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# CONTENTS

<b>EDITORIAL</b>		<b>5</b>
 <b>ARTICLES</b>		
The concept of populism and its meanings in Hungary Ádám RIXER		<b>9</b>
Defensive Measures Adopted by Czechoslovak Authorities in Reaction to Danger Posed by Nazi Germany during Years 1935–1937 Soňa GABZDILOVÁ Milan OLEJNÍK		<b>29</b>
Theoretical and methodological discussion on social and cultural memory in international perspective Grzegorz NYCZ		<b>49</b>
Regulation of special legal order in Hungary - Constitutional options in the shadow of the COVID crisis ISTVÁN SIMICKSKÓ		<b>65</b>
Examining Public Social Responsibility (PSR) through digital responsibility Balázs Benjámin BUDAI Mátyás GÁSPÁR		<b>81</b>
 <b>REVIEWS</b>		
Közép-Európa magyar szemmel [Central Europe 2020. A Hungarian Perspective]. Balázs SZILÁGYI		<b>101</b>
<b>AUTHORS</b>		<b>106</b>



## EDITORIAL

We greet the reader on the occasion of the publication of the fifteenth issue of the Central European Papers (C.E.P.). This number of our scientific journal is dedicated to different topics from the area of constitutional law, history, political science, public administration and crisis management. The authors of these articles are famous professors and scholars from Hungary, Poland and Slovakia. They have theoretical erudition and also practical experience in the field of their studies.

This issue was prepared in the shadow of the pandemic last year, which was characterized by the virus Covid19. It can be considered to be the most important event in the period after 11th September 2001 and it is possible that this year will turn out to be a milestone in historical periodization. The pandemic has dramatically changed many elements of the constitutional and legal regulation in respect of crisis management. We would like to try to reflect on this new tragic situation. The discussion about different forms of populism has recently become worldwide a very popular subject of scientific studies. The development in maintaining the historical, cultural and social memory of the Holocaust is also often an issue in the Central European scientific journals, just as well as the topic of the complicated history of the interwar years and also the history of the Second World War. Public administration and public social responsibility in the digital age are always important research topics for our faculty, which holds the notion of "public policy" expressly in its official name. In the future we would like to publish more articles about this issue. Finally, we are publishing one review about a very interesting book dealing with the Central European dilemmas and challenges from the point of view of famous Hungarian researchers. Maybe, this book will start a new and more intensive thinking about our complicated region.

We hope that this new issue of Central European Papers (C.E.P.) will be useful not only for scholars but also for graduate and undergraduate students as well as for non-professional readers living here in Central Europe and living outside of our region, too.

Editors



	<b>ARTICLES</b>	
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# The concept of populism and its meanings in Hungary

Prof. Dr. Ádám RIXER, Ph.D.

## Abstract

The present study attempts to define and outline the international and the Hungarian meaning of the concept of the phenomenon populism, which has been researched extensively in contemporary political science, jurisprudence and other social sciences. The primary method to approach the topic is by reviewing the international and specifically Hungarian specialist literature. We intend to define the relevant scientific problems, create our own definition and prepare a catalogue of practical problems, specifically for current Hungarian issues regarding the topic. Twelve areas (aspects) are presented, revealing their impact on civil society and confirming that some revealed special features continue to exist in Hungarian history, and especially in the current illiberal democracy in Hungary.

## Keywords

populism, Hungary, Orbán regime, civil society, illiberal democracy

## Introduction

The present study attempts to define and outline the Hungarian meaning of the current concept of the phenomenon populism, which has been researched extensively in contemporary political science, jurisprudence and other social sciences.

The primary method to approach the topic is by reviewing the international and specifically Hungarian specialist literature, through which we may define relevant scientific problems, create our own definition and prepare a catalogue of practical problems, specifically for Hungarian issues regarding the topic. We hope the latter can serve as a useful addition to public policy and legal and other debates, which might take place in various European and domestic public arenas and will predictably re-emerge in the period following the COVID-19 pandemic. However, the present study does not intend to analyse developments that could be examined in our narrower field in the context of the treatment of the coronavirus pandemic because the elapsed time does not allow us to draw up moderate fact-based statements.

Qualitative content analysis as an interdisciplinary method is used to answer at least two questions: first, are there any differences between the international and the Hungarian concept (notion) and practical phenomena of populism?; and second, what are those

practical areas of Hungarian civil society that are most influenced by populism? Our main research thesis is that there must be some specific factors that make difference between the Hungarian type of populism and all the other ones.

Twelve areas shall be presented in the chapter that lists and briefly presents Hungarian aspects, confirming the information presented in our previous studies that some of the revealed special features are continuously present in Hungarian history, especially in recent (twentieth to twenty-first century) Hungarian history.

## Today's meanings of populism in international scientific literature

According to international scientific literature, populism is basically an identity-constructing, comprehensive logic that always shapes the contours of a community, where the term 'people' is drawn between the clear boundaries of 'we' and 'them'.<sup>1</sup> Populism can typically be observed in the action of mobilising against a group of the elite, which of course results in the populist label being distributed at will to sharply opposing political leaders and their movements.<sup>2</sup> Albertazzi and McDonnel, as the main feature of the group 'they', refer to the threat to the values, rights and communication opportunities that group 'we' has achieved.<sup>3</sup> Csigó aptly points out that 'we can find both left-wing and right-wing characters among the populist parties and movements that demand power and words for themselves on behalf of an oppressed people or nation: advocates and enemies of welfare redistribution and equalising class politics. One of their few common features is that they go against the ruling elite and ideology of the era of neoliberal hegemony by referring to the people or nation they oppress'.<sup>4</sup>

'The word populism was revealed as the 2017 Word of the Year by Cambridge University Press. The announcement said that "what sets populism apart from all these other words is that it represents a phenomenon that's both truly local and truly global, as populations and their leaders across the world wrestle with issues of immigration and trade, resurgent nationalism, and economic discontent." Populism is indeed a global phenomenon with a global impact, but there is a need to assess its local and regional roots and impact.'<sup>5</sup>

In the 1990s, and even more so since the 2000s, there was strong resentment in the majority of the political parties that 'neoliberal forces had transformed politicisation into an expertly managed affair, ideologically free, technical and mediatised, while emptying the institutional system of democratic representation'.<sup>6</sup> Regarding the rise of populism, Éber also points out that 'neoliberal policies (privatisation, deregulation, market liberalisation, tax cuts)

1 LACLAU, Ernesto: *A populista ész*, Budapest 2011, 83.

2 BARTHA, Ákos: *Populizmus, népiség, modernizáció. Fejezetek a kelet-közép-európai politikai gondolkodás 20. századi történetéből*, Budapest 2017, 30–37.

3 ALBERTAZZI, D. – MCDONNEL, D.: Introduction: The Spectre and the Spectre, in: *Twenty-First Century Populism: the Spectre of Western European Democracy*, ALBERTAZZI, D. – MCDONNEL, D. (eds.), London 2008, 3.

4 CSIGÓ, Péter: Mediatizált politika és kollektív spekuláció, in: *Replika*, 26, 2015, 6, 60.

5 LESSENSKI, Marin – KAVRAKOVA, Assya: *Study on Societies outside Metropolises. The role of civil society organisations in facing populism*, Brussel 2019, 4.

6 Ibidem.

have greatly increased socio-economic inequalities',<sup>7</sup> especially after the 'decreasing rate of return on capital investment in the real economy [...] opened the doors to investments which promised to be much more profitable, but at the same time much riskier financial speculative bubbles'.<sup>8</sup> Many people acknowledge the new renaissance of populism precisely because '[since] the crisis of 2008, the internal inequalities are raising in societies interpreted within certain (nation) state frameworks'.<sup>9</sup> With declining political support for the previous post – 1990 consensus on modernisation and following the international financial crisis in the late 2000s, a new dominant paradigm has emerged: the so-called financial nationalism.<sup>10</sup>

However, this change did not come out of nowhere and appear overnight after 2008. Its continuous evolving antecedents have already been described in the previous scientific literature: 'Ivan Krastev had already concluded, immediately before the financial crisis, that Central Europe was weakened by the forces of populism and illiberalism. Nationalist populist characters mobilise against "exaggerations of postmodern culture", "collapse of traditional values", "liberal rationalism embodied in EU institutions", "irresponsibility of elites" and "corrupt elites and morally corrupt others" (such as ethnic and sexual minorities)'.<sup>11</sup>

'Populism is a term that can be traced back to the anti-capital movement against small and medium-sized holdings in late nineteenth-century America, even if it has been forgotten in the meantime. With a transformed and expanded content, a century later [...] it will revive from the political right of culminating globalisation and will be accompanied by economic neoliberalism in Europe.'<sup>12</sup> The newest specialist literature primarily focuses on the right-wing versions.

However, it is important to note that populism is not a neutral concept in international scientific literature. Most analyses examine the relationship between populism and representative democracy, 'how does the former threaten the latter, and how can we interpret the spread of populism?'<sup>13</sup> The point of most of their responses is that this is truly a deeply authoritarian phenomenon behind 'democratic appearances' that implements discriminatory legalism ('everything for my friends, law for my enemies') and a clientele system. 'They use institutions in the broadest sense with relentless creativity, suppressing civil society (in which they see a delegitimising threat to the need for representation of the will of the people, defined by themselves and declared exclusive).

7 ÉBER, Márk Áron: A nép nevében. A populizmus új hullámának okai a neoliberális hegemonia után, in: *Kellék*, 6, 2019, 1, 127.

8 MINSKY, Hyman P.: Hosszú hullámok a pénzügyi kapcsolatokban: pénzügyi tényezők a súlyosabb válságokban, MIKESY Álmos (transl.), in: *Fordulat*, 1, 2008, 4, 10–25.

9 MILANOVIĆ, Branko: *Global Inequality: A New Approach for the Age of Globalization*, Cambridge 2016.; PIKETTY, Thomas: *A tőke a 21. században*, BALOGH-SÁRKÖZY Zsuzsanna (transl.), Budapest 2015.

10 SEBŐK, Miklós: *Paradigmák fogságában – Elitek és ideológiák a magyar pénzügyi kapitalizmusban*, Budapest 2019.

11 ENYEDI, Zsolt: Paternalista populizmus a Jobbik és a Fidesz ideológiájában, in: *Fundamentum*, 19, 2015, 2–3, 50

12 KOMÁROMI, Sándor: Bauer, W. T.: Populizmus és euroszeptizmus Délkelet-Európában 1989 után, *Kisebbségkutatás*, 21, 2012, 4, 852

13 BENEDEK, István: Üdvözet a győzőnek? A populizmus térhódítása: szükséges fordulat, múltó korszellem vagy autoriter veszélyforrás? *Új Jel-kép: Kommunikáció, Közvélemény, Média*, 3, 2019, 2, 27.

In the end, they occupy the state and even society, as a whole; and ultimately, behind a democratic facade, and in order to preserve their power, they create an extraordinary and systematically uneven playing field'.<sup>14</sup>

Attila Antal considers it important to note that 'Cas Mudde believes that most researchers on the subject share the opinion that populism is a pathological, pseudo- or post-democratic phenomenon produced by the corruption of democratic values'.<sup>15</sup> Mudde states that 'there are basically two approaches to populism. According to one, populism serves as a very emotional and rather simplistic way to make people feel good. The purpose of populism is to provide simple solutions to the problems of nowadays'. According to Mudde, this approach is quite problematic and empirically very elusive regarding what is irrational or simply not open enough to the complexity of our world. Second, populism used to be described as an opportunistic policy that aims to fill people ('the nation') and voters with quick satisfaction while buying (with the promise of lower taxes and financial benefits) their votes'.<sup>16</sup> Almost all recent elaborations on the subject affect the notion of political constitutionality as a 'counter theory', which in contrast to legal and liberal constitutionality notes that political institutions (parliament, government) can only be legally limited by judiciary characters. This approach implements 're-politicisation' instead of liberal depoliticisation and bureaucratic neutrality.<sup>17</sup>

Importantly, the perfection of populism questions and undermines the most basic conceptual elements of democracy according to the scientific findings: the restriction of power, constitutional civil and political freedoms and public debate as a specific form of political life. Another fundamental mode of the operation of populism is that it focuses on crisis, the state of emergency, as 'the threatening counterpoint to the public good recognised by the charismatic leader'.<sup>18</sup>

In addition to the above, it should be noted that populism is a natural phenomenon – a periodic socio-political counteraction – and in this way, its benefits and positive implications can be taken also into account: 'The studies made by Schmitter, Laclau and others consider populism as a temporary force that undermines a closed, cartel and rigid party system, it puts new issues on the agenda, it breaks taboos and after its collapse, it leaves behind a rejuvenated party system', notes Enyedi.<sup>19</sup>

Despite the many differences and overlaps in the theories that have emerged in recent years, it can be stated that there are basically three approaches and possible aspects of populism in the scientific research. The first notes it as an ideology, the second as a political strategy and the third as a communication style. Obviously, the first of these is the most exciting and analysed aspect. Enyedi notes that 'the reform of the constitutional order

14 BENEDEK, 38.

15 ANTAL, Attila: A populizmus vizsgálata demokrácielméleti perspektívában, *Politikatudományi Szemle*, 26, 2017, 2, 130. The work he refers to: MUDDE, Cas: The Populist Zeitgeist, in: *Government and Opposition*, 39, 2004, 4, 541

16 Mudde, 543.

17 ANTAL, Attila: The Political Theories, Preconditions and Dangers of the Governing Populism in Hungary, *Czech Journal of Political Science*, 18, 2017, 1, 5–20.

18 MÜLLER, Jan-Werner: *What is Populism?* Philadelphia 2016, 33.

19 ENYEDI, *Paternalista populizmus...*, 50.

and the radical change of public policy never take place in an ideological vacuum. Even if we consider personal and institutional interests the engine of changes, it is impossible to comprehensively transform legal and institutional structures or to establish new public policies without a worldview soundness'.<sup>20</sup>

Most especially, the division of Kőrösényi and Patkós must be mentioned, which also distinguished three different concepts of populism, 'namely populism as (1) ideology (substance), (2) as method (process and linkage)<sup>21</sup> and (3) as a constitutional-institutional policy'.<sup>22</sup> Concerning populism as a method, Mudde and Rovira note that the way populist politicians shape politics is based on the will of the average voter, but without their actual involvement in decision making.<sup>23</sup>

It is obvious that among the practical solutions of populism, concrete institutional changes may also appear as an independent element. In the examined aspect, '[these] have a definite authoritarian, anti-liberal direction due to the weakening of constitutional guarantees and counterbalances; with authoritarian, paternalistic elements'.<sup>24</sup>

However, populism 'is not of full value (like socialism, liberalism, nationalism, etc.) but a thin-centred ideology', as declared by Benedek according to the division of Michael Freedén. 'It is not meant to explain the whole of political life, but only to cover a narrower but even more indisputable spectrum of values', the almost empty and yet powerful 'image' that emerges from a very specific, clearly marked social fracture line.<sup>25</sup>

However, following reviews of scientific researches in the field, we should also note that the results are unilateral overall: the motivations and aspects of the people, the reasons for possible identification with populist tendencies, and socio-psychological or other aspects are the least visible views of the populism debate.<sup>26</sup> Yet, one of the most important questions is 'but then what makes it work?'

Nowadays, many indicative versions of the concept of populism are in use, such as 'authoritarian populism'<sup>27</sup> and 'populist authoritarianism' (populist autocracy)<sup>28</sup>, but the term 'hybrid regime' used to describe similar phenomena also falls within this scope if one tries to conceptualise the systems in the grey zone between democracies and closed dictatorships.<sup>29</sup> A common feature of these is that they go beyond the previously commonly used concept of 'welfare populism' and that the conceptual elements are no longer

20 Ibidem.

21 It focuses on the direct relationship between voters and the government – while ignoring intermediary organizations such as parties – and uses plebiscite techniques.

22 KÖRÖSÉNYI, András – PATKÓS, Veronika: Liberális és illiberális populizmus: Berlusconi és Orbán politikai vezetése, *Politikatudományi Szemle*, 24, 2015, 2, 32.

23 MUDDE, C. – KALTWASSER, Cristobal R.: Populism, in: *Oxford Handbook of Political Ideologies*, FREEDEN, Michael – SARGENT, L. T. – STEARS, M. (eds.), Oxford 2013, 493–512.

24 KÖRÖSÉNYI – PATKÓS, 33.

25 BENEDEK, 33.

26 To understand this, see D'ERAMO, Marco: Populism and the new oligarchy. *Revolution*, 58, 2013, 3, 6–29.

27 To understand this, see BUGARIC, Bojan – KUHELJ, Alenka: Varieties of Populism in Europe: Is the Rule of Law in Danger? *Hague Journal of Rule of Law*, 10, 2018, 1, 21–33.

28 To understand this, see BUTLER, Israel: *Countering Populist Authoritarians: Where their support comes from and how to reverse their success*, Berlin 2018.

29 BENEDEK, 33.

narrowed to the promises and actual benefits that jeopardise fiscal sustainability. According to Müller, the concept of 'illiberal democracy' used in connection with Hungary, also used as a self-definition, can be misleading as it legitimises characters who demolish democratic frameworks.<sup>30</sup> The concept of 'populist constitution' emerged as a similarly controversial term that goes beyond the concept of the earlier mentioned political constitutionality.<sup>31</sup> Among the parallels used to describe illiberal democracy is the concept of 'elected dictatorship', which refers to an unprecedented level of personal control and influence over the dominant leading party and the executive branch, and even over the financial and economic spheres.<sup>32</sup>

## Conclusions of the Hungarian scientific literature specifically related to Hungary

In the Hungarian scientific literature, populism is a constantly contemplated and rethought current topic.<sup>33</sup> As mentioned earlier, the starting point is that there are not just right-wing versions of it and following the division of Hardt and Negri into a (lagging behind) left-wing, emancipatory populism that respects human rights and the values of liberal constitutionality, a radical right-wing, xenophobic and anti-neoliberal version has been shaped.<sup>34</sup> The bipolar nature of Hungarian political life made it possible to study the phenomena of populism in this context even before 2010.<sup>35</sup> From 2013 to 2014, the so-called topic of left-wing populism was pushed into the background and even disappeared. Since then, we can almost exclusively find right-wing or national populism analyses that are related to the Orbán system. Since the 1990s, the term populism has often appeared in Hungarian specialist literature, even in political discourse, in relation to fascist and National Socialist phenomena and political aspirations.<sup>36</sup> This aspect, as well as the approach of examining populism through the presence of anti-Semitism, remained extant later.<sup>37</sup> This approach often undertakes a historical retrospective, recalling – as a forerunner of contemporary phenomena – some particularly conservative practices of the decades before World War II. In this context, regarding the preservative conservatism of Hungary in the 1920s and 1930s, a common criticism is that unresolved socio-structural tensions were permanently concealed. The importance of this approach is enhanced by the fact that many authors view subsequent similar practices as a response to the populisms of each era. For example, Antal explicitly believes that later communist populism is essentially a political, economic

30 MÜLLER, 49–60.

31 For the Hungarian aspects of the topic, see also: HALMAI, Gábor: Is There Such A Thing As 'Populist Constitutionalism'? *Fudan Journal of the Humanities and Social Sciences*, 5, 2018, 1, 1–16.

32 KÖRÖSÉNYI – PATKÓS, 47.

33 MIKECZ, Dániel: Rethinking Populism: Top-Down Mobilization and Political Actions Beyond Institutions, in: *4LIBERTY.EU REVIEW*, 2, 2016, 4, 72–84.

34 HARDT, Michael – NEGRI, Antonio: *Multitude: War and Democracy in the Age of Empire*, London 2015.

35 PALONEN, Emilia: Political Polarisation and Populism in Contemporary Hungary, *Parliamentary Affairs*, 62, 2009, 2, 318–334.

