranické systémy 168-169 (cf. fn. 4). Kunc stresses how this kind of elitist political engineering, even when conducted with democratic intentions, can backlash easily if at odds with the given political system. The Catholic revenge-taking against Masarykism and the Slovaks against the First Republic in 1938-39 are just two examples of this mechanism.

somewhat mediocre and morally dubious pragmatism of the Pětka, which was equally correct in fearing the elitism of the *Hrad:*

The essentially permanently revolutionary Hrad actually longed to impute a 'strong,' ideal democracy to the state by means of an enlightened leader – the President. The *Pětka* opted for pragmatism. It feared that the leader could turn into a dictator – be it the most enlightened one.[53]

The *Hrad* (Castle) is an ambiguous term. Masaryk's critics introduced it in the early 1920s to refer to an influential group of people both supporting and supported by the President, but later his followers adopted it, and eventually even Masaryk himself.[54] The *Hrad* can be defined as a flexible, but at its core stable conglomerate of politicians, civil servants, businessmen, journalists, intellectuals and other people of influence, adhering to the President, his philosophy and worldview, and his political practice.[55]

Masaryk strove to have his ideas of democracy realized in the First Republic, and in stark contrast to the parties' wish for a purely representative president he demanded a strong presidency along American lines. The Constitution of 1920 thus represented a compromise in sharing the executive power between the Cabinet and the President. The Parliament elected the President for a seven-year term. While the President could be re-elected only once, an exception was made exclusively for Masaryk (§ 58). The President had no legislative initiative, but he could refuse to sign a law and send it back to Parliament with his comments. If an absolute majority passed the law again, it would come into force (§ 64/5, § 47 and 48). § 66 held that the Cabinet, and not the President, was responsible for the acts of the latter in the execution of his office,[56] while § 68 stipulated that any governmental or executive act by the President had to be countersigned by the responsible minister. The President also had some very important prerogatives, including the right to appoint and dismiss ministers, including the Prime Minister (§ 64/7, § 70); to dissolve the Parliament (§ 64/4, § 31); and to appoint various groups of civil servants (§ 64/8). Masaryk used these rights to control first and foremost the ministries of Defence and Foreign Affairs, both of which he considered to be his private domain.[57] Nor did he hesitate

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[53] *Klimek:* Boj o hrad, vol. 1, 179 (cf. fn. 12). Klimek continues: "The activities of the *Hrad* and the Pětka were beneficial to the preservation of democracy in the state; but the methods that they used [...] detracted some carats from the purity of this democracy."

[54] *Firt,* Julius: Die „Burg" aus der Sicht eines Zeitgenossen. In: *Bosl,* Karl (ed.): Die „Burg" – Einflußreiche Kräfte um Masaryk und Beneš. Vol. 1, München, Wien 1973, 85-108, here 85 (BWT 5). – *Klimek:* Boj o hrad, vol. 1, 165 (cf. fn. 12).

[55] *Klimek:* Boj o hrad, vol. 1, 164-176 (cf. fn. 12). – The *Hrad* was first discussed systematically in *Bosl,* Karl (ed.): Die „Burg". – Einflußreiche Kräfte um Masaryk und Beneš. 2 vols., München, Wien 1973, 1974 (cf. fn. 54). – See also *Kárník:* České země, vol. 1, 407-416 (cf. fn. 2). – Alain Soubigou, by contrast, doubts that any such influence group ever existed, calling it evil rumours spread by opponents of Masaryk. The fact that in 1922 Masaryk himself denied that there was anything like a Hrad group settles the matter for the author, see *Soubigou,* Alain: Tomáš Garrigue Masaryk. Praha, Litomyšl 2004, 268-270.

[56] Lipscher quotes František Weyr, one of the authors of the Constitution, as calling § 66 a rudiment of the idea of monarchical inviolability, a 'the King can do no wrong' logic. *Lipscher:* Verfassung und politische Verwaltung 74 (cf. fn. 11).

[57] *Klimek:* Boj o hrad, vol. 1, 84, 98 (cf. fn. 12).

to veto the appointment of ministers who were not to his liking, and he clearly preferred people from the Hrad-factions of the parties.

Immediately after his return to Prague, Masaryk began creating a Chancellery of the President of the Republic *(Kancelář Prezidenta Republiky, KPR)*, regulated by law in December 1919 after a fierce strife with the Parliament, who did not want any 'parallel government.'[58] The *KPR* became a sizable and influential institution, and Masaryk repeatedly appointed leading staff members of the *KPR* as ministers.