36 GYURÁ CZ, Ferenc: „Populizmus”, 2016–17. *Hitel*, 30, 2017, 12, 3–4.

37 See e.g. TAMÁS, Pál: A magyar nemzeti populizmus indikátorai: mutat-e valamit külön az antiszemitizmus? 2, *Kritika*, 42, 2013, 1–2, 15–18.

and social response to the preceding Horthy regime.<sup>38</sup> 'An important addition is that in our Hungarian [ordinary] language usage, populism often occurs as a synonym for demagoguery and has a pejorative connotation'.<sup>39</sup>

A novelty in the Hungarian scientific literature on the subject, in the 2010s it initially appeared primarily in connection with certain policy areas, especially through the populism of criminal policy.<sup>40</sup> Since then, international comparisons have also become more frequent. On the one hand, they indicate that Hungary has the highest proportion of those who look back upon the period of state socialism with a nostalgic view among post-communist states (72% answered in 2010 that they thought the majority of society was in a better economic position before 1989),<sup>41</sup> which is a good basis for any populist trend. 'Before the 2010 elections, the majority of the voters were already dissatisfied not only with the government, but also with the transition itself, more than in any other East Central European country. FIDESZ strengthened these feelings by claiming that there were no real transitions in 1989–1990, the previous nomenclature just converted its lost political power to an economic one, exemplifying with the two last prime ministers of the Socialist Party, who both became rich after the transition due to the privatization process. This populism of FIDESZ was directed against all elites, including the one that designed the 1989 constitutional system (of which FIDESZ was part too), claiming that it is time for a new revolution. That is why he characterized the results of the 2010 elections as a "revolution of the ballot boxes".'<sup>42</sup> On the other hand, there are analyses that make comparisons in terms of the means of political communication used by populist leaders or regimes and the degree of ideology or progress in the actual transformation of institutional systems (see below in the research of Körösenyi – Patkós).

Multiple works in connection with the Orbán system, which also analyse populist characteristics, have been published. Many of these record that the first Orbán government (1998–2002) and newer Orbán governments in power since 2010 are gradually becoming entities that meet the criteria of populism through a conscious political construction. All the works indicate that there was a significant, strategic change in communication since the 2002 election defeat, and since then new mobilisation techniques have been observed such as the establishment of the Civil Circles Movement, which swelled to two hundred thousand in a short time. These strengthened the rural base of Fidesz by pushing the party-political elements into the background while emphasising the national character. This is what the specialist literature often calls 'movement governance', a policy that makes the implementation of top-down initiatives by NGOs a permanent feature.

38 ANTAL, Attila: Communist Populism in Hungary, *Society and Economy*, 40, 2014, 4, 633.

39 FALUDI, Julianna: Demokrácia a populizmus köpenyében, *Educatio*, 23, 2014, 1, 170.

40 BODA, Zsolt – SZABÓ, Gabriella – BARTHA, Attila – MEDVE-BÁLINT, Gergő – VIDRA, Zsuzsanna: Politikától vezérelve – A büntető populizmus diskurzusai a magyar politikában és a médiában, *Politikatudományi Szemle*, 23, 2014, 3, 67–94.; GÖNCZÖL, Katalin: A punitív kriminálpolitika és a büntető populizmus egymást fedő fogalmak? *Jogtudományi Közlöny*, 69, 2014, 11, 538–544.; CSÁNYI Gergely: A Kék Pont esete az önkormányzattal és a „fantom civil szervezettel” – A jóléti állam válsága, a büntető populizmus és a civil szektor, *Civil Szemle*, 11, 2014, 2, 67–86.

41 WIKE, Richard: *Hungary Dissatisfied with Democracy, but Not Its Ideals*, Pew Research Center, Pew Global Attitudes Project. Washington 2010. <http://www.pewglobal.org/2010/04/07/hungary-dissatisfied-with-democracy-but-not-its-ideals/> (2019. 10. 14.)

42 HALMAI, Gábor: *Perspectives on Global Constitutionalism. The Use of Foreign and International Law*, The Hague, 2014, 122.



Other recurring elements in the analysis of the Hungarian situation are the central role of the leader embodying the will of the nation, the declaration of a serious crisis, the image of the enemy, as well as divisive, polarising policy. In each case, the central core of the latter elements is the identification and intensive expression of specific fears.<sup>43</sup> The starting point for almost all the analyses is to record a clear shift from the previous, consensual model of democracy toward the majority model, while simultaneously mentioning that the discredited nature of the political space as a whole and the former elites, the distance between civilians and other political forces, as well as the lack of a constructive relationship also significantly increase the possibility of populist tendencies.<sup>44</sup>

A recurring element of economic-type analyses and approaches is that the Orbán governments, despite their largely anti-globalist rhetoric, seek to strengthen cooperation with various neoliberal elites, the most spectacular elements of which are strategic cooperation agreements with large international companies providing significant benefits and subsidies to partners (eighty-one strategic cooperation agreements have been set up between 2012 and 2019).

## The main manifestations of Hungarian populism and their aspects regarding civil society

In this subchapter, I present the elements obtained from the specialist literature that reflect the possible areas and forms of Hungarian populism according to my own classification, highlighting the connections and specific practices that allow the assessment of the actual impact on civil society. The significance of the latest form of Hungarian populism as a national, political practice is also demonstrated by its status as an illiberal democracy, serving as a model for other states in some elements as well as in its integrity. By identifying twelve areas, we would like to cover the following contemporary processes:

1) Temporary and even medium-term suspension of significant social break lines, and internal contradictions (in Hungary, tense issues include the deteriorating situation of the Roma and the general condition of education and health care) by the forces

43 In her book, *The Shock Doctrine: The Rise of Disaster Capitalism*, the Canadian author and social activist Naomi Klein argues that neoliberal free market policies have risen to prominence in some developed countries because of a deliberate strategy of 'shock therapy'. This centers on the exploitation of national crises (disasters or upheavals) to establish controversial and questionable policies, while citizens are too distracted (emotionally and physically) to engage and develop an adequate response, and resist effectively (KLEIN, Naomi: *The Shock Doctrine: The Rise of Disaster Capitalism*, Picador, 2008). Bíró-Nagy also tries to 'analyse some of the factors that made it possible that the Orbán government could go on its illiberal way relatively easily' (BÍRÓ-NAGY, András: Illiberal democracy in Hungary: The social background and practical steps of building an illiberal state, in: MORILLAS, Pol (ed.), *Illiberal democracies in the EU: The Visegrad Group and the risk of disintegration*, Barcelona 2017, 31). He states that „In combination with a strong demand for state intervention, distrust of state institutions betrays Hungarian society's highly unusual and ambivalent attitude towards the state” (Bíró 32.), and that „Based on the findings of empirical studies, it may be concluded that Hungarians consider economic well-being and financial security to be as much an integral part of democracy as free elections, the institution of the popular vote and civil liberties” (Bíró 35.).

44 In Larry Diamond's interpretation, liberal democracy provides not only minimal institutional definition but also broad respect for civil liberties, i.e., it narrowly interprets the range of state decisions based on the majority principle and leaves ample room for the expression of individual values. BODÓ Barna: *Demokrácia és civil társadalom – kisebbségi léthelyzetben*, *Korunk*, 29, 2018, 10, 9.

in power, with successful thematisation of public discourse (emphasis on migrant danger, keeping the identity debate on the agenda, highlighting achievements in other areas, etc.). The main tool for this is 'anti-elite mobilisation' (as the essence of populism, if it is preferred 'the innermost conceptual core'), whether it be a global elite, European elite<sup>45</sup> or domestic liberal elite. The latter aspiration is complemented by a definite anti-communism and is even characterised by a full rejection of the earlier elite, at least the one following 1945. In anti-elitism, it is substantial that it presents individuals who speak out on certain topics as a single homogeneous group and as members of a lobby group organised outside Hungary.

Action against unconventional subcultures should also be mentioned here. In addition, populist ideology generally looks suspiciously on the institutions of organised pluralism and rejects the preferential treatment of minority interests, preferring majority principles.<sup>46</sup> It all comes together with the emphatic presence of conspiracy theories and permanent crisis communication.

2) The political system replaces the substantive social debate with intensive legislation<sup>47</sup> and with the so-called national consultation. According to Enyedi, the ideology of populism requires some form of direct popular participation in government.<sup>48</sup> Beyond or precisely because of anti-elitism, in Hungary it does so without any active consensus-seeking as an 'empty' mechanism.

3) Technological catching up is taking place under state control. Much of state and public administration development is based on post – and transhumanist considerations, with a focus on promoting digital development. It mainly focuses on satisfying individual needs faster and more cheaply. In Hungary, this is accompanied by the centralisation of both human and economic public services referring to efficiency and even by the centralisation (partial nationalisation) of scientific institutions. In general, we can observe that local-territorial and other autonomies are shrinking.<sup>49</sup>

4) An aspiration for a communication monopoly can be observed. The most glaring sign of this is the emergence of an extreme government media dominance in Hungary.<sup>50</sup>

45 KOMÁROMI, Sándor: Mehler, D. - Petrovic, K. - Bieber, F.: Populism and Euroscepticism in South East Europe after 1989, *Kisebbségkutatás*, 21, 2012, 4, 855–856. 'In the European context, Euroscepticism is often the focal point of expressions of resentment by populists. They frame Euroscepticism in terms of socioeconomics (e.g. fiscal sovereignty, national debt, the euro), culture (e.g. immigration, multiculturalism), sovereignty (e.g. transfer of decision-making, centralisation) and legitimacy (e.g. democratic deficit, effectiveness, corruption), accusing the EU for the harmful socioeconomic consequences of austerity; the threat to national sovereignty, security, or cultural homogeneity posed by non-EU migrants; the upholding of a distant and undemocratic system of governance; or a combination of the above.' PIRRO, A. – TAGGART P. – VAN KESSEL, S.: The Populist Politics of Euroscepticism in times of crisis: Comparative Conclusions, *Politics*, 38, 2018, 3, 2018, 378.

46 ENYEDI, *Paternalista populizmus...*, 2–39; 50–51.

47 RIXER, Ádám: *Features of the Hungarian legal system after 2010*, Budapest 2012, 141–146.

48 ENYEDI, *Paternalista populizmus...*, 51.

49 Regarding the narrowing of the autonomy of local territorial self-governments, see for example: PÉTERI, Gábor: Helyi autonómia. Felejtük el? *Új Magyar Közigazgatás*, 8, 2015, 1, 11–21. Regarding the change of the situation of the Hungarian Academy of Sciences in the international scientific literature, see for example: KRAKOVSKY, Roman: Illiberal Democracies in Central Europe, *Études*, 164, 2019, 4, 14.

50 For details, see POLYÁK, Gábor: Media in Hungary: Three Pillars of an Illiberal Democracy, in: POŁOŃSKA, Eva – BECKETT, Charlie (eds.), *Public Service Broadcasting and Media Systems in Troubled European Democracies*, London 2019, 279–303.

5) Making public administration a national administration. One of the most important signs and results of this is the conscious cooperation of Hungarians living abroad with their political and, more narrowly, non-governmental organisations, as well as the systematic and institutional provision of certain human public services.<sup>51</sup>

6) Economic measures are taken in public and national interest.<sup>52</sup> In the years after 2010, the regulation of economic sectors and intervention in economic processes regarding the public interest strengthened. Since then, economic and social policy has been primarily favourable towards the middle and upper-middle classes, but of a mixed nature. It is both pro-consumer and critical of globalised capitalism and international financial institutions (both fit well together).

While rhetorically and ideologically opposed to cosmopolitan, (neo) liberal, technocratic elites in their political practice, right-wing populists also adopt several neoliberal social and economic policy measures from them.<sup>53</sup>

7) Inseparable from the former point, a new middle class is created, also known more precisely as 'capitalist class', largely through national or direct party management (by operating a system of public procurement, other tenders and targeted subsidies). The support for politically loyal NGOs is also part of this mechanism.

8) We can also observe the support of families and an intensive support for parents after childbirth, which is very generous compared to international standards.<sup>54</sup>

9) Establishment and reconstruction of neoconservative ideology. The main tool strengthens the foundations of Christian morality in education, especially with the overwhelming support of some recognised churches, but without the abolition of a 'society without consequences'.

Christian values and freedom are proclaimed through government actors without proclaiming the biblical limits of Christian freedom and making them part of public or political morality. It focuses on constructing the past, which includes the creation and continuous amendment of the Fundamental Law of Hungary.<sup>55</sup>

10) Announcing and prolonging the 'identity debate'.<sup>56</sup> A kind of 'young adult's identity crisis' is evident in Hungary. After 16 years of EU membership, following the first adaptation period several questions arise in connection with the awakening external and internal crises, such as 'Who am I?', 'What are my own values?' and 'How can I enforce them?' Why these questions arise 30 years after the change of regime is a good question that will require a longer and more thorough answer from the social sciences of the next period.

51 For cross-border NGOs, see: RIXER, Ádám: *Civil Society in Hungary. A Legal Perspective*, Passau 2014, 151–155.

52 RIXER, *Features of the Hungarian...*, 61–62.

53 ÉBER, 129. and KRAKOVSKY, 14.

54 In connection with the support of families raising or bearing children, see, for example, 16/2016 (II. 10.) Government Decree on housing support related to the construction and purchase of new apartments. See also Act CCXI of 2011 on the protection of families.

55 RIXER, Ádám: A történeti alkotmány vívmányai: Utazás a múltba vagy út a jövőbe? in: 65. *Studia in honorem István Stipta*, BALOGH Judit et al. (eds.), Budapest 2017, 365–375; and RIXER, Ádám: *A vívmány-teszt*, Budapest 2018.

56 For details, see: RIXER, Ádám: Az identitás-vita újabb fejleményei Magyarországon. *Glossa Iuridica*, 4, 2017, 1–2, 147–171.

11) Politics continue to maintain distance from many cases before the courts without seeking to influence them directly (or indirectly by transforming the institutional system), thus maintaining a part of the democratic rule-of-law framework by ensuring the inflow of additional, external EU and other resources (i.e. maintaining the framework that allows the involvement of operating capital, as well as its renewable presence). Closely related to this, however, is the 'exceeding' of some previous consensus, such as nomination, conciliation, elimination and transformation of practices, and emptying of previous practices, which are precisely in the areas of jurisdiction.<sup>57</sup>

To understand the situation in Hungary, it is worth reviewing the stages of conflict between the National Judicial Office and the National Judicial Council. In this situation, the decisive action of a non-governmental organisation like the Hungarian Judicial Association (MABIE) can be the first step on a long road to a solution.<sup>58</sup>

12) A return to the anti-civil climate of the 1980s – the institutionalisation and perpetuation of a good-bad civil division. The best known and most obvious form of the phenomenon is legal action against various organisations that are also involved in migration activities and typically perform tasks related to the performance of legal protection.<sup>59</sup> It is important to note that the division of 'good-bad' cannot be interpreted along the lines of lawfulness-unlawfulness, since in the latter the state has (also) taken decisive action since 2010, for example against various paramilitary and self-defence organisations or those that also violate the law enforcement monopoly of the state. As already mentioned, the 'good' side also showed prominent characters. Thus, from 2009 another 'civilian' movement – the Civil Cooperation Forum – arose, which was created by the prominent and spiritual lunar court of the later governing parties, emerging against anti-left-liberal politics and organised political rallies alongside Fidesz as a governing party.

At the same time, anti-civilianism is accompanied by the expropriation of political space and the search for a place for civil society as a whole: 'prohibition limits are multiplied and base communities retreat into the micro-networking sphere [...]. In short, in certain cases and periods of political space appropriated by the authorities, social (civil, self-nominated, local, interest group, representative, non-institutional) self-representations can play a role, which appear in the daily press and on the main roads as "street politicisation", such as "Occupy Movement" in "I wish to teach Movement", Milla, the Student Network or "The City for All Movement".

57 BADÓ, Attila: Political, merit-based and nepotic elements in the selection of Hungarian judges. A possible way of creating judicial loyalty in East Central Europe, *International Journal of the Legal Profession*, 24, 2016, 3, 259–274.

58 *Tiltakozik a Bírói Egyesület*. Budapest 2019. <https://www.mabie.hu/index.php/1486-tiltakozik-a-biroi-egyesulet> (2019. 11. 16.)

59 See 253. § (1) of the Act XLI of 2018 on Amending Certain Tax Laws and Other Related Laws as well as on Immigration Surtax: "The financial support to an immigration supporting activity carried out in Hungary or the financial support to the operations of an organisation with a seat in Hungary that carries out immigration supporting activity shall be subject to a special immigration tax." Although paragraph 2 attempts to define the activity of supporting immigration, the provision is completely amorphous, practically anything can be included in the term. It is no coincidence that no special tax was paid in the year following its entry into force. The two results of the introduction of the new legal institution are: disadvantaging a behaviour without contours on political grounds, and through this unnecessarily overburdening the legal system and jeopardizing legal certainty.

And then these are still civilians in the traditional sense of the word, but at the same time, they discover new forms of civil resistance, establish them, construct them, take ingenious initiatives and find appropriate new positions of power criticism. These include increasingly effective citizens' initiatives, provoked referendums, poster campaigns, civil disobedience, new movements, persistent demonstrations, petitions, voluntary denial games, which are signs of a revived civil society [...].<sup>60</sup>

## Instead of a summary

In summary, we note that some of the twelve elements presented in the previous subsection are continuously present in Hungarian history and especially in recent (twentieth to twenty-first century) Hungarian history. Point 1) deserves special mention, which defines the elimination of certain social fault lines and gaps and their exclusion from thematic public discourse as the price (the overall social cost) of building a new middle class and a 'modernisation leap'. Point 5) is also a characteristic change, insofar as the newer public policy treats Hungarians living abroad as a full-fledged, active part of the nation as opposed to the period between 1945 and 2010. We also note that most of today's phenomena of state populism directly influence the situation, composition and autonomy of civil society and the scope and extent of the tasks undertaken by it.

Apparently, the greatest danger of populism is that it sees and treats significant social fault lines that permanently conceal certain (also) acute social interests and life relationships. In Hungary during the 2010s, instead of focusing on moral issues (corruption), the situation of large care systems or the backwardness of the Roma community, foreign and domestic policy narratives focused on migration and support for the middle class, especially between 2016 and 2020. Generalising a bit and at the same time projecting the issue to present-day Hungary, we can state that populism is decisive (i.e. a given policy can only be called definitively populist) if it is in power (but at least linked to a dominant political force)<sup>61</sup> and acts in a time-consuming way (i.e. actually, it is also popular as it has gained and retains power in a non-violent way).

Based on the above, one of the essential goals and/or results is to hide the more important (some essential) break lines in society and to direct public discourse to different topics such as voluntarism, mediatisation, success communication and quantitative approach. Also, its unavoidable conceptual elements are to nationalise politics and disguise it ultimately in civilian costumes, and to constantly attempt to go beyond the law through politics.

Despite the above, the most significant effect of systematic populism is the so-called absence of social compromise, which is the continual lack of a culture of consensual politicking. Therefore, despite the direct damage, the impact can be felt mainly in the form of backlogs and failure in all kinds of relations. The main difficulties are the absence of the mitigation of disadvantages and the preservation of backwardness.

60 GERGELY András: *Kisebbségben: a „civil társadalom” másképp közelítése*. 2017, 172. <http://www.maszol.ro/index.php/kisebbssegben/83580-kisebbssegben-a-civil-tarsadalom-maskepp-kozelitese> (2018. 09. 05.)

61 MERKOVITY, Norbert – CSIGÓ, Péter: Hungary: Home of Empty Populism, in: *Populist Political Communication in Europe*, AALBERG, Toril et al. (eds.), New York 2016, 301.

The paper has shown that in Hungary populism almost always occurs as a synonym for demagoguery. Answering our thesis question we can say that the Hungarian type of populism covers and influences almost the same fields of public sphere and civil society as populist practises of other countries but in a more intense and continuous way, with strong roots in the specific historical past.

Knowing all this, what does the future hold? Éva Kuti, the most important Hungarian researcher in the civil sphere, has already made attempts to identify lasting trends and transient disturbances, including foreseeable strategic changes in the role of civil society.<sup>62</sup> Looking closely, we can see that the state, in connection with its own populism, is under severe pressure from both the outside and inside. Among the external pressures, the processes of European integration taking place in parallel with the processes of globalisation also raise new aspects of the concept and importance of civil society.<sup>63</sup>

There is a continuing commitment in EU documents and law sources to a 'plural civil society that plays a key role in maintaining liberal democracy in Europe'.<sup>64</sup> EU documents also reflect current debates. For example, the European Parliament's resolution of 3 October 2017 deals with the narrowing of the leeway of civil society in developing countries.<sup>65</sup>

Moreover, a recurring element is the tendency towards noting that 'illiberal democracy' 'is leading to a reduction of freedom in the media and the increase of corruption in Europe [in general]'.<sup>66</sup>

We might learn that 'illiberal democracies' are political systems where elections are held but without constitutional liberalism. Democratically elected leaders restrict civil rights, civil liberties and the protection of minorities. The system of checks and balances, the independent judiciary and the independent media are undermined in order to ensure that the absolute sovereignty of the ruling majority is free from constitutional restrictions and control.<sup>67</sup>

In relation to populism, '[...] it is a thin ideology, that professes the existence of homogeneous people with a coherent will. The populists claim that they are the only and real representatives of this will. While populism does not have a clear definition of what is meant by "people", it creates enemies and opponents of the people – including, for example, the elite – and argues that they go against the real will of the people. Populists bring emotions into political debates in order to create fear'.<sup>68</sup>

An important development related to Hungary and directly related to our topic is that the process adopted by the EP in September 2018 (formally, a reasoned proposal) launched

62 KUTI, Éva: Tartós trendek vagy múltó zavarok? Változási folyamatok a civil szférában, in: *A civilek hatalma: a politikai tér visszafoglalása*, ANTAL, Attila (ed.), Budapest 2016, 283-304.

63 SÍPOS, Katalin: Európai Unió: civil társadalom – nem-kormányzati szervezetek – convent, *Állam- és Jogtudomány*, 42, 2003, 3–4, 274.

64 Opinion of the European Economic and Social Committee. Resilient democracy through a strong and diverse civil society (own-initiative opinion) EESC 2018/04661. OJ C 228, 5.7.2019, p. 24.

65 2016/2324(INI) HL C 346., 2018.9.27., 20–28.

66 Opinion of the European Economic and Social Committee. Resilient democracy through a strong and diverse civil society (own-initiative opinion) EESC 2018/04661. OJ C 228, 5.7.2019, p. 24. 1.7.

67 Ibidem, 2.4.

68 Ibidem, 2.7.

the process described under Article 7 of the EU Treaty and initiated by the EP Council, which aims to investigate if Hungary is seriously violating EU values related to the rule of law.<sup>69</sup>

In addition to the external pressures on Hungary, the supposed internal pressure is also increasing. In certain areas and spheres, even between or within state bodies, only civilian or civilian mechanisms are able to handle, resolve, mediate, etc. A good example of the possibility of communication within branches of power is the previously mentioned MABIE.

Another aspect is that the needs, renewable practices and innovative interventions of the civil sphere are still leading forces of modernisation in Hungary (also), which keep the public sector under constant institutionalised social pressure.<sup>70</sup> The ability to be resilient is the process of adapting, in which an individual or community learns to deal with crisis situations by enforcing their will upon them through their psychic, communication and other abilities.<sup>71</sup> This ability to learn becomes especially important when confronted with institutional solutions of a populist nature and the existence of this ability stimulates the defensive mechanisms of society.

Of course, the contours of the future are not only conceivable by the current systemic phenomena, pressures and challenges, but also by the moments and traditions of Hungarian history, which can be mentioned as constant factors against current populisms:

1) First, there are 'non-systemic' aspirations, primarily those that can be linked to a person in the world of politics, such as the historical gestures of István Széchenyi or the martyr prime minister of 1956, Imre Nagy. The main peculiarity of these gestures is that they go beyond the personal, family and party interests of the individual, and specifically against these is the noblest sense of public interest kept in mind.

2) Second, we need to develop system-level, but ad hoc solutions. These can be summarily classified within the framework of various compromises provided that the compromise is nothing more than a reckoning of populist, short-term political aspirations along with the well-conceived interests of the dominant characters, but also including the element of self-restraint. Not listing the antecedents in Hungarian history, we would like to point out that recently, following a long pause, the idea of a government-civil agreement arose again.<sup>72</sup>

69 Moreover, 'Hungary's prime minister Viktor Orbán on 3 March 2021 announced his Fidesz party's MEPs are leaving their centre-right faction in the European Parliament, marking a major breaking point in the more than two-year-long saga between Europe's largest political family and its combative Hungarian member. (...) The group, and the larger party too, has been engulfed in a difficult balancing act between more liberal-minded parties that had been fed up with Orbán's anti-EU rhetoric and backsliding on rule of law and Fidesz. The debate over Fidesz has become an unbearable political burden on EPP - but it also represented a core dilemma for many centre-right, mainstream parties struggling to deal with their populist challengers. The frustration with Fidesz boiled over after Hungary (and Poland) blocked of the long-term EU budget last year over a dispute on rules to link funding to respect for the rule of law.' ZALÁN, Eszter: Relief in EPP group, as Orbán's party finally leaves, *EUobserver*, 4 March 2021. <https://euobserver.com/political/151119> (2021. 03. 04.)

70 OECD: *Together for better public service. Partnering with citizens and civil society*, Paris 2011.

71 KOUDEL, Pál: Információ, nyilvánosság és a civil társadalom színtereinek és integráló erejének változása a nemzetközi migrációban. Új értelmezési keretek, *Civil Szemle*, 12, 2015, 2, 5-23.

72 SEBESTÉNY, István: Fél évtized – egészen új környezetben. Kormányzati szándék és eredmény a civil szféra NER-konformizálásában, in: ANTAL, Attila (ed.): *A civilek hatalma: a politikai tér visszafoglalása*, Budapest 2016, 61–84.



3) Third, we need to refer to solution types on a system level that are constantly developed and practiced. It is nothing more than a magical expression nowadays, a qualification to participate that can only be realised through conscious education and simultaneous self-education. A stable parliamentary democracy also requires that the citizens of a given state should be politically educated and active.

## Conclusion

The present paper, after an initial historical overview of the legal development of parliamentary system in the territory of today's Slovak Republic, has analysed selected issues of the specific sort of parliamentarism existing in Slovakia under Communist Party rule, taking the example of supreme Slovak national representative body – the Slovak National Council – within Czechoslovakia. It was created as a private body of resistance in 1943, while in the circumstances of the Uprising of 1944 it took over all legislative, governmental and executive power in Slovakia. Despite such a dominant position (gradually restricted by three so-called Prague agreements between 1945 and 1946), until 1954 this supreme authority of state power in Slovakia was not created in direct elections. Up to the Constitution of 1948 it even lacked a proper constitutional legal basis (only the constitutional act of 1945 on Provisional National Assembly took into account the existence of the SNC). And even when the very first direct elections in 1954 took place, these were already marked by a new understanding of the electoral struggle, where general, equal, direct elections with a secret ballot only served to confirm the dominance of the Communist Party on the political scene. The SNC therefore only became truly legitimate and democratic in the sense of the true embodiment of the will of the sovereign Slovak nation after 1989.

Based on the research on SNC's significance and activity in the period under review (1944–1992), it may be stated that SNC witnessed a gradual decrease in its activity and importance, both in quantitative terms (given the scope of competences and outputs of the activity in the form of enacted laws) and qualitative terms (given that submitted proposals were approved without comments and discussions). The decrease was reversed only in the conditions of Czechoslovak federation since 1969.

In relation to executive power, the loss of control of SNC over its own executive body (Board of Trustees) in favour of Prague government can be specifically witnessed in 1940s and 1950s. In addition, the idea of a unified state power and its centralist execution influenced the relationship between the legislature and executive in the sense that these two components were to cooperate and not to control each other, since they were expected to pursue a common goal of construction of communism. This has caused that while co-operation was promoted on the one hand instead of control, on the other hand, this co-operation essentially entailed direct control and interference by the Communist Party.

The analysis of the respective (constitutional) legislation as well as of the stenographic records (protocols) from the SNC meetings thus clearly show that the SNC (and similarly the National Assembly, replaced by Federal Assembly) was in fact only executing the Party's orders, being neither a working, nor discussing parliament; and even rather than "parliament" being only a formal, seeming "legislative body".



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# **Defensive Measures Adopted by Czechoslovak Authorities in Reaction to Danger Posed by Nazi Germany during Years 1935–1937**

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## **Abstract**

Submitted paper is mapping measures enacted by Czechoslovak government during period of years 1934–1937 as a reaction to aggressive policy of Nazi Germany. Attention is given to proceedings aimed at increase of fighting ability of Czechoslovak Army such as field military exercises improvement of organization structure and elaboration of defensive operations in response to possible German attack. Focus is placed on defense construction works protecting boundaries, namely along western region of state. The paper is endeavoring to provide, in a concise fashion, a picture of struggle of Czechoslovak political leaders and military to prepare CSR to be able to cope with threat of German aggression and role of Czech and Slovak periodical press to inform public about dramatic political development during years 1935–1937. Attention is given to endeavors of periodical press in creation of confidence in Czechoslovak Republic ability to withstand danger of aggression from Nazi Germany.

## **Keywords**

Nazi Germany, military buildup of Germany, reflection of events by periodicals, medial policy, Czechoslovak fortifications, Czechoslovak Army

## **Introduction**

The aim of the paper is to trace Czechoslovak-German relations during years 1935–1937 as they were depicted in commentaries of Czech and Slovak periodicals. The factual description of events of a substantial significance, which were already elaborated in numerous periodicals and monographs, was described only in a concise fashion. The attention is given mainly to influence of newspapers upon formation of public awareness in regard to political changes in Europe, which could threaten security of Czechoslovakia. Since establishment of Czechoslovakia periodicals were an important tool of shaping-up public opinion. Their significance increased during second half of thirties, in time when Nazi Germany was threatening very existence of the Republic. Therefore, government authorities devoted a great attention to content of articles published and were limiting publishing articles which would in any way instill defeatism in society. In that sense, namely

role of press supporting ruling coalition of political parties was painting an optimistic picture of political situation.

Periodicals paid only scant attention to indications that support of Czechoslovak allies was gradually weakening. On the contrary, a majority of newspapers argued that allies, namely France, stayed firmly behind the Republic and therefore there was no need to be worried. In atmosphere of increasing danger posed by Nazi Germany, this was a difficult task, which gained significance. A vexing question, which by far is not completely answered by submitted paper, is to what extent press was successful in shaping-up self-confidence of broad public. The optimal approach to solve, at list partially, this conundrum, in our view was to include a sizeable amount of citations from periodicals representing political opinions of main periodicals.

Since its establishment, representatives of the Czechoslovak Republic (CSR) perceived revisionist ambitions of Hungary as the primary danger to territorial integrity of CSR. This attitude was deeply rooted in minds of Czechoslovak political representatives and Czech and Slovak patriots. However, in reality Hungary could hardly be a menace to Czechoslovakia. According to the Trianon Peace Treaty, Hungary had no right to build an army stronger than 30,000 men. In addition, the Hungarian army was prohibited to be armed with heavy weaponry, artillery and air force. On the contrary, Czechoslovakia, which was an industrial state, had one of the most advanced military forces in the Central Europe. Another factor in security of Czechoslovakia was the Treaty with France and the Alliance with Rumania and Yugoslavia, known as The Little Entente (Malá dohoda). The Little Entente was established to provide a mutual support of signatory states in case of military conflict with Hungary. As a result of these arrangements, CSR till second half of thirties, could feel reasonably well protected.

A placid state of political situation in the Central Europe ended after Adolf Hitler, the Chairman of the National Socialist German Worker's Party (Nazi Party), became the German Chancellor on 30 January 1933.

Similarly like Hungary, according to the Versailles Peace Treaty, Germany was obliged to limit its armed forces to 100,000 men. However, A. Hitler was determined to break, as he called, "shackles of Versailles". On 1 October 1934 he increased numerical size of the German Army to 300,000 men, which was a stark violation of the Versailles Peace Treaty.

On 13 January 1935, a plebiscite in the Saar region, which was temporarily placed under French control, was enacted. Inhabitants, who were overwhelmingly of German extraction, voted for return to Germany. *České Slovo*, an official periodical of the Czechoslovak the National Socialist Party, wrote that result of voting should be valued positively, because continued occupation of the Saar region by France could lead to conflict between France and Germany. Returning the Saar region to Germany allegedly liquidated a danger to peace in Europe.<sup>1</sup> A. Hitler expressed his gratefulness to inhabitants of the Saar for their desire to be united with Germany and proclaimed that there will be no further territorial claims on part of Germany. Also French Prime Minister Pierre-Étienne Flandin, at least officially, declared satisfaction and expressed hope that all possible discrepancies between France

1 *České slovo*, 1935, Year 27, No. 13, 16 January.

and Germany will be easily solved.<sup>2</sup> Daily Venkov, a periodical of the Republican Party, reported that on 17 January 1935 the Council of the League of Nations decided that on 1 March 1935 the Saar region will be unified with Germany.<sup>3</sup> However, not every resident of the Saar region was happy with results of plebiscite. A Slovak regional daily Slovenský Východ, repoted that approximately 8,000 persons fled to France.<sup>4</sup>

Hopes that after annexation of the Saar region Germany will pursue a peaceful foreign policy, proven to be futile. On 16 March 1935 German government adopted a law, according to which universal military service was implemented. It was another violation of the Versailles Peace Treaty.<sup>5</sup> Great Britain, France and Italy criticized Germany during conference at Italian city of Stresa, on 11 April 1935.<sup>6</sup> Bi-weekly Politika, a newspaper commenting upon domestic and foreign events, expressed opinion that main goal of conference at Stresa was enforce the status quo in the Central Europe.<sup>7</sup> The member states of the League of Nations condemned Germany and a majority of members, including Czechoslovakia, adopted a resolution, in which denounced Germany's policy. Slovák denník, one of newspapers representing views of Republican Party in Slovakia wrote that, "This resolution is categorically disapproving implementation of general military service in Germany and this way violation of the Peace Agreement."<sup>8</sup> Despite sternly worded disapproval voiced by members of the League of Nations, the European Powers abstained from any further action. This deepen scepticism of the Central European countries in ability of the League of Nations to protect peace in Europe.

France, which awoken to threat posed by Germany, signet the Treaty of Mutual Assistance with Soviet Union. As was expected, Czechoslovakia, a loyal ally of France, followed shortly after. The Treaty of Mutual Assistance between the Czechoslovak Republic and the Union of Soviet Socialistic Republics (the Treaty) was signed on 16 May 1935 and ratified on 16 June 1935. But, there was a glitch, which could have a negative impact upon security of CSR – the Treaty included a condition, which bound the Soviet Union to fulfil its obligation toward Czechoslovakia only when CSR, in case of a hostile attack, would be helped by France. This way, if France for any reason abstained from helping Czechoslovakia, also the Soviet Union was not obliged to help CSR.<sup>9</sup> Nevertheless, the Treaty evoked a positive reaction in Czechoslovakia, namely from representatives of left political spectrum. Even prominent non-communist publicists like Ferdinand Peroutka and writer Karel Čapek, praised Beneš,

2 Česká slovo, 1935, Year 27, No. 13, 16 January.

3 Venkov, 1935, Year 138, No. 15, 18 January.

4 Slovenský východ, 1935, Year 17, No. 19, 23 January.

5 With headline openly critical to Germany – "The enemy of peace throw away its mask", an official periodical of Slovak branch of the Social Democratic Party – Robotnícke noviny, informed, that "On Saturday afternoon (16 March 1935) Reich Minister of Propaganda invited foreign media representatives and announced that Germany is establishing a general military service". Robotnícke noviny, 1935, Year 35, No. 92, 19 March.

6 Slovak regional periodical Slovenský východ, informed that "Participants regretfully acknowledged violation of the Versailles Treaty and expressed their determination to oppose any violation of treaties which would endanger European peace." Slovenský východ, 1935, Year 16, No. 89, 16 April.

7 Politika, 1935, Year 5, No. 7, 15 April.

8 Slovenský denník, 1935, Year 18, No. 92, 18 April.

9 PRAŽÁKOVÁ, Irena (ed.): *Dokumenty moderní doby*, Praha 1978, 271–275.



for pressing hesitant France toward closer relation with Soviet Union.<sup>10</sup> A communist historian Jaroslav Cesar asserted that the Treaty was positively valued by a large segment of general public.<sup>11</sup> Venkov, an official newspaper of Republican Party, wrote that it was a significant diplomatic achievement, which enhanced security of Czechoslovakia. Venkov valued the Treaty as a “positive factor”, because it would be for Czech Communist Party hardly possible criticized Czechoslovak military built-up after Soviet government proclaimed that increase of strength of Czechoslovak armed forces is in interest of Soviet Union.<sup>12</sup> Contrary to positive reaction of large segment of general public in CSR, the Treaty with Soviet Union brought a sharply negative reactions in neighbouring countries, especially in Germany.<sup>13</sup> German government pronounced triple alliance of France, Soviet Union and Czechoslovakia as being incompatible with Locarno Treaties.<sup>14</sup> Signing of French and Czechoslovak Alliances with Soviet Union gave Hitler excuse to carry over the most provocative violation of the Versailles Peace Treaty – an incursion into demilitarized zone in Rhineland. On 7 March 1936, a small unit of the German Army entered Rhineland, which served as a buffer zone, shielding France from German attack. Considering an overwhelming French military superiority, it was a daring act of aggression, bordering on irresponsibility and German soldiers were instructed to retreat immediately, if French Army would attack advancing units.<sup>15</sup> Surprisingly, though France could easily expel miniscule German force, France remained passive. Even assurance expressed by President Beneš that France can count on Czechoslovak full and active support in repelling German incursion, France did not interfered.<sup>16</sup> France abstained from military intervention, despite her right to attack German forces, if they enter demilitarized zone. French Ambassador

10 KLIMEK, Antonín: *Velké dějiny zemí Koruny české. Svazek XIV. 1929–1938*, Praha 2002, 298–299.

11 “Signing of Czechoslovak-Russian Treaty resulted in a significant turn-over of the whole concept of Czechoslovak foreign policy. This event evoked a great interest and became a topic of considerations of representatives of all political orientations. (...) Czechoslovak-Soviet Agreement was welcomed also by leadership of the Czechoslovak Army, because it was opening new possibilities to secure defense of the Republic.” CESAR, Jaroslav: *Mnichov 1938*, Praha 1978, 14–15.

12 Venkov, 1935, Year 30, No. 75, 17 May.

13 According to A. Klimek “The Treaty aroused critical response from all neighbors of Czechoslovakia. Berlin added the Republic among enemy states, the propaganda of Goebbels asserted that CSR fell under command of Soviet Union and allegedly existed a secret addition to the Treaty, which allowed establishment of Soviet military bases on Czechoslovak territory. Warsaw characterized the Czechoslovak-Soviet Treaty as threat to Poland. Budapest spoke about “a threat of new Panslavism” and similarly as Vienna, blamed Prague for opening a doors of Bolshevism to Europe.” KLIMEK, 297.

14 “Nazi government dispatched to all signatories of the Locarno Treaties a special memorandum in which declared that French-Soviet Treaty was irreconcilable with principles of diplomatic agreements concluded at Locarno. Therefore, Germany in its part in March 1936 terminated the Locarno Treaty.” JOHN, Miloslav: *Září 1938. I. Díl, Přípravy nacistického Německa na přepadení Československa v roce 1938*, Brno 1997, 29.

15 “Germans themselves were not sure what will be a reaction to their crass violation of the Versailles treaty. Three front battalions which were crossing bridges (...) had strict orders to immediately retreat if they encounter units of the French Army. Also German diplomats had prepared new notes placing all responsibility on excessive zeal of several officers, who shall for their quickness brought before court”. JOHN. *I. Díl*, 224–225.