The President – and his Foreign Minister – had considerable funds at their disposal, which they used extensively to secure their influence. They supported or controlled a number of dailies and journals in Czechoslovakia and abroad, cultural and educational societies, publishers, etc.[59] Masaryk and Beneš also intervened directly in party politics, supporting pro-*Hrad* people or factions, or directly buying the sympathy or allegiance of individual politicians or whole parties.[60] If support, or bribery, was the carrot, the *Hrad* also had its stick: In 1922 Masaryk and Beneš created their own extensive intelligence services (financed from their funds), which kept the *Hrad* well informed about all activities in the political parties.[61] Masaryk did not hesitate to collect and publish compromising material on political opponents (including medical reports!), and the service was a formidable and much feared tool for securing the interests of the *Hrad*. Beyond doubt, Masaryk and Beneš personally despised the widespread, petty corruption of Czech politics and public life, and Masaryk sincerely propagated high standards of decency as a *sine qua non* for a democratic society. They used the whole system of bribery and spying not for personal profit, but for the good of the state, with which both men unconditionally identified their own position.[62] Still, the incessant use of such methods had to have a corrupting impact on the political culture of the country.[63]

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[58] *Ibid.* 76-84 (cf. fn. 12). – See also *Soubigou:* Tomáš Garrique Masaryk 249-268 (cf. fn. 55) for a useful presentation of the structure and leading staff of the KPR.

[59] In 1930, the Parliament even gave Masaryk 20 million crowns in celebration of his eighteenth birthday, see Kárník: České země, vol. 2, 71 (cf. fn. 2). – Masaryk also spent large sums of his private fortune on charity, see *Soubigou:* Tomáš Garrique Masaryk 280 (cf. fn. 55). – On Masaryk, the *Hrad*, and journalism, see *Orzoff*, Andrea: "The Literary Organ of Politics": Tomáš Masaryk and Political Journalism, 1925-1929. In: Slavic Review 63 (2004) 2, 275-300. – *Idem:* Battle for the Castle: The Friday Men and the Czechoslovak Republic, 1918-1938. Ph.D. dissertation, Stanford University, 2000.

[60] Examples of these practices are legion in Klimek's well-documented accounts. Klimek includes a hilarious example of how in 1925 the *Hrad* sought to win the Czech Small Traders' Party (Živnostenská strana) for their policies. The party leaders, whom Masaryk found particularly corrupt and primitive, immediately made gross economic demands and were willing to do almost anything demanded of them in return, see *Klimek:* Boj o hrad, vol. 1, 319-320 (cf. fn. 12). – In the end the Hrad preferred to set up its own party, the 'National Labour Party' (Národní strana práce), but it was totally unsuccessful at the subsequent elections.

[61] *Klimek:* Boj o hrad, vol. 1, 82-83 (cf. fn. 12). – *Hradilák:* Československá sociální demokracie 39 (cf. fn. 33).

[62] *Klimek:* Boj o hrad, vol. 1, 87, 98 (cf. fn. 12). "The Castle identified itself with democracy itself; thus any blow against the Castle, or more concretely against Masaryk and Beneš, could be construed as a blow against democracy itself [...]". – *Orzoff:* Battle for the Castle 7 (cf. fn. 59).

The extensive use of the intelligence service suggests a low interest in or respect for the formal and legal aspects of democracy, also visible in other initiatives by Masaryk while in office.[64] At several occasions Masaryk had 'expert cabinets' install- ed with only limited party participation, and when planning the composition of the cabinets he did not feel particularly bound by the composition of the Parliament. One example must suffice to illustrate how Masaryk, and with him other key mem- bers of the Czech political elites, approached the problem of democratic representa- tion: in 1925 the *Pětka* and the *Hrad* feared that the impending elections would result in an unfavourable composition of the Parliament. Both groups therefore con- sidered letting the President issue a new election bill by decree *(oktroj)*, which would secure a positive result. These plans included depriving soldiers of their voting rights, since they voted for the Communists in great numbers, and also women, whom they alleged to support clerical parties![65]

Given Masaryk's indisputable commitment to democratic ideals, one might feel tempted to explain these manoeuvres as a product of an inevitable discrepancy be- tween lofty rhetoric and profane *'Realpolitik.'* But Masaryk's behaviour was fully justifiable by his own philosophy of democracy. Masaryk held that all politics must