16 “President of the Republic dr. Edward Beneš adroitly and in a clear form assured already on 7 March 1936 French Ambassador Louis de Monicault, that Czechoslovak Republic will follow France, if arbitrary behavior of Nazis will result in disadvantage against Germany.” STRAKA, Karel: *Československá armáda, pilíř obrany státu z let 1932–1939*, Praha 2007, 48.

in Germany, Francois Poncet described course of deliberation of French government, which resulted in decision, to abstain from military strike.<sup>17</sup>

With scathing criticism valuated French weakness E. Beneš: "Hitler (...) by occupation of left bank of Rhine (...) struck to the European peace one of the last and decisive blows. (...) We declared clearly to French ambassador in Prague, that we will follow France, if consequences from Hitler's deed will be enacted. (...) However, nothing happen. France committed the most fateful mistake, damaging Europe. (...) West democracies acted with inexplicable weakness, hesitancy and carefree recklessness."<sup>18</sup> However, it is necessary to note that French would most likely act more decisively if Great Britain would agree to support France against Germany.<sup>19</sup> Great Britain, however, dodged promise of support and this, in judgement of military historian M. John, annulled determination of France to wage offensive war against Germany.<sup>20</sup>

French failure to stop German insurgency had fatal consequences. A. Hitler came to conclusion that French will do anything to avoid military conflict with Germany. However, despite danger posed to Czechoslovakia by German incursion, commentaries of government press characterized occupation Rhineland by German Army as having negligible impact upon security of Czechoslovakia and emphasized firmness of alliance with France. Also French political representatives on several occasions proclaimed friendship between both countries as lasting and unbreakable. Despite all this propaganda, which was aimed to assuage Czechoslovak public, it was clear that position of France as guarantor of peace weakend. As a consequence of French passivity, also British government grew sceptical about French determination to take a firm stand against Germany.<sup>21</sup> France as reliable ally was in commentaries of periodical press to a large extent replaced by Soviet Union. Abounding were positive news depicting Soviet achievements, high pace of industrial build-up and namely excellence of the Soviet Army. E. Beneš himself characterized

17 F. A. Poncet wrote that "Government was accused of weakness. It was blamed that missed opportunity to strike blow to Nazism, which possibly could be its end. However, later came to light that there were seriously considered possibilities of military interference. (...) But general Gamelin was convinced that even limited military operation is connected with unpredictable danger and therefore it can't be enacted without general mobilization. Government refused such eventuality". PONCET, Francois, A.: *Berlin 1931–1938. Vzpomínky diplomata*, Praha 1947, 243.

18 BENEŠ, Edvard: *Paměti. Od Mnichova k nové válce a k novému vítězství*, Praha 1948, 21–22.

19 "The French Foreign Minister, Pierre Etienne Flandin, flew to London on 11 March and begged the British government to back France in a military counteraction in the Rhineland. His pleas were unavailing. Britain would not risk was even though Allied superiority over the Germans was overwhelming." SHIRER, William, L.: *The Rise and fall of the Third Reich*, New York 1960, 293.

20 "After occupation of Rhineland in year 1936. (...) Czechoslovak strategic situation acutely worsened. By seizure of demilitarized zone at Rhine the distance of French boundary line to Czechoslovak projection at city of Aš increased to 350km and what was even more important, French Army must before unfolding offensive cross Rhine and proceed with this river behind its back." JOHN, Miloslav: *Září 1938 II. Díl, Možnosti obrany Československa*, Brno 1997, 17.

21 Bořivoj Čelovský, with hint of irony, wrote that "French proclamations about solidarity sounded quite convincing – to Czechoslovak public. (...) But British Government did not trust to French preparedness to war. Even less trusted Germany to French determination. (...) Already at the end of year 1937 it was clear, that in case of finding itself in crisis, the key to solving situation holds Great Britain." ČELOVSKÝ, Bořivoj: *Mnichovská dohoda*, Tilia 1999, 61.

mutual relations between both countries as positive and mutually loyal.<sup>22</sup> He expressed his desire to increase friendship with Soviet Union despite political differences of Soviet and Czechoslovak regimes.<sup>23</sup> With clearly propagandistic aim was organized a journey of Czechoslovak press representatives to Soviet Union. Report from journey, published by Czechoslovak media, was devoted to introducing communist country as beehive of gigantic construction works and asserted that Soviet people were proud of their country. Soviet Union was described as a country where all citizens could enjoy a high standard of social justice.<sup>24</sup>

Warming-up of relations led to close cooperation between Czech and Soviet military. In April 1935, a delegation of Russian air force members arrived to Prague, officially with aim to become familiar with Czechoslovak industry. Venkov informed that, "Soviet visitors, in great detail were studying aircraft factory in Letňany."<sup>25</sup> Beneš wrote in his memoirs that build-up of friendly relations resulted in mutual visits of high military officials from both countries.<sup>26</sup> After visiting Soviet Union, the Chief of the Czechoslovak General Staff Ludvík Krejčí declared that "*Russian representatives view Czechoslovakia as a friend and reliable ally in good and in bad times.*"<sup>27</sup> Friendly relations between Soviet and Czechoslovak government representatives, resulted in Beneš' journey to Moscow. Before his visit E. Beneš expressed hope that journey will become "a base for further cooperation in struggle for peace".<sup>28</sup> After arrival to Moscow on 8 June 1935, Soviet leaders welcomed Beneš with almost a royal pomp. Soviet People's Commissar, Maxim Litvinov in his welcoming speech described E. Beneš as an exceptional warrior for peace and prized cooperation between both countries.<sup>29</sup> Beneš was extremely pleased with flattery poured on him by Soviet leaders. In discussion with the British ambassador Joseph Addison, he summarized his impressions from Moscow visit in rosy colours. There was no a word of criticism in regard to oppressive nature of Soviet regime. Sceptical Briton discarded accolades expressed by Beneš and was openly critical in his report to London. Though couched in diplomatic

22 "Our cooperation with Soviet Union after conclusion of the Treaty from year 1935, was generally ordinary, steady and consequential. Politically we were in constant contact and loyal exchange of opinions in regard of general situation and certain coordination of policy on part of both sides was never broken." BENEŠ, 65.

23 According to A. Klimek, "Beneš during his journey to Soviet Union on 8 July 1935, where he was welcomed with highest pomp and honors, declared: "I came to Moscow so I can (...) even more reinforce our friendly mutual relation between our states and nations. (...) Despite difference of your regime (...) our state continuously pressed on unity with you in peaceful collaboration. (...) In this our foreign policy always saw its primary life interest." KLIMEK, 299.

24 České slovo, 1935, Year 27, No. 28, 30 January.

25 Venkov, 1935, Year 30, No. 20, 18 April.

26 E. Beneš wrote, that "Already on 30 May 1935 was undertaken, on the base of my consent, an official military delegation (...) which initiated first air force cooperation with Moscow. In August of the same year, a delegation of Soviet Army, led by general Šapošnikov, took part on our first great maneuvers, inspected our whole armament industry and prepared our later important arms shipment for Soviet Army." BENEŠ, 65.

27 Venkov, 1935, Year 30, No. 232, 5 October.

28 Robotnícke noviny, 1935, Year 32, No. 134, 9 June. Robotnícke noviny and České slovo published a number of articles, so thrilled about Soviet-Czechoslovak friendship, that their commentaries were frequently undistinguishable from reports written by communist newspapers.

29 LUKES, Igor: *Czechoslovakia between Stalin and Hitler: the diplomacy of Edward Beneš in the 1930s*, New York 1996, 53.

language, it contained derogatory remarks in regard to ability of Beneš to perceive realistically the true nature of Soviet regime.<sup>30</sup>

Czechoslovak press, especially left oriented periodicals, celebrated Beneš' visit and exalted military excellence of the Red army. Venkov reported that Soviet Union is building a powerful army of 1.3 million men strong. Quality of Soviet military was allegedly continually increasing by young officer corps and air force personnel, who were entering service. These developments were assurance that any "air attack against Russia would be futile".<sup>31</sup> In Slovakia, main source of admiring, but frequently imprecise or outright false commentaries, was communist periodical Slovenské zvesti. Paper argued that despite monstrous purges, which tragically affected thousands innocent victims, including officers of the Red Army, thanks technical innovations and new types of weapons the Red Army was still the best military organization in the whole world.<sup>32</sup> Characteristic for slavish nature of Czechoslovak communist press, was unconditional agreement of condemnation of Marshal Mikhail Tukhachevsky by Soviet regime, who was one of the most gifted military strategists. Slovenské zvesti described M. Tukhachevsky as a traitor and informed about numerous public gatherings in Soviet Union, where participants were expressing their "unanimous agreement" with his execution.<sup>33</sup>

Openly pro-Soviet foreign policy pursued by E. Beneš aroused a wave of critical reactions abroad. Even France, which presented itself traditionally as staunch ally of Czechoslovakia, viewed growing admiration of Soviet Union by Czechoslovak Foreign Minister with suspicion. Unprecedented purges in Soviet Union, which unfolded during second half of thirties and decimated tens of thousands Soviet citizens, undermined opinion of French military leaders that fighting strength of Soviet armed forces can be maintained despite mass murders of officers. This scepticism led to conviction that French Army must concentrate on protection of its own country.

During the second half of thirties, cracks developed in the Little Entente. Romania, in face of rapid economic and military build-up in Germany, was increasingly viewing its alliance with Czechoslovakia as a burden. In case when dreaded military conflict between CSR and Germany was becoming possibility, Romanian leaders were not inclined to support Czechoslovakia. Even more openly than Romania, was reluctant to support Czechoslovak Republic Yugoslavia. Despite declarations of cordial relationship, differences between Yugoslavia and CSR grew deep.<sup>34</sup> Yugoslav Prime Minister M. Stojadinović, during conference of the Little Entente enacted on 13 September 1936 in Bratislava, openly rejected any additional political commitments. Reluctance of Yugoslavia to broaden

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30 Ibidem, 56.

31 Venkov, 1937, Year 32, No. 14, 17 January.

32 Slovenské zvesti, 1937, Year 2, No. 39, 25 February.

33 Slovenské zvesti, 1937, Year 2, No. 114, 15 June.

34 "Though regular sessions of various panels of Little Entente were asserting "perfect harmony", which existed among constituent states, already in year 1936 was crisis inside of this "fifth European power" evident. Prince Pavel refused in June 1936 to reinforce Alliance and similarly Stojadinović refused suggestion made by Beneš to broaden Alliance as prevention against attack upon Czechoslovakia by Germany." ČELOVSKÝ, 66.

obligations, admitted also E. Beneš in his Memoirs.<sup>35</sup> According to K. Straka Rumania and Yugoslavia did not share Czechoslovak anti-German policy.<sup>36</sup>

But the most worrisome was deterioration of relations between Czechoslovakia and Germany. German propaganda, orchestrated by Josef Goebbels, was accusing Czechoslovakia of anti-German policy, of suppressing minority rights of Sudeten Germans and offering political asylum to German emigrants. After usurpation of power in Germany by Nazi Party, mass purges of communists, social democrats and all left oriented persons who resisted Nazi regime ensued.<sup>37</sup> Scores of these persons escaped to democratic European countries, including Czechoslovakia. German emigrants were receiving help from Czechoslovak left political parties and organizations, which aroused wrath of German official places.<sup>38</sup>

With aim to suppress growing tensions with Germany, Czechoslovak government authorities curtailed anti-Nazi propaganda waged by German political emigration. Emigrants were also excluded from large cities and from frontier region in Western Czechoslovakia. But, because support of Czechoslovak leftist political organisations to German emigrants, this practice was eventually terminated.

Tensions between Germany and Czechoslovakia were further increased by policy of the Ministry of Interior, which tried to stop flow of German newspapers coming to Czechoslovakia.<sup>39</sup> As a hostile act was judged by Germany prohibition of shipments and distribution of propagandistic materials and non-periodic press.<sup>40</sup>

Facing ominous situation, Czechoslovak government adopted during second half of third decade a number measures to increase military strength of CSR. Shortly after A. Hitler's coming to power, military service in Czechoslovakia was extended from fourteen months to two years.

35 Beneš wrote in his memoirs: "Far more serious was direct Yugoslavian refusal of cooperation against disintegration of Europe, coming from Germany. This expressed personally to me the Prime Minister of Yugoslavian government Milan Stojadinović, when on 12 September 1936 arrived at Topolčianky." BENEŠ, 49.

36 It became evident, that determined attitude of Czechoslovak Republic was not fully supported by the allies of the Little Entente. STRAKA, 48.

37 "In Czechoslovakia found asylum for shorter or longer time namely emigrants from middle ranks of society (merchants and clerks), freelance occupations (doctors, lawyers), intellectuals, artists and workers." ČERNÝ, Bohumil: *Most k novému životu. Německá emigrace v ČSR v letech 1933–1939*, Praha 1967, 15.

38 Historian Robert Kvaček wrote, that "Source of tensions was also an issue of German immigration to CSR. A substantial percentage was composed of communists, social democrats and also members of intelligentsia. (...) Government circles tried to limit residence of emigrants (Berlin ambassador Mastný declared at Wilhelmstrasse, that emigration is for his government an "unpleasant issue" and that "we surely have same interest with Germany against communism", however, communist, social democratic and some other organizations were securing for emigrants means for existence and even for political activity. And government authorities tolerated them." KVAČEK, Robert: *Nad Evropou zataženo. Československo a Evropa 1933–1937*, Praha, 1966, 36.

39 On 3 February 1934 the Ministry of Interior and the Ministry of Foreign Affairs issued a joint Decree No. 5143/1934–5, which prohibited distribution of cited periodicals on territory of CSR. Štátny archív Košice (State Archive Košice, hereinafter referred to only as SA K), fond Okresný úrad Rožňava (fund County Office Rožňava, hereinafter referred to only as OÚ Rožňava), carton 26, doc. No. 6500/34 prez.

40 For example, on 8 January 1934 the Ministry of Interior issued Decree No. 769/1934–5 prohibited distribution of non-periodic document "Adolf Hitler spricht – Ein Lexikon des Nationalsozialismus". SA Košice, f. OÚ R, carton 26, doc. No. 1816/34 prez.

Encirclement of CSR by hostile states evoked worries perceived by a large segment of general public and enhanced importance of the Army. Chief of the General Staff, Ludvík Krejčí, formulated several conditions, which would increase fighting ability of military forces. Among others, he demanded implement measures which would increase on number of officers and implementation of two years of military service without time limitation.<sup>41</sup> Strategy of Czechoslovak armed forces in event of German attack was based on supposition that France and the Little Entente will defend Czechoslovakia.<sup>42</sup>

Czechoslovak political leaders had a significant role in presenting army as indispensable element in security of the Republic. Instrumental importance in propaganda, which was aimed at increase of confidence of public in ability of the Army to protect state had newly elected president, E. Beneš.<sup>43</sup> President reassured citizenry, that the Army is reliable guarantor of Czechoslovak security and each citizen can be sure that CSR is safe.<sup>44</sup> Though in public speech in České Budejovice in May 1937 he admitted that there exist growing tensions in Europe and in other regions of the world and the League of Nations is incapable to interfere, he expressed conviction that all difficulties can be solved and there is no need to be worried and our cooperation with neighbours is continuing."<sup>45</sup>

As was mentioned, already in year 1932 military service was prolonged from 14 months to two years. Personal changes were implemented on top army positions – Jan Syrový became the General Inspector of the Army and Ludvík Krejčí the Chief of General Staff.<sup>46</sup> With the aim to increase security of boundary regions, the State Defensive Guard (SDG) was established in year 1936. In the event of outbreak of war, SDG should timely declare alarm and engage in defensive of attacked region. A task of SDG was also suppress all forms of disturbances. During peace time SDG was subordinated to the Ministry of interior, in case of outbreak of war its superior organ become the Ministry of National Defense. At the outset of 1936 were established so called the National Guards (NG), paramilitary organizations which were during mobilisation and in time of military conflict obliged to assist to regular army. The National Guards were dislocated in frontier regions.<sup>47</sup>

41 České slovo, 1935, Year 27, No. 17, 20 January.

42 "The General Staff of CS. Army, led by the Army General Ludvík Krejčí, already in autumn 1934 completed a strategic plan for defense of the Republic, which supposed that defensive units will have to carry on during two-three months (until start of military action by allies, that is France and states of the Little Entente – Romania and Yugoslavia) an isolated defense against superiority of Hitler's Germany and Horthy's Hungary. The goal of this plan was to prevent isolation of CS. Military units in Czech territory and to secure their transfer to Slovakia, where after regrouping of troops and arrival of allies should cs. Army engaged to counter offensive." ČAPLOVIČ, Miloslav: Československá armáda a Slovensko, in: Slovensko v Československu, ZEMKO, Milan – BYSTRICKÝ, Valerián (eds.), Bratislava 2004, 262.

43 E. Beneš became President of CSR on 18 December 1935.

44 Slovak regional periodical Slovenský východ published address in which Beneš asked public not to believe that CSR will be attacked. Slovenský východ, 1936, Year 20, No. 192, 20 August. In similarly optimistic tone Beneš's described status of German minority in rose colors and expressed conviction that relations between Czechs and Germans will be solved peacefully. České slovo, 1936, Year 28, No. 192, 20 August.

45 Ludový chýrnik, 1937, Year 12, No. 20, 16 May, 2.

46 KÁRNÍK, Zdeněk: České země v éře První republiky (1918–1938). Díl třetí. O přežití a o život (1936–1938), Praha 2003, 452.

47 JOHN, II. Díl, 155.

Military preparations posed a significant burden upon state finances. According to M. John, the Ministry of National Defense during years 1935–1937 demanded 6,740,405,000 crowns to finance increase of army units, modernization of weaponry and purchase of military materiel. However, till end of year 1937, only 30% of planned military build-up was realized.<sup>48</sup>

Politically difficult was planned substitution of cavalry units by mechanized troops. The Ministry of National Defense was traditionally a domain of the Republican Party, which also controlled of the Ministry of Agriculture. A significant segment of agricultural economy constituted breeding of horses for military. Therefore, leaders of the Republican Party opposed elimination of cavalry units in the Czechoslovak Army. Political impasse was eventually solved by a compromise. Cavalry units were retained and increased was a number of tank units.<sup>49</sup>

With a goal to increase of fighting readiness of the Army, manoeuvres enacted at various localities of Czechoslovakia were undertaken. Czech and Slovak periodicals devoted extensive attention not only to actual course of military exercises, but also to description of high degree of tactical and strategic mastery of army, which should prove its ability to protect security of the Republic.<sup>50</sup>

A momentous decision, which foreordained strategy of Czechoslovak military build-up, was adoption of the French defensive model and consequently construction of line of bulwarks around almost whole Czechoslovak boundaries.<sup>51</sup> Design of defensive works assumed concrete form during spring 1936. It was decided to construct two basic types of fortifications – heavy fortresses (HF) and light strongholds (LS). According to K. Straka, on the beginning of year 1937 already existed in Czech Land and in Slovakia several lines composed of hundreds light fortresses. However, the General Staff did not perceived light fortification as important segment of territorial defense.<sup>52</sup> Primary importance in the system

48 JOHN, I. *Díl*, 30–31.

49 According to Z. Kárník: "This cardinal issue of reorganization of army was complicated by resistance of conservative segment of officer corps, also by government and the Republican Party." KÁRNÍK, 470.

50 Periodical *Venkov* characterized series of manoeuvres initiated on 20 August 1936 in Czech part of CSR as "The largest form of all, till then, organized military exercises". According to *Venkov*, military, but also political and social importance of manoeuvres was enhanced by presence of President, Premier and Chairmen of both chambers of the National Assembly. In his public speech Beneš asserted that it was done everything to increase ability of army to fend-off hostile attack. He expressed his firm belief, that peace will be preserved: "By all this what I just said, I do not want to awake an impression in you that a war threatens. (...) According to my conviction and firm hope, Europe will succeed to preserve peace. (...) We with all our energy are working and will work to maintain peace." *Venkov*, 1936, Year 31, No. 194, 21 August. *České slovo* depicted military exercises, which were attended by hundred thousand soldiers, as celebration which deepen morale soldiers as well as civilians. *České slovo*, 1936, Year 28, No. 194, 21 August. Approximately year later, on 17 August 1937 also in South-Western Slovakia were executed manoeuvres, which employed military units adjusted to this region. *Venkov*, 1937, Year 31, No. 193, 17 August.

51 "The decision to build-up a complex system of fortified objects along the Czechoslovak border and defensive lines within the country was taken in the fall of 1934 and construction began early in the following year. (...) The whole project was divided into several phases, of which the first was to be completed in 1942, the last in 1946." LUKES, 120.

52 "In regard to value of light fortification the General Staff had no illusions. These fortifications theoretically should be capable held enemy for limited time on the assumption that attack will be not supported by heavy weaponry." STRAKA, 78.



of fortification had heavy fortresses, which were capable offer to defending personnel a long-lasting protection without support from outside. HF could withstand attack of heavy weaponry, but construction was complex, lasted long time and was substantially more expensive in comparison to light fortifications.<sup>53</sup> Therefore, construction of fortifications placed an enormously heavy burden on state finances.<sup>54</sup> The total cost was estimated at more than 10 billion Crowns.<sup>55</sup> Despite strenuous effort of authorities to speed-up construction, at the close of November 1937, work was only partially accomplished. From total number of planned 1,276 HF, till 15 November 1937 was finished only 156 fortresses. Similarly, from 15,463 LS, only 3,268 strongholds were completed.<sup>56</sup>

Difficulties affected also process of supplying arms to the Army. Especially conflicting relations existed between the Ministry of National Defense and corporation Škoda Works, which was a monopoly manufacturer of artillery. Škoda Works was far more interested to export less advanced artillery to customers in South America, than to fulfil requirements of MND for modern weapons. Export of advanced weapons to private customers, which would be profitable and cover expenses spent for research and production of new and advanced weapons, was restricted. Another problem, which led to conflicts between management of Škoda Works and government authorities, was reluctance of company to supply armament to Yugoslavia and Romania because these countries were slow payers.<sup>57</sup> Therefore, management of companies producing weapons was reluctant to comply with military leadership. For example, requirement to implement multi-shift production was flatly refused. Also detrimental to supply of arms for the Army was interest of companies to maintain their export obligations.<sup>58</sup>

Czechoslovak Republic, besides Czechs and Slovaks, was composed of several ethnic minorities. Germans and Hungarians were most numerous and politically relevant. A majority of Germans and Hungarians became constituents of Czechoslovakia involuntarily. As was mentioned, potential danger to integrity of Czechoslovakia stemming from Hungary ambitions to occupy region of South Slovakia, where a majority of ethnic Hungarians lived, was effectively neutralized by the Little Entente, whose combined economic and military power was far greater than that of Hungary. Though political representatives of Hungarian minority parties were critical of allegedly insufficient minority rights, they enjoyed their

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53 "HF, which demanded longer time to construct, could be build-up only at localities of the most strategic importance." JOHN, *II. Díl*, 236.

54 "Strategic plan of military defense of CSR required high financial expenses not only in relation to numerical number of the CSR Army and modernization of its armament, but also in build-up of continuous line of fortifications along almost whole 4,120 kilometers along Czechoslovak boundaries (of which only 201 km constituted boundary with friendly Romania. The plan of Czechoslovak fortifications, which was approved by the Army General L. Krejčí on 20 March 1935, was based on French experiences during construction of the Maginot Line and from his defensive doctrine, which supposed that existence of permanent and massive fortifications will stop attackers, enable enact mobilization and initiate counter offensive." ČAPLOVIČ, 263.

55 KÁRNÍK, 463.

56 Ibidem, 464.

57 "These unnatural relations led to frequent conflicts, which must be solved by dubious arrangements on individual basis and mostly were damaging export as well as interest of the Army." JOHN, *II. Díl*, 172–173.

58 "Urgent needs of defense of the Republic collided with export interest of weapon producers. Orders placed by foreign customers covered from one third up to half of production capacity of manufacturers." STRAKA, 67.



legal status and actively participated on political life in the CSR. Similarly, members of German community enjoyed political rights and established a number of political parties. Though the relations between Czechs and Germans were never ideal, coexistence was peaceful. This, however, changed after A. Hitler's ascent to power in Germany. Chauvinistic frenzy engulfed a majority of Sudeten Germans and grew into hatred between Czechs and Germans. This rift was exacerbated by a policy of Nazi Germany, using German minority as a tool of its aggressive aims. Therefore, political and military representatives must take into consideration that inclusion of large numbers of German and Hungarian conscripts will have a negative impact on loyalty of the Czechoslovak Army.<sup>59</sup> Security authorities must face potential hostilities on part of Germans and Hungarians. With the aim to prevent leaking sensitive information, the Ministry of Interior issued promulgation which informed press what constitute subject-matter of prohibited news. Primarily targeted were information dealing with military issues, such as construction of defences, description of manoeuvres, localities where military units were situated etc. Because it was impossible in detail define all types of information, which could be inimical to security of state, in case when authority empowered by control of press were not sure which concrete bit of information is not allowed to be published, were obliged to request decision by the Ministry of Interior or the Ministry of National Defense.<sup>60</sup>

Growing danger that Czechoslovakia could become a target of hostile attack, initiated measures focused upon preparation of civilian population on defense. The main task to enact these preparations was in competence of institutions of compulsory education. During years 1934 and 1935 the School Administration issued ordinance in regard to defense education, which was obligatory to pupils of elementary schools and high schools students.<sup>61</sup> Important measure initiated by government, which intend to engage civilian population into defensive activity was establishment of so called the National Defense Education (NDE).<sup>62</sup> According to cited Law No. 184 – the Law in Regard to Defense of State, the aim of the NDE was “Nurture in population of Czechoslovak Republic, in dependence to its age, to acquire professional, moral qualities, physical endurance, knowledge and skills, which are needed to defense of state (§ 1 of Law in Regard to Defense of State).” Czechoslovak citizens of both genders were obliged to participate on NDE. If it was no in breach of international agreements, cited obligation was mandatory also for foreigners who had permanent residence in CSR. As compulsory topic was National Defense Education implemented to all types of schools. Via several government measures

59 John, M. wrote that: “Presence more than 25% of Sudeten German soldiers in the Czechoslovak Army constituted a considerable danger. It was doubtful that they will fight for Czechoslovak state against soldiers with whom they were connected by same language.” Therefore, “Czechoslovak military administration incorporated Sudeten German conscripts into positions in which they could not have large impact upon development of fighting situation, to non-combatant forces in Slovakia, to transport forces and to a large extent to artillery and to engineer corps.” JOHN, *II. Díl*, 182.

60 SA Banská Bystrica, branch (b.) Rimavská Sobota, fond Okresný úrad Rimavská Sobota 1938, carton 19 – Nedovolené spravodajstvo – vyhláška, ktorou sa prevádza ustanovenie § 23, č. 1, odst. 1 zákona na ochranu republiky.

61 ČAPLOVIČ, Miloslav: *Branné organizácie v Československu 1918–1939 (so zreteľom na Slovensko)*, Bratislava 2001, 62.

62 Sbíрка zákonů a nařízení státu československého. Částka 45. Vydána dne 15. července 1937. 184, Zákon ze dne 1. července 1937 o branné výchově.

implemented during years 1935–1937 was set-up so called the Civil Air Defense. On 15 April 1937 the Ministry of Interior issued Guidance for training civil air defense. The goal of training was to test readiness of executive authorities, gain experience in preparations for air defense and to assure population that public security is safeguarded.<sup>63</sup> Magnitude of defensive measures, which accelerated in dependence on worsening political situation in Europe, demanded constantly increasing amount of finances. To provide needed money, on 26 May 1936 government representatives submitted to the National Assembly a draft bill to issue the Loan on Defense of State.<sup>64</sup> Necessity to raise additional funds to cover defense expenses was generally accepted. Even *Slovák* – an official periodical of opposition Hlinka's Slovak Peoples Party (HSPP), acknowledged justification of the loan: "It is necessary to admit, that state unconditionally needs a fairly trained army and all defensive means of modern age, because insufficient armament could be very costly."<sup>65</sup> However, members of the National Assembly representing HSPP abstained during voting and left Parliament. Also members of the National Assembly representing the Czechoslovak Communist Party abstained from voting. Communist periodical *Slovenské zvesti* justified refusal to vote by argument the cited Law is favoring rich at the expense of ordinary citizens.<sup>66</sup> The Loan on Defense of State (the Loan) was approved on 27 May 1936 by a large majority of deputies. According to *České slovo* voting was "a great manifestation of firmness of the Republic and acknowledgment of its strength and unshakable existence."<sup>67</sup> During following months Czechoslovak press presented the Loan as great success and gesture of staunch patriotism on part of citizens.<sup>68</sup>

As threat posed by Germany during period years 1934–1937 was gradually increasing, it became necessary to mobilize all human and economic resources to prepare for defense of the Republic. Unfortunately, mainly due to failure of allied states to stay firm by Czechoslovakia, A. Hitler succeeded in destruction CSR.

## Conclusion

The aim of the submitted paper is map commentaries of Czech and Slovak periodicals tracing the political development of Czechoslovak Republic during years 1935–1937, which was a period of growing instability in Central Europe resulting from aggressive policy of Nazi Germany. Attention was also given to measures enacted by political leadership and military as informed by press and to endeavors of newspapers to create an atmosphere of optimism

63 Smernice pre cvičenie civilnej protiletectkej ochrany (CPO). Vydané výnosom ministerstva vnútra zo dňa 15. apríla 1937 č. 21.705/14. (Directives for anti-aircraft exercises dated 15 April 1937, No. 21.705/14. Issued by Decree of the Ministry of Interior on 15 April 1937, No. 21.705/14).

64 *Venkov*, 1936, Year 27, No. 123, 26 May.

65 *Slovák*, 1936, Year 18, No. 122, 27 May.

66 *Slovenské zvesti*, 1936, Year 1, No. 10, 29 May.

67 *České slovo*, 1936, Year 28, No. 125, 28 May.

68 *České slovo* cited radio-speech made by President Beneš in which he expressed opinion that the Loan is primarily "the moral imperative". *České slovo*, 1936, Year 28, No. 131, 5 June. *Venkov* emphasized necessity to provide all means for defense of state and purpose of the Loan is secure financial cover to do it. *Venkov*, 1936, Year 27, No. 159, 10 July. *Slovenský východ* published interview of Prime Minister Milan Hodža in which he characterized results of the Loan as great success and proof of patriotism of Czechoslovak citizenry.

42	ARTICLES Soňa GABZDILOVÁ Milan OLEJNÍK	Defensive Measures Adopted by Czechoslovak Authorities in Reaction to Danger Posed by Nazi Germany during Years 1935–1937	
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face to face to German threat. This was helped by repeated proclamations declared by France leaders about determination of France to stay firmly by Czechoslovakia. Another development judged by periodicals highly positively was signing defensive alliance with France and Soviet Union. Noticeable was political shift to left as a consequence of build-up friendly relations with Soviet Union. Especially left oriented periodicals were publishing eulogies glorifying strength of Soviet Army. Press paid extensive attention to government firm support strengthening of military and to construction of defensive works. Analysis of articles published in a majority of periodicals points to fact, that press was an efficient tool in creating an atmosphere of optimism, that the Republic will withstand possible German aggression.

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# **Theoretical and methodological discussion on social and cultural memory in international perspective**

**dr hab. Grzegorz NYCZ**

## **Abstract**

The following text is centered on theory and methodology of memory studies in international perspective. The text explains the differences between focus and scope of various approaches to memory studies, those relying mostly on collective experience, those discovering cultural memory and the approach centered on the social dimension of the latter. The aim of the paper is to give a short introduction to key research accomplishments in the area of memory studies and to present short account on the critically disputed important international cases of high importance of memory in world politics. The paper presents various methodological paths to study memory as a part of social, cultural and collective experience, focusing on current international discussions regarding how past may impact present global relations. The presented methodological orientations are both contributing to better understanding of the construction of the past in public/social area and to the knowledge on conscious efforts of controlling the selected chapters of history to serve the national (or ideological) purpose.

## **Keywords**

memory studies, collective memory, social memory, cultural memory

## **Introduction**

Modern memory studies rely on theoretical concepts linking sociology and history through collective, social and cultural dimensions of preserving remembrance as a public task. Key concepts described and analyzed in the following text encompass social, collective, cultural understandings of reviving the past in present-day public concern. The text is centered on those applications of memory studies methodology that contribute to largest extent to the closer look on international controversies regarding history, and most divisive aspects of modern historical disputes. The exemplifications of dilemmas explained by memory studies methodologies include Holocaust recollections, Israeli national reconstruction, post-communist historical rows, 21th century terrorism. The text is focusing on methodological traits (memory as collective, social or cultural concept) to distinguish between various leading schools and scholarly approaches to memory studies in the context of the evolution

of international environment and pressure coming from latest political challenges. Memory studies seem not to be immune to public or government-oriented mobilization seeking answers to most up-to-date controversies of broader concern. Interestingly, the vast load of methodological input could locate memory studies among most potent and influential research backyards serving policy makers with in-depth social science or humanities-rooted expertise or recommendations. Whether such a remedy would serve rather present political goals, or the sake of science and research itself, remain a disputable issue.<sup>1</sup>

## Collective memory

Jeffrey Olick developed a concept of politics of regret, relying on earlier Halbwachs' studies of collective memory, seeing the post-Cold War memory politics as drifting towards practical resolution of annoying past national failures ("toxic legacies"), using two analytical frameworks (philosophical jurisprudence and transitology).<sup>2</sup> In 1938 Maurice Halbwachs defined "collective psychology" as a process of consideration of psychological facts brought about from the group-level of human activity, from the state of being associated in a group.<sup>3</sup> Nicholas Russell claimed that "collective memory" as term existed for centuries before Halbwachs coined it in 1925 under French label "mémoire collective", reaching as far as Ancient Greece and its views on remembering in the linkage with immortality, and focusing on French texts since 16th to 18th century (involving a concept of collective memory), including Montaigne, Ronsard, Rousseau, and even Cid (Pierre Corneille).<sup>4</sup> Erika Apfelbaum concluded that Halbwachs' concept of collective memory was necessarily social, with its inherent view of socially organized human activity in general and a social (dynamic) process of selection of individual remembrance to distinguish recollections ("les souvenirs") as consciously constructed reminiscences of the past.<sup>5</sup> T. Hirsch presented Halbwachs as a representative of Durkheimian sociological school with an eye on collective psychology (based on empiricism and phenomenological sociology).<sup>6</sup> The development of Halbwachs and Durkheim notion on collective memory and the role of religion came

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2 OLICK, Jeffrey: *The Politics of Regret. On Collective Memory and Historical Responsibility*, Routledge, New York 2007, 122.

3 HALBWACHS, Maurice: *Individual and Collective Psychology*, in: *American Sociological Review*, 3, 1938, 5, 615.

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4 The supporter of Halbwachs' definition of collective memory, Pierre Nora, as Russell explained brought a focus on group identity and distinction between collective and historical form of memory. RUSSELL, Nicolas: *Collective Memory before and after Halbwachs*, in: *The French Review*, 79, 2006, 4, 792–799.

5 APFELBAUM, Erika: *Halbwachs and the Social Properties of Memory*, in: *Memory: Histories, Theories, Debates*, ed. RADSTONE, Susannah – SCHWARZ, Bill, Fordham University Press, New York 2010, 85.

6 HIRSCH, Thomas: *A Posthumous Life. Maurice Halbwachs and French Sociology (1945-2015)*, translated by Peter Hamilton, in: *Revue française de sociologie*, 57, 2016, 1, 63.

with Daniele Hervieu-Léger research, with a further focus on religion seen, as D. MacNeill underlined, as a way to mobilize collective memory through rituals, symbols and myths related to the origins of a particular community.<sup>7</sup> Emile Durkheim gave an example of the linkage between religion and (public, collective) memory examining the rituals of mourning, reaching beyond ceremonial regret and revocation of the dead member of the community's contributions, towards much deeper self-identification with the deceased within the public presentation of sorrow, including self-torture or even self-burning.<sup>8</sup> Surprisingly, the Indian traditional Sati ceremony of burning the wife of the deceased on his funeral pyre survived until the 21st century (such Hinduist practice, law-forbidden, were still present, but rare).<sup>9</sup> Danièle Hervieu-Léger explained the chain of memory in the context of religious rites that necessarily implied the "lineage" of belief i.e. a conscious effort to build collective memory on the religious past, which may refer to a myth of creation in most traditional societies, and through anamnesis understood as recalling the past performed as a ritual, so those repeated efforts understanding religion as repeating the rites, supported by collective memory mobilized, serve continuity in belief, practice and religious memory upkeep (taking religious for collective as well), while this chain (lineage based) of *memoires* is dependent on ritualized revocations of one's community foundation ("foundational events").<sup>10</sup> So, to memory studies area belongs also religious activity of society.

Next to Halbwachs' and Nora distinctions between history and memory Joseph Llobera mentioned Bernard Lewis and his 1975 distinction regarding remembered history, recovered history and invented history (the latter fabricated).<sup>11</sup> Lewis began his lecture on historical policy of the modern Middle East with such examples as Masada celebration 2 500 anniversary of the founding of Iran by Cyrus, Egyptian celebrations of 969 foundation of Cairo by caliph al-Mu'izz, Turkish celebrations of the conquest of Constantinople (500

7 MACNEILL, Dominique: *Extending the work of Halbwachs: Danièle Hervieu-Léger's analysis of contemporary religion*, *Durkheimian Studies*, 4, 1998, 78.

Conf. HERVIEU-LÉGER, Danièle: Space and Religion: New Approaches to Religious Spatiality in Modernity, *International Journal of Urban and Regional Research*, 26, 2002, 1, 99–105.

8 DURKHEIM, Emile: *The Elementary Forms of the Religious Life*, translated by Joseph Ward Swain, Free Press, New York 1965, 444.

9 in some cases Sati suicide on the pyre (forbidden in British India since 1829) was voluntary, in some forced by other family members. BBC News, *India wife dies on husband's pyre*, August 22, 2006, [news.bbc.co.uk/2/hi/south\\_asia/5273336.stm](https://www.bbc.co.uk/2/hi/south_asia/5273336.stm), Conf. HARDING, Luke: *The ultimate sacrifice*, *The Guardian*, August 23, 2002, <https://www.theguardian.com/world/2002/aug/23/gender.uk1>.

PESTA, Jesse - RANA, Preetika: *In Indian Families, the Dangerous Meeting of Women and Fire*, *The Wall Street Journal*, July 22, 2015, <https://www.wsj.com/articles/in-indian-families-the-dangerous-meeting-of-women-and-fire-1437606446>.

Conf. Dorothy K. STEIN, *Women to Burn: Suttee as a Normative Institution*, *Signs*, 4, 1978, 2, 253–268.

SINGH, Bhajan: *Institution of Sati in Medieval India with Special Reference to Pre-Colonial Punjab*, *Proceedings of the Indian History Congress*, 71, 2010–2011, 256–265.

DHILLON, Maninder: *Widow Burning: The Burning Issue of Colonial Britain and India*, Blog, Utrecht University, 2019, <https://cchr.uu.nl/widow-burning-the-burning-issue-of-colonial-britain-and-india/>.

10 HERVIEU-LÉGER, Danièle: *Religion as a Chain of Memory*, translated by Simon Lee, Rutgers University Press, New Brunswick 2000, 124–125. Lineage in the understanding of ancestry, shared one progenitor i.e. past ancestor – Merriam Webster, <https://www.merriam-webster.com/dictionary/lineage>.