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[63] When the Communists in 1945 established a similar intelligence service in all parties and sectors of society, they had domestic precedents! Kárník seems ambiguous in his evaluation of the *Hrad* methods: "The formation of the *Hrad* basically proceeded democratically. But the methods used were diverse, and among them even those were not missing, which we must consider inappropriate, such as nepotism and the formation of personal and group positions. But they were not strong enough to blemish the democratic character of this power centre. On the other hand the *Hrad* was in a way a natural sign of the era's Czecho- slovak democracy, which (still) wasn't capable of disengaging itself from monarchist fee- lings and medieval traditions." *Kárník:* České země, vol. 1, 416 (cf. fn. 2). – Whereas Kárník finds medieval leftovers in *Hrad* proceedings, and blames their presence on 'the times' rat- her than on the power centre itself, holding that it was too democratic to be blemished by its own undemocratic methods(!?), Soubigou is incapable of seeing any problems at all in the methods of the KPR (substituting for the *Hrad*, the existence of which he does not recognize), which he evaluates very positively: "[...] the practices of the KPR moved from the era of political trickery inherited from the Austro-Hungarian Empire to the era of an Anglo-Saxon pragmatism of pressure groups, which obtain their power through their ability to inform those who decide, before they make their decisions." *Soubigou:* Tomáš Garrigue Masaryk 260 (cf. fn. 55). – But Masaryk and the *KPR* did not represent any soci- al, economic or other interest group outside the political system, they were the ones in power, and they used this power to manipulate the democratically elected Parliament and the parties to obtain an influence far exceeding the President's constitutional powers.

[64] Szporluk claims with only slight exaggeration: "The only institutional aspect of democracy which interested Masaryk was his rights as president of the new Czechoslovak republic." *Szporluk,* Roman: Masaryk's Idea of Democracy. In: The Slavonic and East European Re- view 41 (1962) 31-49, here 45.

[65] Ideas about depriving 'problematic' groups of their voting rights already circulated in 1923, and they resurfaced in 1926 when it proved difficult to construe a parliamentary majority to form new government. The electoral system was described in the Constitution, and it was considered impossible to find a qualified majority for a reform of it, hence the plans to circumvent the Parliament, see *Klimek:* Boj o hrad, vol. 1, 301, 316-317 (cf. fn. 12). – *Klimek:* Boj o hrad, vol. 2, 25-27 (cf. fn. 48). – *Klimek:* Velké dějiny, vol. 13, 525-534 (cf. fn. 2).

be based on a philosophy, an 'idea,' and he believed that human values and social aims were ultimately harmonious. Politics therefore essentially consisted of philosophically defining these aims and scientifically realizing them, which made questions of popular control and mechanisms of pluralistic checks and balances less pertinent. Masaryk's agenda was not so much the limitation of power as the optimal realization of it.[66] Institutionally this not only led to a lasting scepticism towards parties, whose particularism had to appear as dubious from the perspective of one universal, objective 'good,'[67] but also to the position that the value of the parliament or other democratic institutions depended on their ability to reach the morally, philosophically, and scientifically right conclusions. If they couldn't, somebody else had to do it. At heart, this is a philosophy for the end of politics, a call for its being replaced by administration. The distinction between state and society also loses its importance, and freedom means free to participate in the realization of the common good.[68] For ordinary people, democracy becomes education and work, a socialization process, *not* any direct, active participation in the running of society:

Now, what does it mean to be a democrat, politically, socially, economically, in public life? It means to work. Democratization will take place when men, in their respective spheres, become industrious, become true workers and labour with conviction and conscientiously.[69]

Masaryk's philosophy of democracy also upholds a strong functional division between rulers and ruled. The ruler had to be an extraordinary moral and intellectual authority first, and there is no doubt that Masaryk considered himself (and Beneš) to be equipped with the necessary qualities for the highest office. In the strife over the Constitution, parties were genuinely concerned with what would happen if too much power was concentrated in the hands of a President of lesser qualities than Masaryk, while Masaryk seems to have been blind to the problem, trusting the force

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[66] This organic view of society that does not recognize the need for independent control mechanisms also prevailed among the intellectuals writing in *Přítomnost*, see *Winkler,* Martina: Die Krise der Intelligenz: Zur Debatte um die Rolle der tschechischen Intelligenz in der Zeitschrift Přítomnost 1924-1939. In: Bohemia 39 (1998) 297-322.