11 LLOBERA, Joseph: *Halbwachs, Nora and "history" versus "collective memory": a research note*, *Durkheimian Studies*, 1, 1995, 40. Conf. LEWIS, Bernard: *History. Remembered, Recovered, Invented*, Princeton University Press, Princeton 1975.



anniversary) or victory at Manzikert 1071.<sup>12</sup> In the context of the celebrations of Masada and Iranian (Persian) beginnings Lewis described three types of historical narrative, based on the traditional personal formula who–when–where, more advanced approach focused on the topic, i.e. what–how, or even why, and finally due to methodology of sources and its exploitation, as well as ideology of historians, their chosen functions and goals of study.<sup>13</sup> Bernard Lewis' typology encompassed:

- a remembered history, i.e. mostly statements concerning the past, including personal recollections, scriptures, historiography understandable as a collective memory (community's, nation's), a result of a conscious decision, what exactly the leaders or intellectuals chose to remember,
- a recovered history, consisting of discoveries of forgotten chapters of the past (events, movements, man and ideas) due to a conscious decision of a community (to reject it) and restored by an academic effort (of such sophistication as deciphering lost writings or languages), leading to a reconstruction of the past bearing a threat of becoming rather a creative work on reinventing the past,
- invented history, a premeditated effort to build a certain vision of the past coming from an earlier purpose, using both recovered history and fabrication.<sup>14</sup>

Reinhart Koselleck distinguished between two aspects of methodological approach towards history:

- oriented towards events and actions,
- diachronic (following de Saussure), regarding the transformation of social structures (over time), as well as its presence in languages.<sup>15</sup>

Corning and Schuman explained that collective memory was describing how groups bring back the past in their memoirs or start analyzing it ("recall and think about the past"), in other words, the term refers to a shared set of reminiscences, which belong to a particular group.<sup>16</sup>

Paul Ricoeur set a stage for his analysis of collective memory by a review of predominant figures of French historiography of the first 2/3 of the 20th century, i.e. Fernand Braudel (with his opus magnum of 1979 "Civilization and Capitalism, 15th-18th century", not following Weber's protestant ethics and capitalism thesis) and the school of periodical *Annales*, followed by intellectual ferment of the period of a crisis, analyzing methodological crisis through the lens of history of mentalities (also in crisis) borrowed from sociology of Lucien Lévy-Bruhl, while the latter double crisis could be brought into order by rigors of mentality owing to Michel Foucault, Michel de Certeau and Norbert Elias.<sup>17</sup>

12 LEWIS, Bernard: *History. Remembered, Recovered, Invented*, 3–4.

13 Ibidem.

14 Ibidem.

15 KOSELLECK, Reinhart: *Social History and Conceptual History*, in: *International Journal of Politics, Culture, and Society*, 2, 1989, 3, 318.

16 ("memory shared by the members of a group") CORNIG, Amy - SCHUMAN, Howard: *Generations and Collective Memory*, The University of Chicago Press, Chicago 2015, Kindle, Loc. 61, Loc. 109.

17 RICOEUR, Paul: *Memory, History, Forgetting*, translated by Kathleen Blamey and David Pellauer, The University of Chicago Press, Chicago & London 2006, Kindle, Loc. 2784, Loc. 2879–2888.

Conf. WEBER, Max: *The Protestant Ethics and the Spirit of Capitalism*, translated by Talcott Parsons, Charles Scribner's Sons, New York 1958.

Pierre Nora explaining concepts of sites or parts of memory (*lieux de memoire*) and centers of memory (*milieu*), claimed that all aspects of recollecting notable past events publicly must be directed consciously in the modern post-war age, because spontaneous attempts of public memory celebration would no longer occur due to the strong pressure of ongoing historical processes that make conservation of those critically important memory sites impossible.<sup>18</sup> Kelland noted that the collective memory (understood as being partly a product of mass culture, which served also as a media of the shares memoirs) allowed her to develop on her concept of memory practices, i.e. efforts of history activists (community historians) to revoke some marginalized parts of common history through innovative strategies of research, archival work (rediscovered by opening nontraditional sources) and communication reaching inside the researched group (relying on its social activists), particularly useful in studies of minorities leading to the challenge to mainstream history (dominant narratives).<sup>19</sup> Gedi and Elam critique of Halbwachs collective memory concept as leading to a controversial thesis on illegitimacy of individual memory (not truly existing, being a derivative of social memory) concluded that the overreliance on the first to the expense of the latter undermined methodology of history as a science, giving priority to social judgments on the past and marginalizing historical facts as a field of research conducted by historians.<sup>20</sup> Halbwachs' stance could be linked to sociological realism, stressing that political attitudes were not coming from individual temperaments but derived from collective determinants of permanent appearance, noting that groups affected individuals in uneven scale, depending on one's personal characteristics.<sup>21</sup> Sociological realism is mentioned here in the understanding that groups exist materially (as opposite to sociological normativism stating that social groups are just a sum of entities, their members). Causal realism (following T. Brante) referring to Durkheim postulated that social reality is material, real.<sup>22</sup> On the ground of legal studies Hubert Rottleuthner explained that normativism sees law as binding due to its inherent force and the norms themselves as independent from their application or evaluation, while realism tends to reduce norms to (social) facts, i.e. events or circumstances existing objectively, bound by time and space, seeing norms as non-existent, without any context, that may empirically verified.<sup>23</sup>

18 NORA, Pierre: *Between Memory and History: Les Lieux de Mémoire*, translated by Marc Roudebush, in: *Representations*, 26, 1989, 12.

19 seeing social movement activists as also pre-historians ("proto-public historians") who challenged the power of archives as tool of leadership through alternative interpretation of sources from the archives ("reading archival traces against the grain"). KELLAND, Lara Leigh: *Clio's Foot Soldiers. Twentieth-Century U.S. Social Movements and Collective Memory*, University of Massachusetts Press, Amherst and Boston 2018, Kindle edition, Loc. 192, 245–258.

20 GEDI Noa – ELAM, Yigal: *Collective Memory – What Is It?*, in: *History and Memory*, 8, 1996, 1, 37–40.

21 HALBWACHS, Maurice: *The Psychology of Social Class*, translated by Claire Delavaney, William Heinemann, London 1958, 4, 7.

22 BRANTE, Thomas: *Consequences of Realism for Sociological Theory Building*, in: *Journal for the Theory of Social Behaviour*, 31, 2001, 2, 172.

Conf. WAHLBERG, Tobias Hansson: *Elder-Vass on the Causal Power of Social Structures*, in: *Philosophy of the Social Sciences*, Sage, Online August 29, 2013, <https://lucris.lub.lu.se/ws/files/1304165/4612198.pdf>, doi:10.1177/0048393113500213. On material dimension of social facts (following Durkheim) – SAARISTO, Antti Jussi: *Social Ontology and Agency. Methodological Holism Naturalised*, Presented to the University of London for the degree of Doctor of Philosophy, March 2007, 26, <http://etheses.lse.ac.uk/2561/1/U615510.pdf>.

23 Hubert Rottleuthner, *Foundations of Law*, in: *A Treatise of Legal Philosophy and General Jurisprudence*, Vol. 2, eds. PATTARO, Enrico, Springer, Dordrecht 2005, 7.

Apart from anniversary celebrations, popular examples of shaping collective memory refer to national exhibitions, like the well preserved museums of Holocaust sites in Central and Eastern Europe, focused on Nazi Germany's WWII concentration camps. Apart from best known Auschwitz, a well preserved site was founded in Czech to present Terezín (18th century Austro-Hungarian building honouring empress Marie Therese near Prague) used by Nazi Germany as concentration camp and Jewish ghetto, from where transports to Auschwitz were sent as a part of planned extermination.<sup>24</sup>

## Cultural memory

Jan Assmann defined cultural memory as an external dimension of human memorizing sphere connected with such non-internal factors of remembrance as conditions imposed by society on an individual and cultural context of his life.<sup>25</sup> In this frame, cultural memory (reported by J. Assmann as a follow-on of Halbwachs study) constitute one of four external areas of human memory, next to "«mimetic memory»" based on imitation leading to manners and customs, "«the memory of things»" (objects giving an image of practical life and taste of the past), "«communicative memory»" (based on language and communication skills).<sup>26</sup> In J. Assmann definition cultural memory should be understood as inherited or learned ability to catch a glimpse of certain meaningful rituals (beyond practical forms of behavior), such that could be included in the present-day forms of life (embracing old symbols, icons or even idols reintroducing past representations of identity).<sup>27</sup>

Erll defined cultural memory as one of dimensions of memory which is strictly connected with attempts to objectivize material observations through a conscious and ceremonial process, with a ready-made list of contents and meaning, used to strengthen memorizing events ("mnemonic canon"), using such "media" transmitters as shamans, priests or (sic!) archivists.<sup>28</sup> In Erll's definition cultural memory is centered on mythical history with a special community-building significance (seeing as mythical the defense of Troy and Jewish escape from Egypt, to be finally confirmed by archeological evidence but treated as unconfirmed due to lack of hieroglyphic images of Jews).<sup>29</sup> Another Erll definition of cultural memory stated that it described biological or social processes linking past and the contemporary set in social and cultural frameworks.<sup>30</sup>

24 MUNK, Jan: Activities of Terezín Memorial, in: *The Public Historian*, 30, 2008, 1, 73–79. Terezín Children of the Holocaust, <http://www.terezin.org/the-history-of-terezin>. Terezín Memorial National Cultural Monument, <https://www.pamatnik-terezin.cz/small-fortress>.

25 ASSMANN, Jan: *Cultural Memory. Writing, Remembrance, and Political Imagination in Early Civilization*, translated by Henry David Wilson, Cambridge University Press, Cambridge 2011, 4–6.

26 Ibidem.

27 the latter functions of old symbolic forms (transcending memory of objects and not merely practical but showing aspects of identity) was linked by J. Assmann with "«social memory»" of Aby Warburg. ASSMANN, Jan: *Cultural Memory. Writing, Remembrance, and Political Imagination in Early Civilization*, 4–6.

28 ERL, Astrid: *Regional integration and (trans)cultural memory*, in: *Asia Europe Journal*, 2010, 8, p. 311.

29 Ibidem.

30 ERL, Astrid, *Cultural Memory*, in: *English and American Studies*, eds. MIDDEKE, Martin et al., J. B. Metzler, Stuttgart 2012, 238.

Cristian Tileagă relied on J. Assmann definition of cultural memory to explain that in the case of former Soviet bloc a conflict between collective memory in post-communist countries and cultural memory regarding communism was resolved to the benefit of cultural memory of communism responsible for post-communist nostalgia.<sup>31</sup>

Lensen (2017) stressed that the shifts in cultural memory definitions lead to a starker emphasis on its semantic backing ("connectivity"), open-ended follow-ups and abandonment of strict territorial restrictions.<sup>32</sup> S. Vervaet in the Bosnian context claimed that literature lost its primary role as a medium of collective and cultural memory.<sup>33</sup>

Nalborczyk (following Erll) found two dimensions (levels) of cultural memory (seeing it in collective memory context):

- individual (cognitive),
- social (group's efforts to construct common past through institutions and media), while on both of those levels appear interactions that confirm the casual relation between the cultural memory and collective content coming from individual's contacts with other people.<sup>34</sup>

Issler explained that Halbwachs collective memory was antithetical to Freudian view on memory as individually constructed set of recollections, in its attempt to show memory as a social construct, which laid foundation to late 20th century cultural studies concept of memory (reversing the view on culture as a phenomenon of memory, history, to see memory as a phenomenon of culture).<sup>35</sup> Issler relied on Jan Assmann typology, deriving cultural memory from the broader Halbwachsian framework through a division of collective memory into two separate memory branches, i.e. communicative and cultural.<sup>36</sup> J. Assmann defined communicative memory as events of a recent past, shared by groups or generations and forgotten as years of their active life come to pass (while those groups are seen in this contexts as vehicles, "carriers", of communicative memory, and when the generation members die, a new memory replaces the one carried by them, lasting for a "biblical" period of three to four generations in terms of a time limit of a certain debt of the generations responsible).<sup>37</sup> Importantly, Jan Assmann explained legal Roman practice on the matter of such generation based recollections in the logic of saeculum,

31 TILEAGĂ, *Representing Communism After the Fall. Discourse, Memory, and Historical Redress*, Palgrave Macmillan, Cham 2018, 60.

32 J. Lensen, *Towards a Transnational Ethics for Europe: Memory and Vulnerability as Gateways to Europe's Future in Koen Peeters's Grote Europese roman*, in: *The Changing Place of Europe in Global Memory Cultures. Usable Pasts and Futures*, eds. KRAENZLE, Christina – MAYR, Maria, Palgrave Macmillan, Cham 2017, 88.

33 Bosnian prose related to war makes cultural memory less heroic, as S. Vervaet analysed. VERVAET, Stijn: *Writing war, writing memory. The representation of the recent past and the construction of cultural memory in contemporary Bosnian prose*, in: *Neohelicon*, 38, 2011, 15.

34 NALBORCZYK, Agata: *Community Life: Cultural Memory and the Construction of a Contemporary Muslim Tatar Identity in Poland*, in: *Contested Memories and the Demands of the Past. History Cultures in the Modern Muslim World*, ed. RAUDVERE, Catharina, Palgrave Macmillan, Cham 2017, 151.

35 IßLER, Roland: *Cultural memory*, in: *The Bonn Handbook of Globality*, eds. KÜHNHARDT, Ludger – MAYER, Tilman, Vol. 2, Springer, Cham 2019, 807.

36 IßLER, 809. ASSMANN, *Cultural memory*, 33.

37 ASSMANN, *Cultural memory*, 35-36. Notably, in the latter case (Holocaust memory in Germany) J. Assmann found a critical point of saeculum in von Weizsacker speech on May 8, 1945 in the Bundestag and the outbreak of Historikerstreit coming from that call. ASSMANN, *Cultural memory*, 35-36.

lasting until the latest survivors of the passing generation died (here the example of last Romans remembering the Republic, dead by the year 22 due to Tacitus account was used, and the gradual passing of a generation or its members that held personal memory or experience of recent past was linked with a threshold of 40 years, half of the limit for those three-four generations, as breaking point after which those who remembered personally, like witnesses of German Nazi crimes against Jews, would retire, so that memory kept alive by witnesses become replaced by media-driven memory).<sup>38</sup>

J. Assmann's cultural memory was built by unordinary efforts of professionals, from shamans and priests to teachers, scholars or artists, that made an unexpected presentation of some particular events from the past, acting as special carriers of memory, that had nothing to do with everyday life of a society.<sup>39</sup>

## Memory boom

Langenbacher linked the predominance of history boom and collective memory concept in 21th century international relations with constructivist school's outreach in terms of questioning realist claims on centrality of power-maximizing state behavior or inadequacies of liberal views on international norms, following John Hobson and Alexander Wendt, next to the impact of memorable international traumatic events such as 9/11 or dark legacies of repressive regimes (since the Holocaust), combined with the growing scale of international legal institutions revoking aspects of public memory to sustain it in such critical topics as genocide (Nazi era and after) and the influence of diasporas (like Armenian memory of Turkish-led genocide).<sup>40</sup>

Cubitt connected "memory turn" of the late 20th century historical studies with

- the rise of social historians interest in empirically accessible social processes (related to human experience),
- introduction of new methodology of mental and social factors of remembering by the new oral history school,
- growing concern of historians of culture and social processes in exploring interlinkages between oral and literature-based history,
- engagement of cultural and intellectual history in discovering the significance of past events in the formation of political and religious ideologies,
- mental dimension of reality and subjectivity analyzed by postmodern school,
- historians' effort to analyze traumatic impact of total war and genocide on groups and individuals,
- efforts to reveal truth about history of former East bloc societies hidden by communist regimes.<sup>41</sup>

Correspondingly, Joan Tumblety described "memory boom" (since the late 20th century)

38 ASSMANN, *Cultural memory*, 35–36.

39 ASSMANN, *Cultural memory*, 39.

40 LANGENBACHER, Eric: *Collective Memory as a Factor in Political Culture and International Relations*, in: *Power and the Past. Collective Memory and International Relations*, eds. LANGENBACHER, Eric – SHAN, Yossi, Georgetown University Press, Washington D.C. 2010, Kindle, Loc. 184, 200, 267–312 (184–711).

41 CUBITT, Geoffrey: *History and Memory*, Manchester University Press, Manchester 2007, Kindle, Loc. 62–72.

as a newly discovered run towards historical study reaching across the world of popular culture to the academia, transgressing boundaries of research disciplines, including the humanities (music) and social science, cognitive psychology, neuroscience.<sup>42</sup>

## Social memory

Jan Assmann linked the emergence of social memory with Aby Warburg.<sup>43</sup> Warburg linked remembrance on individual and collective level with the artist's range of psychological stretch in his approach to work out an artistic style (between the poles of tranquility and passion, or in other terms scientific-mathematical and religion-oriented approach), while memory strengthens such polarization.<sup>44</sup> Warburg saw the emergence of civilization in a conscious distance built between one's mind and the external world, which reached a certain social role.<sup>45</sup> Importantly, memory (recollection, both individual and non-individual) in Warburg's view helps the artist, in his fluctuations between religion and mathematics as a basis to find one's grip on the world (the oscillation itself between the two poles, i.e. inward fantasy and outward rationality is presented by this theorist of culture as formative (serving the creation of new artistic acts)).<sup>46</sup>

Connerton persuaded that social memory analysis should concern the significance of images of the past in terms of legitimizing through those patterns a social order of particular in the present time.<sup>47</sup>

In the context of the late 20th century turn towards oral history Nathan Wachtel mentioned among the American pioneers of this field of study Lyman Cooper Draper (and his 1840s

42 TUMBLETY, Joan: *Introduction. Working with memory as source and subject*, in: *Memory and History. Understanding memory as source and subject*, ed. TUMBLETY, Joan, Routledge, London 2013, Kindle Loc. 135–145.

43 ASSMANN: *Cultural memory*, Loc. 222.

Conf. WARBURG, Aby: *The Absorption of the Expressive Values of the Past*, translated by Mathew Rampley, in: *Art in Translation*, 1, 2009, 2, 273–283.

44 WARBURG: *The Absorption of the Expressive Values of the Past*, 277.

The Mnemosyne Atlas of Warburg (an exhibition) consisted of large (ca 150x200cm) photographs presented on wooden panels, depicting cosmographic and art-historical collection, maps, manuscripts, as well as pieces from contemporary (1920s) media. JOHNSON, Christopher D., *About the Mnemosyne Atlas*, The Warburg Institute, Cornell University Library, 2013–2016, <https://warburg.library.cornell.edu/about>

Cornell University Library, *Mnemosyne. Meanderings through Aby Warburg's Atlas*, <https://warburg.library.cornell.edu/>, <https://warburg.library.cornell.edu/panel/b>

Conf. *The Mnemosyne Atlas*, October 1929, The Warburg Institute, School of Advanced Study University of London, <https://warburg.sas.ac.uk/collections/warburg-institute-archive/bilderatlas-mnemosyne/mnemosyne-atlas-october-1929>.

Conf. GREGORI, Daniela: *Aby Warburg's Mnemosyne Atlas*, Goethe Institut, 2016, translation Jonathan Uhlner, <https://www.goethe.de/en/kul/bku/20867100.html>.

45 WARBURG: *The Absorption of the Expressive Values of the Past*, 276–277.

46 WARBURG, 276–277.

47 CONNERTON, Paul: *How Societies Remember*, Cambridge University Press, Cambridge 2013, Kindle edition, Loc. 114.

work of compilation to recollect reports from the colonial age), H. Bancroft (recording testimonies of California pioneers in the 1860s), as well as Allan Nevins who attempted to reconstruct U.S. history since the late 19th century in 1948 through oral reports.<sup>48</sup> Eviatar Zerubavel relied on a concept of sociomental topography of past events (rooted in sociology of memory, built upon those recollections that are shared by entire groups), belonging to social areas of memory and opening paths to discover the history remembered by communities.<sup>49</sup> Zerubavel explained that group's memories are a part of a process of absorbing social identity (through collective past) and than a mean to assimilate new members of the community (through the knowledge of the common past of the group).<sup>50</sup> Eric Hobsbawm show a linkage between public (or social) memory and social activism in surprising patterns of remembrance referring to Italian southern brigands of 19th century as people's heroes and champions of national liberation ("social bandits").<sup>51</sup> Jill Edy (following Hobsbawm and Ranger study giving a picture of relative independence of social visions of the past from its historical substance) persuaded that (1) collective memory fall under the power of bureaucracy, and (2) there is no single social actor able to control how the loose narrative on the past is being developed.<sup>52</sup> As an example of social attempts to build common framework of using past for publicly important goals (or national) Edy mentioned Palestinian Jews pre WWII efforts to revoke memory of Masada, following Schwartz, Zerubavel and Barnett study on Masada defense recollection in 1920s Palestinian Jews narrative as a conscious effort to find equivalence between the severe fate of the last defenders of ancient Israel destroyed by Roman armies and contemporary (1920s) marginalized Jewish inhabitants of their ancient homeland in Palestine.<sup>53</sup> Schwartz, Zerubavel and Barnett explained that the long-forgotten story of the defenders of Masada, who were still fighting against emperor Titus' son general Silva army in AD 73 (2 years of the sack

48 those data banks were lead by a different method than those used by sociologists Florian Znaniecki and W.I. Thomas after WWI to study biographical reports of immigrants. WACHTEL, Nathan: *Introduction*, in: *Between Memory and History*, ed. BOURGUET, Marie-Noelle - VALENSI, Lucette - WACHTEL, Nathan, transl. Sharon Romeo, Routledge, London 1990, Kindle Loc. 69–80.