[67] In 1925 Masaryk complained: "Up to now politics everywhere, and in particular also parliamentarism, suffers from anthropomorphism; the great majority of politically active people a not capable of rising above themselves, they are not capable of liberating themselves from the cage of uncritical egocentrism. And because citizens today are members of some party, partisanship [stranictví] gains ground in parliamentarism; the interest of the whole is identified with the exclusive interest of the parties and hence a few people, sometimes one person. The parliaments are not yet representatives of the nation, the people, the masses, but of parties and basically of cliques, of influential and strong – I don't say: leading! – individuals." *Masaryk,* T. G.: Světová revoluce za války a ve válce [The World Revolution During and In the War]. Praha 1925, 543.

[68] Works on Masaryk's perception of politics and democracy include *Schmidt-Hartmann,* Eva: T. G. Masaryk und die Volksdemokratie. In: Bohemia 23 (1982) 370-387. – *Szporluk:* Masaryk's Idea of Democracy (cf. fn. 64). – *Idem:* The Political Thought of Thomas G. Masaryk, New York 1981. – *Batscha,* Zwi: Eine Philosophie der Demokratie: Thomas G. Masaryks Begründung einer neuzeitlichen Demokratie. Frankfurt/M. 1994.

[69] The quotation, from a speech of 1908, is found in *Szporluk:* Masaryk's Idea of Democracy 47 (cf. fn. 64). – Masaryk expressed much the same viewpoints in 1925, see Masaryk: Světová revoluce 532-593 (cf. fn. 67).

of his ethics. Emanuel Rádl, one of the few profound critics of Masaryk's ideas in the First Republic from a liberal democratic point of view, noted this danger:

The insufficiency of the humanitarian programme consists in that it in the last resort leaves the power in the hands of those who de facto have it, and just appeals to their conscience to use it humanely [...]. This humanitarianism then differs from enlightened absolutism only by its being morally more conscious; but it shares with it that it in principle does not abolish the distinction between rulers and ruled.[70]

If Masaryk's conception of 'ruler' had monarchic features, so did the traditions and ceremonies created around the President. Masaryk's age, his habits and his paternalistic approach to the well-being of his subjects made comparisons with Franz Joseph natural. The ways in which he intervened in politics, and his many statements suggest that he saw himself as an enlightened, patriarchal ruler, who had to supervise the doings of ministers, politicians and civil servants to secure that they did nothing wrong.[71] This self-stylization was echoed in a massive, cult-like adoration of Masaryk, which reached unusual heights in inter-war Czechoslovakia. Undoubtedly it was necessary to find an integrating symbol in a politically, religiously, nationally and socially divided state, but the massive identification of state, regime, and personality made Masaryk alone stand out as the incarnation and guardian of Czechoslovak democracy.[72]

This embodiment of the state in one person suggests a pre-modern understanding of political rule, based on charismatic authority rather than on impersonal principles of the rule of law. Heumos has shown that this was also how many Czechoslovak workers perceived the situation. Masaryk was virtually bombarded with petitions, appeals, and memoranda, and visited by a stream of workers' delegations asking him to adjudicate legal and social conflicts. In the eyes of the workers, Masaryk appeared as a semi-legal authority, and justice was understood as a morally-founded interaction rather than a legal principle. Masaryk was the 'good king' who would enact justice against the 'evil lords,' and this personal, paternalistic approach to social conflicts – favoured also by Masaryk himself – was (as argued above) also encouraged by the disaggregation of social conflicts preferred by the parties. As a consequence,

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[70] *Rádl:* Válka Čechů s Němci 268, see also 262 (cf. fn. 17).

[71] *Klimek:* Boj o hrad, vol. 1, 84 (cf. fn. 12). – *Čapek,* Karel: Hovory s T. G. Masarykem [Conversations with T. G. Masaryk]. Praha 1936 (1990 edn.), 196.

[72] Vlnas writes interestingly about the *'kýč tatíčkovský'* (approximately: Dear Old Daddy Kitsch) as the most potent form of kitsch in the First Republic, which supported a tradition that continued later with Gottwald and to some extent even Václav Havel, see *Vlnas,* Vít: Mýty a kýče první republiky [The Myths and Kitsch of the First Republic]. In: Přítomnost 8 (1991) 28-29. – See also *Soubigou:* Tomáš Garrigue Masaryk 280-282 (cf. fn. 55). – *Kárník:* České země, vol. 1, 408, 415-416 (cf. fn. 2). – The idea that a democratic ruler like Masaryk or Beneš alone could guarantee or incarnate democracy reappears in the writings of Olivová, Broklová and others. So, Olivová writes about the post-1945 regime in Czechoslovakia (in which she finds that "the basic attributes of a democratic society – individual freedom and freedom of the press – were renewed"): "[W]ith the publishing of some of Masaryk's works the democratic principles of the First Republic were brought back to life," see *Olivová:* Manipulace s dějinami 447 (cf. fn. 2).

though, the institutional arrangements of the state played only an insignificant role in the political value system of the workers.[73]

According to Heumos, the habit of sending workers' delegations to the ruler continued in the Protectorate when von Neurath was in office,[74] and even in a journal like *Přítomnost*, a pillar of support for Masaryk's conception of democracy and the First Czechoslovak Republic, the vision of the patriarchal 'good ruler' as the guardian of justice continued after October 1938, or March 1939. In a portrait of Hácha of November 30, 1938, we read about this hitherto rather anonymous judge: "[...] he knows Czechoslovak life perfectly well [...]. He does not need instruction, he knows best of all where our Czech, Slovak, and Carpatho-Russian shoe pinches," and also: "[...] a lawyer of his type is capable of creating justice/right [právo] even against the law, without breaking the highest principle of justice [spravedlnost]."[75]

Remarkably, Masaryk's national philosophy could even be presented as applicable to a situation witnessing a radical break with parliamentary democracy and a collective withdrawal to a non-political sphere. 'What would Masaryk do today?, speculated Peroutka in an editorial of March 7, 1939, Masaryk's birthday. First and foremost, Peroutka held, he would never surrender his humanitarian programme, and probably he would also return to his 'positive politics' from Austria, and especially to the "small, non-political work" [drobnou, nepolitickou práci], which was best for a nation that could not expect any great political victories.[76] This was a return to the Masaryk of the 1890's, the Masaryk who turned his back to parliamentary and party politics and opposed the spiritual Czech idea of "humanity" to the liberal Western idea of "democratism."[77] Indirectly, it also marked a farewell to another very important dimension in Masaryk's ideology of Czechoslovak democracy: starting around the turn of the century, Masaryk began to embrace the concept of democracy as equivalent to humanity, and built around it his grand theory of global historical

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[73] *Heumos*, Peter: Die Arbeiterschaft in der Ersten Tschechoslowakischen Republik. In: Bohemia 29 (1988) 50-72, here 69-71.

[74] From a personal conversation, August 1999. I am very grateful for this information and other advice from Peter Heumos.

[75] *Palkovský*, B.: Třetí president republiky [The Third President of the Republic]. In: Přítomnost 15, 48 (30.11.1938) 759-762, quotations on 762 and 759. – See also Peroutka's remarks on Hácha in the editorial in the same issue: 'Po česku' [In a Czech Way]. *Ibid.* 753. – On von Neurath, see *Studnička*, Arnošt: Říšský protektor [The Reich Protector]. In: Přítomnost 16, 12 (22.3.1939) 177-178. – On the attitudes of Peroutka and Přítomnost during the Second Republic, see *Rataj:* Konečná diagnóza 151 (cf. fn. 7). – *Rataj:* O autoritativní národní stát 190-193 (cf. fn. 10).

[76] "It is impossible to imagine that he wouldn't take the conditions of power today into account: then he wouldn't deserve the title of realist, which was so valuable to him." *Peroutka*, Ferdinand: Co by dnes dělal Masaryk? [What Would Masaryk Do Today?]. In: Přítomnost 16, 10 (8.3.1939) 145-146, quotations on 146. – One month later, Zdeněk Smetáček reached the same conclusion, see his article: Nepolitická politika – naše metoda nynější [Non-political politics – our present method]. In: Přítomnost 16, 15 (12.4.1939) 217. The word democracy does not figure in the two articles.

[77] *Hoffmann*, Roland J.: T. G. Masaryk und die tschechische Frage. München 1988, 278 (VCC 58). – *Bugge*, Peter: Czech Nation-Building, National Self-Perception, and Politics, 1780-1914. Ph.D. dissertation, University of Aarhus 1994, 249, 291.

transition from theocracy to democracy. In the conflict between these systems, the essentially democratic nature of the Czechs secured them a place on the right side of the barricade, and Masaryk came to see in the course of the World War and the creation of Czechoslovakia a confirmation of his theories, which obtained semi-canonical status at home after the war.[78]