49 ZERUBAVEL, Eviatar: *Time Maps. Collective Memory and the Social Shape of the Past*, The University of Chicago Press, Chicago 2004, Kindle, Loc. 153.

50 e.g. teaching immigrants to the U.S. on Mayflower pilgrims-settlers. ZERUBAVEL, Loc. 166.

51 HOBBSAWM, Eric: *Primitive Rebels: Studies in Archaic Forms of Social Movement in the 19th 20th Centuries*, Manchester University Press, Manchester 1959, 21.

Conf. on cognitive perspective of social outskirts of memory see WYER, Robert S. – SRULL, Thomas: *Memory and Cognition in Its Social Context*, Lawrence Erlbaum Associates, Hillsdale 1989, p. 19.

52 EDY, Jill A.: *Troubled Pasts: News and the Collective Memory of Social Unrest*, Temple University Press, Philadelphia 2006, 14–15.

53 Ibidem.



and destruction of Jerusalem by Romans) in a remote mountain fortress, to commit suicide in order to reject Romans the fruits of victory, was revoked by Yitzhak Lamdan poem of 1927 and soon after, archeological evidence on the validity of the defense as historical fact.<sup>54</sup> Ben Gurion's historical policy, as Y. Zerubavel explained, in 1943 was comparing Masada defense to the 1920 defense of Tel Hai settlement ("«a second Masada»") calling Jewish settlers in Palestine to perform an armed self-defense, to use weapons and to die carrying a gun (importantly due to general lack of resistance, with such exceptions as Warsaw Ghetto Uprising, of Holocaust victim, as Y. Zerubavel noted, their cause and history was not largely popular or consciously revoked in Israel since 1940s until early 1960s due to the spirit of armed fight for Israel and expectations of heroic, warrior-like behaviour on the Jewish side).<sup>55</sup> Y. Zerubavel explained that Tel Hai (settlement) defense of 1 March 1920 against Arab invaders were compared to Masada though the number of defenders were small, but one of key Jewish military heroes of the time, Yosef Trumpeldor died just after that shoot-out, wounded, and for the small 1920 Yishuv in Palestine (57 thousand of Jews) the loss of that settlement and other in Upper Gallilee (due to weak French control and Arab uprising), taking into account 8 dead settlers in that battle was a huge loss.<sup>56</sup> The Holocaust experience' centrality in modern Israel could be understood within a framework of "postmemory" used by Zerubavel after Marianne Hirsch as method of analysing the impact of traumatic recollections of the WWII Nazi crimes against Jews by the survivors, whose memory (as more important, more powerful) was displacing own images of the past held by the second generation, the children of Holocaust survivors.<sup>57</sup>

54 Josephus Flavius *The Jewish War* was not fully confirmed until modern archeology. SCHWARTZ, Barry – ZERUBAVEL, Yael – BARNETT, Bernice, *The Recovery of Masada: A Study in Collective Memory*, *The Sociological Quarterly*, 27, 1986, 2, 148.

Masada itself, as for 2007 was a highly popular place among tourist trips to Israel, the old Herod's fortress was partly restored, with some parts of pre-Roman pacification chambers of the Idumean king presented, while the fortress could be serving in 2000s more like a symbol of Israeli military power, than a place of suffering and defeat (in the visitors eye). Masada was identified under Byzantine age in 1838, Israeli research began in 1953, Masada National Park, <https://www.parks.org.il/en/reserve-park/masada-national-park/>.

The fortress Masada (following J. Flavius) was built 37-31 BC by Herod. *Archeology in Israel: Masada Desert Fortress*, Jewish Virtual Library, <https://www.jewishvirtuallibrary.org/masada-desert-fortress>

Masada, UNESCO, <https://whc.unesco.org/en/list/1040/>

Josephus Flavius, *The Wars of the Jews*, ed. WHISTON, William, A.M. Auburn and Buffalo, John E. Beardsley 1985, [www.perseus.tufts.edu/hopper/text?doc=Perseus%3Atext%3A1999.01.0148](http://www.perseus.tufts.edu/hopper/text?doc=Perseus%3Atext%3A1999.01.0148).

55 ZERUBAVEL, Yael: *The Death of Memory and the Memory of Death: Masada and the Holocaust as Historical Metaphors, Representations*, 45, 1994, 79–80.

56 ZERUBAVEL, Yael: *Recovered Roots. Collective Memory and the Making of Israeli National Tradition*, The University of Chicago Press, Chicago and London 1995, p. 39–41.

57 ZERUBAVEL, Yael: *The "Mythological Sabra" and Jewish Past: Trauma, Memory, and Contested Identities*, in: *Israel Studies*, 7, 2002, 2, 132. Among the vehicles of postmemory that link recollections of Holocaust survivors with their past and the ghetto one particularly interesting object was a inch-high book (a gift of patients to dr. Arthur Kessler in the camp Vapniarka he left to go to Olgopol ghetto, with drawings depicting camp life and images of liberation, whose son David inherited it). HIRSCH, Marianne – SPITZER, Leo: *Ghosts of Home: The Afterlife of Czernowitz in Jewish Memory*, University of California Press, Berkeley 2010, 219–221. Such artifacts could pose a powerful obstacle to threat of "«social forgetting»" following Van Vree view, that encompasses painful or shameful events and could touch either genocide remembrance or such crimes as child abuse. HIRSCH, Marianne: *Reframing "Absent Memories"*, in: *Cultural Analysis*, 12, 2013, 16–17.



To analyze the impact of politics of memory on PRC post-Cold War foreign policy Zheng Wang introduced new research pattern, relying on assessments of historical memory's role in selected social employments (identity contents):

- creating rules of group membership,
- building comparisons to other groups,
- becoming one of cognitive factors of understanding the world by group members,
- supplying the selection of roles performed by the group (seen as proper).<sup>58</sup>

Additionally Zheng Wang built a causal framework of analysis of historical memory beliefs as factors of political actions, including the role of such beliefs (or ideas) as:

- blueprints allowing political actors to define their goals,
- litmus paper ("focal points") that leads either to increased group cohesion (relying on historical beliefs) or heightened conflict,
- basis of a process of institutionalization of historical beliefs to create socially binding constraints.<sup>59</sup>

Among memory studies methods Erica Johnson distinguished affective archive as new turn in historical concepts, owing much to feminist theory, focused on the role of emotions and sensations and seeing such personal traits to archives an innovative path to reach a new perspective of the past, the less objectivist but enriched by earlier marginalized individual perspectives (feelings).<sup>60</sup>

## The case of 9/11 and collective memory

Simko noted with a stress on American culture and collective memory, that it sounded strange to those who remember Hiroshima that September 11th attacks' aftermath was labelled "«ground zero»" same as the devastation after dropping atomic bombs against Japanese cities (following US Strategic bombing Survey), when the U.S. was causing the destruction (so after 9/11) the label referred to a place of American victimhood, the meaning in collective comprehension became reversed in terms of moral outrage and relation between the destroyer and the destroyed.<sup>61</sup> Ground zero first referred to a foot of a tower when the pioneer Trinity test of a nuclear device was performed (July 1945).<sup>62</sup>

58 WANG, Zheng: *Never Forget National Humiliation. Historical Memory in Chinese Politics and Foreign Relations*, Columbia University Press, New York 2012, Kindle edition, Loc. 470–484.

59 WANG, Loc. 470-484.

60 JOHNSON, Erica: *Cultural Memory, Memorials, and Reparative Writing*, Palgrave Pivot, Cham 2018, 7–9.

61 SIMKO, Christina: *Forgetting to Remember: The Present Neglect and Future Prospects of Collective Memory in Sociological Theory*, in: *Handbook of Contemporary Sociological Theory*, ed. ABRUTYN, Seth, Springer ebook, 470–471, DOI 10.1007/978-3-319-32250-6\_22.

The terms "«ground zero»" and "«air zero»" were used in the report of U.S. Strategic Bombing Survey: *The Effects of the Atomic Bombings of Hiroshima and Nagasaki*, June 19, 1946. Truman Papers, 5, [https://www.trumanlibrary.org/whistlestop/study\\_collections/bomb/large/documents/pdfs/65.pdf](https://www.trumanlibrary.org/whistlestop/study_collections/bomb/large/documents/pdfs/65.pdf).

62 National Park Service, <https://www.nps.gov/whsa/learn/historyculture/trinity-site.htm>

US Department of Energy, <https://www.energy.gov/lm/programs-and-services/stakeholder-engagement/manhattan-project-national-historical-park>, <https://www.energy.gov/management/trinity-site-worlds-first-nuclear-explosion>

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Then ground zero label was applied to detonation centers in Hiroshima and Nagasaki (August 1945).<sup>63</sup> Soon after 9/11 attacks in the course of the investigation for NYC label ground zero was used to describe the holes in earth after WTC towers demolished by Al-Qaeda hijacked civilian airplanes.<sup>64</sup> Oz Frankel judged 9/11 commission report, Kean, Hamilton, Zelikow was an attempt to attract the attention of broader public by aggressive marketing and a way of surfing between state building traditions of the progressive era and neoliberal mind to establish the commissions effort in terms of collective memory after Pierre Nora.<sup>65</sup>

Lee Hamilton and others report mentioned Pearl Harbour and Kennedy assassination among top historical comparisons to 9/11 stressing none is adequate.<sup>66</sup> 9/11 commission report summary stated that the remembrance on the attack would include national unification due to the tragedy and its fruits as expected non partisan cooperation on matters of international terrorism.<sup>67</sup>

## Conclusion

The key concepts of memory studies, such as collective memory, social memory and cultural memory could be in support of each other while showing different research and public perspectives on the past. Those methodological traits (or approaches) may also counteract, or lead to different common understanding of what was and is important in the recent past (as in post-communist world). Such discrepancies may be of political significance in countries in transition. On the other hand, the variety of approaches to definitions and developments in the area of memory studies could inspire more interdisciplinary efforts in the field, leading to new historical thesis that invigorate present-day social or national goals, as in Israel, seeking more solid grounds to its difficult reconstruction, symbolic and material in the 20th century. Another problem regarding memory studies is revealed by social rituals and generational change in the matter of remembering difficult

63 DOWER, John W.: *Ground Zero 1945. Pictures by Atomic Bomb Survivors*, 2008, [https://visualizingcultures.mit.edu/groundzero1945/gz\\_essay01.html](https://visualizingcultures.mit.edu/groundzero1945/gz_essay01.html).

64 USGS *Environmental Studies of the World Trade Center Area, New York City, after September 11, 2001*, [https://pubs.usgs.gov/fs/fs-0050-02/fs-050-02\\_508.pdf](https://pubs.usgs.gov/fs/fs-0050-02/fs-050-02_508.pdf)

*A travelling exhibition After 9/11: Messages from the World and images of ground zero*, <https://2001-2009.state.gov/r/pa/prs/ps/2002/13358.htm>

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65 FRANKEL, Oz: *The 9/11 Commission Report: History Under the Sign of Memory*, in: *The Palgrave Handbook of State-Sponsored History After 1945*, eds. BEVERNAGE, Berber – WOUTERS, Nico, Palgrave Macmillan, London 2018, 666–667.

66 HAMILTON, Lee et altera: *9/11 Commission Report*, 2004, [http://govinfo.library.unt.edu/911/report/911Report\\_Statement.pdf](http://govinfo.library.unt.edu/911/report/911Report_Statement.pdf), <https://www.9-11commission.gov/report/>.

67 *9/11 commission executive summary*, 26, [http://govinfo.library.unt.edu/911/report/911Report\\_Exec.pdf](http://govinfo.library.unt.edu/911/report/911Report_Exec.pdf), Among the key controversial issue was linkage between Osama bin Laden and Saddam Hussein Iraq, the report mentioned CIA establishment on the training of Iraq government bomb making specialist in Osama bin Laden training camp near Khartoum in 1995 and 1996 which were also disputed. *9/11 commission report*, 468, notes to chapter 2, <http://govinfo.library.unt.edu/911/report/911Report.pdf>.

or degrading deeds, like German-committed Holocaust: is it going to be well discussed from the perspective of perpetrators? A question arise whether main traits in memory studies seem to contribute more to research progress in the field or to the social understanding of the past – or is it the correct, genuine emotional approach to past achievements and wrongdoings in society as a whole?

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# **Regulation of special legal order in Hungary - Constitutional options in the shadow of the COVID crisis**

**Dr. István SIMICSKÓ**

## **Abstract**

States often try to find a way of dealing with social problems and crises by legal institutions. The regulations of special legal order occupy a unique place among the general constitutional rules of the Hungarian legal order. The need of introducing special legal order means that Hungary is in a situation which requires special legal instruments from the state in order to return to the normal operation of the country determined by the normal legal order as soon as possible. The fact that the freely elected legislative power, the National Assembly determines the content and form of the cases when a deviation becomes possible from the general rules is an important pillar of the stability of the democratic state. Based on the principle of proportionality, there are different types of special legal order, consequently the concentration of power is possible only when it is absolute necessary to deal with the situation. Finding the balance between efficiency and the risk of abuse is very important. So special legal order is always temporary and ultimate, which can be applied as an ultima ratio of the legislation in the times of need, but only if their every constitutional conditions are met. Potential threats change constantly, so the regulations of special legal order also need to be updated from time to time.

## **Keywords**

special legal order, qualified period

## **Constitutional regulation of special legal order in the 20th century**

### **The development of special regulations until the end of the Great War**

The Compromise Act finally concluded and enacted in 1867 regulated the relations between Hungary and Austria and at the same time introduced an extraordinary period in the historical development of Hungarian constitution, enabling the Hungarian Assembly to initiate decisions as a legislative body in the majority of cases relating to the security of the country. The intense need of the economy for natural resources led to the interest

in territorial expansion and in colonization. Following the national awakening movement of the 19th century the claim of establishing national states appeared in a fever of excitement. At the rise of the 20th century the foreign policy of the great world powers could be best characterized by the term imperialistic. Without further thorough investigation one safely may come to the conclusion that these factors already enclosed the conflicts appearing between these countries, gravely endangering the *status quo* of that time. In this new era of the changes of military devices and military aims characteristic over the centuries as well as the influence of mass communication the Hungarian legislative body – adapting itself strictly to the framework of the Austro-Hungarian Monarchy – had to recognize the necessity of the formation of a legislation applicable in any extraordinary situation, in the interest of efficient action.

In 1912, after the outbreak of the 1. Balkan War legal acts previously unknown in Hungarian legislation were drawn up to establish the special rules and regulations concerning the conduct of total war. Apart from expanding the army the overall plan of mobilization and economical mobilization were designed, as well as the legal framework of practical measures which facilitated the war effort, e. g. supplementing judicial process and possible penalties, introducing restrictions on freedom of the press, the right of association, the right of assembly and of other civil rights. The first step is represented by the Act XXXI. of 1912, concerning the army. After a short period of preparatory work the Act LXIII. of 1912 of special measures in the time of war, had gone through Parliament. In the framework of the present legislation this Act has created a legal institution similar to the state of emergency that is the state of war. The Act LXIII. of 1912 states: „In the times of war, moreover, if necessary already in the period of military preparations ordered in the circumstances of a threat of war the Ministry of War taking on full personal responsibility applies exceptional power to the extent appropriate in the given situation... When war is over the exceptional power will terminate. The extraordinary measures implemented during the course of extraordinary power are to be overruled unless the Parliament supports to further maintain them.<sup>1</sup> In sum, the Parliament established the possibility of furnishing the government with additional rights to manage these circumstances – meaning war-threat at that time -, assigning at the same time a temporal limit to the extraordinary authorization bestowed upon the government. The decision concerning the extension of the decisional authority was assigned to the hands of the supreme legislative body, the Parliament. Furthermore, in order to assure public opinion, the temporary nature of the curtailments of the general human rights was secured in several articles.

In 1914 the number of qualified temporary laws pertaining to war were increasing. This legislation assessed further restrictions on official tariff rates, on stacking and release of means of sustenance; further strict criminal sanctions were decided in cases against the interest of home-defence; new legislation controlled the reallocation of firms and of all forms of productive activity into war-time economy and the introduction of labour of public utility, the legal frame for implementing these extraordinary measures by the use of enforcement, general public sanitary rules, as well as the control of media, the activity of unions and associations, and the restrictions of general freedom rights were legally determined.<sup>2</sup>

1 Act LXIII. of 1912 on the extraordinary measures in the event of war, paragraph 1.

2 Act LXIII. of 1912 on the extraordinary measures in the event of war, and the 1. amendment of 1914 to the Act LXVIII. of 1912 on the provision of war services.

The Constitution of the Republic of Councils in Hungary declared on 23 June 1919 presented a short intermezzo in the historical Constitutional development of Hungary. The Constitution of the Socialist Allied Council Republic of Hungary was in fact the first charter-like constitution in Hungarian history. According to this constitution as general rule the Revolutionary Governing Council disposed of all executive power in the Hungarian Soviet Republic and governed the country by issuing decrees without any democratic guarantees. Thus, it seems perfectly natural that this legal document did not contain rules or articles concerning special legal order.

In these turbulent times after the Great War people had to experience and survive a crisis reminding us of the Corona virus pandemic of 2020. One century earlier the Spanish flu, also known as the 1918 influenza pandemic caused the death of 50 million people. The Spanish flu was the first appearance of the influenza A virus, spreading and killing people very fast. The virus also killed people directly by destroying the healthy tissues and causing massive haemorrhages in the lungs. In Hungary nearly 50 thousand people died of the Spanish flu. Great personalities of the nation, the last king of Hungary Charles IV, the poet Endre Ady, the painter Tivadar Csontváry Kosztka, the scientist Loránd Eötvös, the novelist and poetess Margit Kaffka fell victim to the pandemic. At that time due to the lack of organized disinfection of the streets and other public spaces the spread of the pandemic had not been controlled or detained. The co-operation of states in sanitary defence policy had been missing, and there had not been enough working force or equipment to control and maintain the grave situation in adequate measures.<sup>3</sup> The hereby mentioned tasks are what one could call acts for common good that require state resources and the executive power. Although several restrictions (quarantine, censorship) had been introduced to a different degree of effectiveness, without the relevant framework of rules the special legal order could not been introduced.

## On the road to the Second World War

In the first three decades of the 20th century the development of sciences especially that of military science and military technology witnessed an unprecedented speed and intensity. The appearance of the new types of weapons gave a motivation to developing the adequate answer, the effective device of counter-move. Chemical weapons and bombs dropped from aeroplanes seemed the most perilous with regards to both civilians and soldiers. From then on the home front, including big cities, industrial centres, important points of public transport, as well as the centres of state administration and military command could be reached and attacked fast and relatively easily. It had become necessary therefore to devise the new theory and the new method of defence with a renewed legal and institutional system. The Act XII of 1935 seems to be the perfect example of this effort in Hungary. The article declares that *“Every Hungarian citizen between 14 and 60 – regardless their sex – is obliged to participate – according to their physical capability - in air-raid precautions and civil defence air-raids, prior to participation these persons are obliged to take part in the course of proper training. In the interest of defence (...) during the time of need*

3 Németh Hajnalka: Spanyolnátha. A világméretű rejtélyes járványról egy kicsit másképp. In: Better Responsibility Initiative, 2019-2020. (*Spanish Flu. Reflections on the Mysterious Pandemia from a Different Viewpoint*).

*the necessary measures may be adopted to confine the freedom of movement and citizens must oblige these special orders, with extraordinary measures, if necessary.”<sup>4</sup>* The above mentioned orders created the possibility of introducing the confinement of constitutional rights, in response to a challenging situation.