This myth of democracy as the natural answer to the 'Czech question' undoubtedly strengthened the Czech national commitment to democracy in the First Republic, but it also had its problematic sides. First, the myth had little room for the non-national qualities of the democratic idea, and the ideological intertwining of democracy and Czechness could all too easily justify a utilitarian approach to democratic principles: to be against the Czechs was to be against democracy and *vice versa*.[79] Secondly, if the Czech commitment to democracy rested on the assumption that there was a harmony between world history, national interests, and democratic rule, a profound crisis in the national ethos had to occur once this correlation was no longer perceived as valid. This happened in October 1938, leading to the speedy rejection of 'Masaryk's democracy,' along with his 'revolutionary' ideas that the nation was essentially Protestant, and that Czechs and Slovaks were one nation.[80]

Masaryk's last gift to Czech democracy was Edvard Beneš, who came to embody the ideological and political continuity between the First Republic and the post-1945 regime, for good and for bad. During the war, Beneš managed to restore Masaryk's grand historical narrative of the move from theocracy to democracy, adding to it his own conviction that within democracy there would be a move from formal, liberal democracy to real social and economic democracy. Beneš shared most of Masaryk's assumptions about politics – including the distrust of political parties; the emphasis on the moral and intellectual qualities of the democratic leader; and the low interest in, or respect for the formal and constitutional aspects of democracy. Yet he stressed

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[78] The theory is summed up in Masaryk, T. G.: Nová Evropa [The New Europe]. Praha 1920. – *Masaryk*, T. G.: Světová revoluce (cf. fn. 67).

[79] In her study of how Czech and German nationalists challenged liberal principles in their struggle over children Tara Zahra argues: "As Czech nationalists assumed state power in 1918, they knit democratic values, national self-determination, and ethnic character into a tightly woven tautology [...]. If the nation-state was seen as the highest expression of democratic will, at the local level, nationalists interpreted German resistance to their state as a sign that German citizens rejected democratic values altogether. This assertion enabled Czech nationalists to claim a monopoly on democratic values, and it justified state suspicion of all German-speaking citizens, reducing them to de-facto second class citizens." *Zahra*, Tara: Your Child Belongs to the Nation: Nationalization, Germanization, and Democracy in the Bohemian Lands, 1900-1945. Ph.D. dissertation, University of Michigan 2005.

[80] See *Rataj:* O autoritativní národní stát 190-193 (cf. fn. 10). – It is striking how even a *Pětka* founder and *Hrad* sympathizer like Rudolf Bechyně was very quick to reject parliamentary democracy as historically outdated and unsuitable for the Czechs after October 1938: "Nothing worse could happen to us than if Czecho-Slovak politics today would be guided by the state of affairs, which counted in Europe yesterday [...]. Today, an error could not be rectified through some means of a parliamentary system, for example a change of government or elections. These are props from ancient times, let us say from 1938 – for that is ancient times." *Bechyně*, Rudolf: Dosti! [Enough!]. In: Přítomnost 16, 5 (1.2.1939) 65-66.

the idea of politics as science and of social equality, in the interest of which the principle of liberty could be restricted as a secondary, derived value.[81] That Beneš's distaste for traditional liberal parliamentary democracy was not a post-1938 phenomenon is reflected in this quotation from 1923:

I think that I could prove philosophically and ethically, that in our conditions it is necessary to stand up consistently against any revolution from the right, and that there might emerge a situation where one could defend a revolution from the left.[82]

Conclusion

So was Czech democracy in the First Republic a paragon or a parody? Perhaps the best answer is that it was very much a paradox, that virtue and vice were intrinsically linked.

On the one hand we must agree with Victor S. Mamatey, that "despite its many limitations, the First Republic had brought political freedom and human dignity not only to the Czech and Slovak peoples but also to its German, Hungarian, Polish, and Ruthenian minorities," and that it was the only "enduring European democracy east of the Rhine" in the inter-war years.[83] Czechoslovakia was also an "open society and a civic society,"[84] and very importantly (drawing on the legacy from Austria) it remained a state under the rule of law *(Rechtsstaat)*, recognizing and protecting the basic civil rights of its citizens, even helping refugees from the neighbouring dictatorships, including Nazi Germany.

On the other hand the price for stabilizing this society was an encroachment of some basic democratic principles. If the Czechoslovak Constitution of 1920 – as the only constitution in the region – survived unchanged until 1938, it was also because the President and the government neglected or violated many of its provisions. One of its authors, František Weyr, protested in the early 1930's against this state of affairs, demanding either a constitutional reform or a return to strict constitutional legality.[85] But politically both options were impracticable (also, given the political

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[81] *Klimek:* Boj o hrad, vol. 1, 101 (cf. fn. 12). – In his book of 1939, 'Democracy Today and Tomorrow,' Beneš spends two sections in the chapter 'The Future of Democracy' on 'What Politics Should be in the Democratic Régime' (a real science and the highest art), and 'What a Statesman and Leader Should Be in the Democratic Régime' (a man of great erudition and analytical skills, capable of quick decision making), but not a word on popular participation (except for the remark that the leader must be elected), or on how to construct constitutional or legal arrangements protecting democracy from abuse. See *Beneš,* Eduard: Democracy Today and Tomorrow. London 1939, 201-213.

[82] Quoted from *Klimek:* Boj o hrad, vol. 1, 171 (cf. fn. 12). Klimek ends his second part of "Boj o hrad" with the observation that not a single party, which opposed the election of Beneš as President in December 1935, even if it supported him in the end, was permitted in Czechoslovakia after the Second World War, see *Klimek:* Boj o hrad, vol. 2, 476 (cf. fn. 48).

[83] *Mamatey:* The Development of Czechoslovak Democracy 166 (cf. fn. 18).

[84] *Musil,* Jiří: Česká společnost 1918-1938 [Czech Society 1918-1938]. In: *Pravdová,* Božena (ed.): Dějiny obyvatelstva českých zemí [A History of the Inhabitants of the Bohemian Lands]. Praha 1998, 267-310, here 307.

[85] *Lipscher:* Verfassung und politische Verwaltung 169-170 (cf. fn. 11).

atmosphere in 1933 a reform would hardly have improved the quality of Czechoslovak democracy), and the principle of respect for the letter of the law was peripheral to the political culture of the ruling elites.

From the outset these elites also saw to it that Czechoslovak democracy did not come to mean popular rule in any literal sense. The Parliament was deprived of any power or independence as a channel for popular influence and control. The President and the party leaders shared a distrust for 'the masses,' and Masaryk's political philosophy in particular reserved genuine policy making for a select elite, while making democracy a social and an ethical norm, rather than a political exercise. Masaryk clearly saw his function sub specie aeternitatis rather than sub specie populi. At several occasions the President and the party elites even demonstrated their readiness to use undemocratic means (an oktroj, bribery, manipulations with voting rights, bans on parties, etc.) to secure a desirable result, such as when they considered turning elections into an instrument expressing Czech national elite interests rather than respecting them as a means for Czechoslovak citizens to express their free political will.

Similar concerns seriously weakened popular involvement in local self-government. At the lowest administrative level, the municipality *(obec)*, new legislation of 1919 brought a genuine democratization, but eternal budgetary problems reduced the municipalities' liberty of action and allowed the state to intervene in their economies. Also, a law of 1933 established that all locally elected mayors needed the approval of the Ministry of the Interior or the Province administration before they could take office. Non-approval led to three years' quarantine from local politics for the affected mayor. At higher levels – district *(okres)*, county *(župa)*, or province *(země)* – the degree of centralized state control was increased compared to pre-1918 Austria. The powers and the resources of these regional organs of self-government were limited, the franchise was more restricted than at municipality or parliamentary level, and even one third of their members were appointed by the Government and the Ministry of the Interior. National considerations dictated these measures in large part – an unwillingness to grant the German, and to a lesser extent the Slovak minorities too much autonomy – but this deliberate weakening of these systems of democratic political participation again seems to reflect an philosophy of diverting popular energies and commitment away from the state's political and administrative spheres.[86]

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[86] A law of 1920 introduced a system of self-governing counties to replace the two-tiered Habsburg administrative system, but it was never implemented in the Bohemian Lands as it proved technically impossible to avoid creating counties with German majorities. Broklová has a fascinating formulation of the problem: "Strictly legally speaking the county system was good, but it gave too much to citizens who were not loyal towards the state, and too little to citizens who were faithful towards it." See *Broklová:* Československá demokracie 54 (cf. fn. 18). – Therefore, in 1927 the county system was abandoned and the historic lands/provinces recreated, albeit with much reduced competences (except at municipality level, local self-government was actually reduced after 1918). Also, Silesia was merged with Moravia, since non-Czechs constituted a majority in Silesia. See *Kárník:* České země, vol. 1, 103-104, 404-407 (cf. fn. 2). – *Broklová:* Československá demokracie 50-55 (cf.

The disregard for the formal aspects of democracy and constitutionalism and the willingness to dispense with it for the sake of political efficiency is a heritage that lived on in Czech political culture after 1945, or even 1989.[87] The tradition of informal decision-making in closed forums of 'responsible' Czech parties also lingered. Emil Franzel (a Sudeten German Social Democrat) has compared the coalition behind the *Pětka* with the *National Front* of 1945,[88] and similarly in 1948, Prokop Drtina was unable to see in the National Front anything but a "popular-democratic *Pětka.*"[89] In this light one may suggest that the ban on the Agrarians greatly facilitated the inclusion of the Communists in this group of responsible Czechoslovak parties: in 1945, the Communists simply received some of the vacant 'traditional' Agrarian possessions, like the Ministry of Agriculture and the Ministry of the Interior.

The parties represent another paradox. The relevant literature almost universally holds that the parties were extremely powerful in the First Republic, but the rapid collapse of the party system in 1938, and the lack of any serious attempts to restore for instance the Agrarian Party in 1945[90] suggest the opposite. Also, the Czecho-slovak political representation in exile in London was built around people hand-picked by Beneš more than by people selected by the parties. This article has no scope for a systematic study of internal party life, but it seems likely that much energy was consumed in the battle for upholding party territories in the pillarized socio-political structure, and that the party elites ruled rather independently of their membership basis. True policy-making thus happened in a quite narrow, informally organized elite bound more by personal contacts, loyalties, and trust than by party programmes (cf. the *Pětka* or the *Hrad* groups in all parties). The inability of these elites to secure their generational renewal suggests stagnation in the parties (and in the Hrad), and from the 1930's widespread was the perception that the existing political system was in crisis.[91]

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fn. 18). – *Janák*, Jan/*Hledíková*, Zdeňka: Dějiny správy v českých zemích do roku 1945 [The History of Administration in the Bohemian Lands until 1945]. Praha 1989, 443-449.

[87] *Bugge*, Peter: Democracy and Parliament in Czech Politics. In: *Sørensen*, Lene Bøgh/ *Eliason*, Leslie E. (eds.): Forward to the Past: Continuity and Change in Political Development in Hungary, Austria and the Czech and Slovak Republics. Aarhus 1997, 161-177. – Another legacy visible even after 1989 is the ideological and political conflict between party and anti-party principles ("stranictví" and "antistranictví"), between a rather static and self-contained particularism and a basically anti-pluralistic avant-garde call for political engineering in the name of a higher, universally binding, often morally defined principle. Often, the leading parties and the President have incarnated these two poles, but the tension has more dimensions than that.

[88] *Bachstein*, Martin K.: Die soziologische Struktur der „Burg" – Versuch einer Strukturanalyse. In: *Bosl* (ed.): Die „Burg", vol. 1, 47-68, here 50 (cf. fn. 54). – Klimek cites this observation, but calls Franzel Franke, confusing the former with the leading Czech National Socialist politician, see *Klimek*: Boj o hrad, vol. 1, 177 (cf. fn. 12).

[89] *Heumos*: Der Klabautermann und der lydische Hirte 410 (cf. fn. 8).

[90] *Dostál*, Vladimír V.: Agrární strana – její rozmach a zánik [The Agrarian Party – Its Expansion and End]. Brno 1998, 234.

[91] For a fine summary of these problems, see *Holzer*: Stranický systém druhé republiky 1037-1039, 1054-1055 (cf. fn. 10).

This is the last paradox of the First Republic: in the light of later events it has been the object of much nostalgia, far more profound than any utilitarian attempt at myth making after 1989.[92] But towards the end of the First Republic's lifetime almost everybody – even in the Czech political and intellectual elites – wanted radical reforms that the given democratic system was unable to deliver. As for the bulk of the Czech population, we have argued that the political culture with its strong patriarchal accents, and the fabric of the intermediary political system nourished a popular indifference towards the higher institutional arrangements of the state. *National* integration was high, but *political* integration low, and so within less than ten years, millions of Czechs enrolled in the spring and fall of 1938 in the defence of the Republic, in the spring of 1939 in the authoritarian, un-political *'National Assemblage'* *(Národní souručenství)*, and in the spring of 1945 in the Communist Party of Czechoslovakia.[93]

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[92] See *Bugge,* Peter: Longing or Belonging? Czech Perceptions of Europe in the Inter-War Years and Today. In: Yearbook of European Studies 11 (1999), 111-129, on the post-1989 myth of an unproblematic Czech belonging and adherence to (Western) Europe in the inter-war years.

[93] The mass attendance at Masaryk's funeral on September 21, 1937 can be added to the list. See *Bolton,* Jonathan: Mourning Becomes the Nation: The Funeral of Tomáš G. Masaryk in 1937. In: Bohemia 45 (2004) 115-131; especially 128-131 on the contentious contemporary interpretation of the crowds.