With regard to temporary legal measures the terminology applied currently in the state of emergency or special powers had been created in the 1930s. The complexity of national defence (the defence of the country) is amply demonstrated by the commonly accepted view of the necessity of preparing the country's economy for the introduction of war economy at the same time ensuring qualified temporary provisions for the citizens. The second article of the Act II of 1939 became the first example in Hungarian legal history which employed the results of Legal science, military science, economics, the science of organization and psychology. The qualified period is mentioned as “special power” and its regulations are discussed in detail. The government is enabled to introduce “special power” and the necessary measures and arrangements are enacted by decree. *“In the period of war or military abuse threatening the country the ministry – each member taking personal responsibility – may ordain the specified orders (extraordinary power) in accordance with the measures of need and until further decision of the Parliament (...) The exact day of the establishment of the possibility of exercising special power is to be announced in public by the ministry.”<sup>5</sup>*

## Period of lost independence

From the German occupation of the country on 19 March 1944 until the year of 1948 the sovereignty of Hungary ceased to exist. Right after the war, the first period of socialism in Hungary was characterized by open dictatorship. We have reason to ascertain that the methodology of power-exercising was best defined by the term “state of emergency”, even if there were longer periods when special regulations restraining everyday private life (curfew, evacuation) were not in force. The 1956 Hungarian revolution and freedom fight differed from the previous decade inasmuch as the state of emergency as defined by legal terminology changed into “extraordinary period”. The Act XX of 1949 on the Constitution of the Hungarian Peoples' Republic was designed by the pattern of the Stalinist Soviet Constitution. It contained no examples of special legal order cases, while the Act of National Defence in 1960 has a whole section dealing with extraordinary regulations.<sup>6</sup> This law reveals the real relation of the political power to democracy: the censorship, the limitation of the right of assembly are missing from the list of extraordinary regulations as they had been well in force in the time of peace. The logic of this system is well characterized by the words of András Jakab and Szabolcs Till: the special legal order can only be interpreted in a constitutional state, in the rule of law. In the case where the state exercises unrestricted power without the guarantees against abuse, further authorization seems unnecessary.<sup>7</sup>

4 Act XII. of 1935, , on air defence system, paragraphs 1 and 2.

5 Act XX. of 1938 on military defence, on the development of economy, on welfare developments and their financial background

6 Act IV. of 1960 on national defence.

7 Jakab András – Till Szabolcs: X. Alkotmányvédelem – Különleges jogrend, JAK – PPKE, 1033-1072.

## From the end of Socialism to the present day

During the years previous to and immediately following the “regime change” the formation of the framework of the rule of law which presents a milestone in the constitutional conditions of special legal order. The Act XXXI of 1989 on the amendment to the Constitution - put into force on 23 October 1989 – modified the Act XX. of 1949 and thus became the Constitution of the Hungarian Republic containing articles to eliminate the party state structure, to introduce democratic proportions as well as the basic constitutional rules concerning the extraordinary order and state of emergency. The enactment of the first two instances was placed in the authority of the Parliament as an actor of popular sovereignty in order to assure the constitutional order of the society. *“in the danger of hostilities or military assault by a foreign power the Parliament announces extraordinary order and establishes a Council of Defence; the Parliament declares a state of emergency in the cases of armed attacks to seize political power, outbreaks of armed violence against lives or properties of citizens and in times of natural disaster or industrial catastrophe (in the following: emergency).”*<sup>8</sup> The third instance, the emergency condition was placed in the competence of the government (then called the Ministerial Council): *“in the cases of natural disasters threatening the security of human life and the property of citizens, in order to solve the consequences in the interest of the protection of public order and public condition, in other words it is the Parliament who decides on the extension and further maintaining of the special legal order. Each of the three cases grants central role to the government, as in the case of the state of war the previously rather important body, the Council of National Defence no longer exists, as for the case of the state of emergency the wider authority of the president of safety”*<sup>9</sup> the government is authorised to take the necessary measures including the establishment of regulations different from the provisions of laws, in possession of the authorisation of the Parliament. It was the wish of the legislator to make arrangements for the specific details in an individual law with constitutional force. Defence is declared a national issue by the Act CX. of 1993 on defence, referring to the relevant passages of the Constitution this law contains the rules to be applied in extraordinary order and emergency condition, as well as the establishment of the Council of Defence. The legislature also notes the citizens’ obligation to partake in civilian defence and the obligation of sharing information considered commercial secrecy during qualified period. A whole chapter is dedicated to the detailed rules applied in extraordinary order and state emergency, whereby the powers conferred to the president of the republic, to the Council of Defence and to the government who were authorised to introduce serious restrictions of constitutional rights with the use of a wide range of instruments. Among them we could mention the ante-check of other communications that might serve the media or any sources of communication and their publication with permission, the limitation of the use of certain routes of traffic (on roads, on water and in air) to certain areas or the total withdrawing of traffic, the introduction of curfew for citizens, binding public events or any other assembly in a public place to previous permission, the relocation

8 The Act XX. of 1949, paragraph 19, subparagraph (3), points h) and i). (status of 23. 10. 1989).

9 The Act XX. of 1949, paragraph 35, subparagraph (1), point i), (status of 23. 10. 1989).

of citizens from a specific territory for a limited period of time, the limitation of travelling either of Hungarian citizens to another country or foreign citizens to Hungary, the ordering of continued civilian defence service.

Compared to the previous legislation the introduction of the case of unexpected attacks – based on the experience of the Balkan War – in 1994 and the modification of the Constitution in 2004 demonstrated a most important change whereby the case of preventive defence as a qualified period has been introduced which can be declared *“in the danger of foreign military attack or in order to meet the obligation to our allies for a determined period.”*<sup>10</sup>

The political change, or “change of regime” was taking place in a world built on the possible confrontation between the East and the West, in an atmosphere just about to recover from the cold war. Therefore, the old fixations in security policy played relevant role in the process. After some time, with the intention of stoking the furnace which was supposed to incorporate the whole world increasingly gained ground, respective Hungarian governments had to face quite different security challenges. In 1989 these changes – experienced today as sad reality – existed only in the form of dystopian predictions. The legislation of the special order of rights of that time was characterised more by the spirit of protecting the major new democratic achievement than by the pursuit of providing flexible reaction to the then unseen social and economy changes. Árpád Farkas recalls Professor István Kukorelli’s memories of the so-called “round table negotiations” of the opposition and notes that the main goal of the “regime change” seems to have been to force the apparatus of the armed violence of the state in the parliamentary framework of the separation of power, diminishing the effectiveness of operation, if necessary.<sup>11</sup> Later, parallel to the recognition and spread of the dangers of hybrid warfare, terrorism, and cyber-attacks the legislative body made serious effort to synchronize the regulations with the modern challenges thinking that the special regulation concerning a certain type of cases may be more effective, bearing in mind – as we see later – the sceptre of possible threats is wider and more diverse therefore it was not possible to create a separate characterization of facts of qualified periods. In the study of the problem of hybrid warfare one may conclude that as this is not the case of a declared war therefore it is impossible to seek combat against it in the traditional way of the use of armed forces, only with conducting adequate, indirect countermeasures.<sup>12</sup> The special legal rules brought into force in the interest of security thus form a part of this indirect defence.

Bearing in mind the lesson taught by the 20th century, and at the same time following the example of western European democracy special attention had to be paid in the given qualified situation that – in order to protect or acquire security - the measure of restriction should be in accordance with the measure of the threat and danger. For the effectiveness of protection it is important to ensure that citizens realize what the real and actual danger

10 Simicskó István: A terrorizmus elleni védelem fokozása a különleges jogrendi kategóriák bővítésével, In: *Hadtudomány* 2016/3-4. 113. (The enhancement of defence against terrorism with increasing the categories of special legal order.

11 Farkas Ádám, Az állam fegyveres védelmi rendszerének kérdései a kortárs fenyegetések tükrében, *Katonai Jogi és Hadijogi Szemle* 2015/1, 140-142. (The questions of the state armed defence system in the reflection of contemporary threats).

12 Simicskó István: A hibrid hadviselés előzményei és aktualitásai, *Hadtudomány*, 2017/3-4. (The precedents of hybrid warfare and its actualities).

or security is. It is hazardous irresponsibility if the sense of security of the society is kept low-key, on the other hand the normal functioning of any society could be pushed over if people are constantly warned of some lurking disaster by overprotection of special regulations upsetting the rhythm of everyday life.<sup>13</sup> In the rule of law the sense of security of a society is to a great extent supported not only by the appropriate condition of armed forces and other forces of security but also by the stability of the legal system and the unanimity of legal regulations. It is necessary to record that the discretion of the state cannot be limitless or unrestricted, not even in the state of special legal order.<sup>14</sup> It is the duty of the state to safeguard security for its citizens and to provide adequate circumstances for living in security. The actual government is evaluated by its approach to the problem of security and the measure the government is able to provide protection to its citizens.

## **The Establishment of the existing regulation**

### **The rules of special legal order in the Fundamental Law of Hungary**

The Fundamental Law entering into force on 1 January 2012 opened a new chapter in the development of the Hungarian constitution, it also introduced the terminology of special legal order and adapted the essential basic legislative terminology concerning the qualified periods from the previous legislation. In the reasoning attached to the Fundamental Law the legislative body stated that the principles of the classical constitutional state can be suspended or limited in the special legal order stating at the same time that any derogation from the principles of democracy or from the rules codified in the Fundamental Law no other legislation but the Fundamental Law is entitled to arrange. It is considered an important guarantee that not even in the qualified period can the implementation of the Fundamental Law be suspended and the functioning of the Constitutional Court may not be restricted. The exercise of fundamental rights may be restricted or suspended to a different extent then stated in the legislation applying to a time of peace, some basic rights (human dignity and the dignity of human life) on the other hand remain untouchable.<sup>15</sup>

The special legal order is covered by a separate section of the Fundamental Law, in Articles 48-54. The detailed measures of regulation applied in special legal order are laid down in a series of Cardinal Law, thus Act CXIII of 2011 on national defence and Hungarian Defence Force, and about the regulations to be introduced in special legal order, furthermore the relating Act CXXVIII of 2011 about disaster management and about amendments of disaster management. As a first step, five types of special legal order were determined: state of emergency in the case of international conflict, emergency of domestic origin, state of emergency declared in the case of national unrest and civil war,

13 Simicskó István: A terrorizmus elleni védelem fokozása a különleges jogrendi kategóriák bővítésével, *Hadtudomány* 2016/3-4, 113. (The enhancement of defence against terrorism with the enlargement of legal categories).

14 Csink Lóránt: „Mikor legyen a jogrend különleges?” *IustiumAequumSalutare* 2017/4, 7–16. („When should the legal order be special?”).

15 Draft law no. T/167 with reasoning attached – General reasoning to the Fundamental Law of Hungary, to article 47–53.



in the case of military threat previous defence situation prior to the declaration of the state of emergency, the case of unexpected external attack, emergency condition to be declared if the security of human life and possessions is endangered by natural disaster or by industrial catastrophe.

Since the second millennium global politics and global threat has gone through immense change. In March 2011 the Syrian civil war started, leading to the fall of the country's administration, as a result the territory of the country has been divided up into several territorial powers governed by political fractions supported by external interests. On the ruins of the demolished country an entity of terrorism, the Islamic State has emerged. Climatic change – which is also dependent on global features and processes generated serious and at present not fully known changes. Above all in the countries of Africa and the Near East whose inhabitants, due to overpopulation and hunger and motivated possibly by external political or economic circles made the decision to set off and migrate towards Europe, seeking to find honest work or simply wishing to partake in the financial security offered by the excellent supply systems of European states. The present author has already warned (in 2008) that migration proves to be one of the most serious challenges of our age. It may easily occur that mass migration reaches a measure over the critical mass level and this can result in a situation of qualified period.<sup>16</sup> The migration crisis of 2015 experienced by the whole world but suffered above all by Europe must be considered as a direct consequence of these factors. Analysing the data of EUROPOL and FRONTEX Róbert Bartkó came to the conclusion that the masses of migrants – without checking their backgrounds and intentions -, predominantly young men without lacking the intention to co-operate with the European authorities,<sup>17</sup> in other words illegal migration, seems to be a very useful tool for terrorist groups and organizations.<sup>18</sup>

The sixth amendment Of the Fundamental Law of Hungary with effect as 1 July 2016 introduced a new form of qualified period, called emergency condition brought upon by terrorism. This new form of qualified period is to be applied in the immediate danger of terrorist attack or in the case of actual terrorist attack. The justification of the modification records that the environment of security in the trans-atlantic region, in Europe and in Hungary within Europe has gone through fundamental change and "all over the world new types of security challenges have appeared where – bearing in mind the requirement of necessity-proportionality - the previous responses by the introduction of qualified period in the situation of classical international military threats cannot be addressed." Furthermore, it is recorded that "the new types of security challenges are not at all possible to fit in" the already existing framework of special legal orders.<sup>19</sup>

16 Simicskó István: Az országvédelem és országmozgósítás szervezeti, hatásköri, irányítási rendszere minősített időszakokban, Doktori értekezés, ZMNE-HTK 2008, 24. o.

17 According to the data of EUROSTAT (source: Immigration by age and sex – Products Datasets – Eurostat (europa.eu)).

18 Bartkó Róbert: Az illegális migráció és a terrorizmus kapcsolata az EUROPOL és a FRONTEX jelentéseire tekintettel. (The relation of illegal migration and terrorism based on reports by EUROPOL and FRONTEX).

19 Draft law no. T/10416 – about the 6th amendment of the Fundamental Law of Hungary.

## The new directions of the development in the legislation of the special legal order

After the regime change neither the modification of the “party-state” constitution nor the Fundamental Law has brought about essential changes in the legislation of the Hungarian system of special legal order. One of the main causes of this phenomenon is the fact that in the last thirty years of Hungary’s history not one event occurred which would have justified the utilization of the provisions of special legal order. In the case of emergency state the partial introduction of emergency condition of the 2013 flood applying to the endangered region of Hungary has set an example.<sup>20</sup>

The appearance of the COVID 19 pandemic and its predictable social and economic consequences must urge each responsible statesman and politician to consider the effectiveness of security strategies, the regulations of special legal order among them, in this changed environment. Recognizing the consequences of the first wave of the pandemic as well as acknowledging the necessity of the fast and effective protection policy the Hungarian government declared emergency condition applying to the whole territory of Hungary, first on 11 March 2020<sup>21</sup> and in the second wave of the pandemic on 3 November 2020,<sup>22</sup> implementing the powers stated in the Fundamental Law (53. article, 1. paragraph) and taking into consideration the modifications of the laws on disaster protection (Act CXXVIII of 2011, paragraph 51/A) stating: *“in order to overcome the consequences of the SARS-CoV-2 Coronavirus pandemic (Coronavirus pandemic in the following) that endangers the security of human lives and possessions and causes mass illnesses and in order to protect the health and lives of Hungarian citizens an emergency condition is declared applying to the whole territory of Hungary.”*

For the sake of completeness, Pál Kádár summed up the necessity appearing within academic circles to prepare a revision of the cases of special legal orders,<sup>23</sup> arguing that the legislation currently in force seems complicated and there is a risk that an overregulated legislation loses its special character. The review of the entitlements emerging in the times of special legal order has also become necessary, together with the exact definition of the addressees of these entitlements and the appointment of those persons or authorities who may be taken as substitutes of the addressees. In an analysis published in 2018 and referring to the above mentioned reasons Áron Ősze highlighted three such sets of cases: case of emergency, state of emergency, and emergency condition.<sup>24</sup>

The experience of the introduction of special legal order in 2020, with the adjoining measures and fast implementation of disease (in this case pandemic) control and economy

20 177/2013. (VI. 4.). Government regulation on the declaration of emergency condition and the measures required.

21 Government Decree 40/2020 (11 March) on the declaration of state of danger.

22 Government Decree 478/2020. ( 3. November). on the declaration of state of danger.

23 Kádár Pál: A különleges jogrendi szabályozás megújítása és a Magyar Katonai Jogi és Hadijogi Társaság, Katonai Jogi és Hadijogi Szemle 2020/4, 7-34. (The revision of the regulations of special legal order and the Society of Hungarian Military Law and War Legislation).

24 Ősze Áron: Analízis a magyar különleges jogrendi szabályozás hatékonyságáról, Diskurzus, 8/2, 33-44. (Analysis of the effectiveness of the Hungarian legislation of special legal order).

protection, together with the new types of security challenges like the spread of hybrid warfare inspired the Hungarian legislating body to revise and modernize the regulations of special legal order. The legal rules applying to the special legal order have been placed on renewed basis by the Fundamental Law of Hungary, with effect from 1 July 2023. The purpose of this revision was to provide a flexible yet more effective solution to manage severe crisis situations, a solution equipped with the relevant guarantees of rule of law. The future undoubtedly has unknown global challenges for the world, for Europe, and for Hungary. The Hungarian legislator could decide whether to maintain the present more specific regulations, i.e. keeping the applicability of special legal order cases distinguished by the different endangered groups of society, or to make a shift towards more general ruling, acknowledging the fact that the legal environment can only ensue the wide sceptre of possible dangerous situations and distress, due to the natural phenomenon of distress appearing well before it has been recognized, therefore the need to prepare ourselves against it which precipitates the conformity of the legal environment also emerges later than distress itself. András Jakab and Szabolcs Till notes that the more complicated the spectre of causes is, the more legal cases are incorporated in the term special legal order, the more possibly one will confront the waywardness originating from complicated regulation. The authors conclude that a revision of partial categories is made inevitable by the need for regulating of the new challenges of external environment.<sup>25</sup> According to Lóránt Csink there is no exact definition for the reason of special legal order, as the circle, the frequency and social significance of the phenomena which would provide the reasons are changing continuously. He argues that in the course of legislation the diverse nature of the previously mentioned phenomena are to be seriously considered. In the analysis of the stability of the regulation the author remarked that only the non-detailed regulation can remain stable. He came to the conclusion that only short authorization is needed for the introduction of the special legal order and for the appointment of the competent body exercising these powers and measures. This competent body is to be given the framework of possible measures, at the same time it is vital to deploy an effective political and independent legal control mechanism.<sup>26</sup> One may add however that in the security environment of today both the strong differentiation may cause serious difficulties concerning preparation period and the question of rapid decisions in complex situations. Parliament chose the more general albeit more simple and in the long run more stable solution when in the Fundamental Law of Hungary it reduced the number of the previous 6 cases of special legal order to three categories more transparent and carefully adjusted to the modern challenges: state of war, state of emergency and emergency condition. With the new legislation the Fundamental Law makes it quite clear that the state of war is a state of special legal order that primarily requires military response, the state of emergency serves to address conflicts within the state borders, the emergency condition is declared to clear disaster situations. The Parliament is entitled to declare the state of war and the state of emergency. The emergency condition is to be declared

25 Jakab András – Till Szabolcs: X. Alkotmányvédelem – Különleges jogrend, JAK-PPKE, 1033-1072. (X. Constitutional Defence – Special legal order).

26 Csink Lóránt: „Mikor legyen a jogrend különleges?” *IustumAequumSalutare* 2017/4, 7–16. („When should the legal order be special?”).

by the government for 30 days but only the Parliament is entitled to give authorization for the further extension of the emergency the republic discontinues. As a critical remark concerning the Council of National Defence Szabolcs Till emphasized that the Council itself caused an uncertainty in the operation, as it was supposed to handle the most serious danger in state functioning, but as lacked any authority in the period of peace it had no opportunity to acquire relevant experience in the operation practice.<sup>27</sup> In the course of the amendment the *novum* is not presented by the fact that it is the government who lays down the contents of the general binding rules of conduct for the entire duration of special legal order, as this applies to normal circumstances as well, rather that the government can act in the interest of the more effective action without the Parliament. According to the argument of the legislator: *“following the declaration of special legal order in order to undertake rapid and operative proceedings the ensuring of responsible ruling - both in political and in legal sense - is necessary. In the Hungarian constitutional system the Government seems to be suitable for this role.”*<sup>28</sup> Furthermore, as a measure of guarantee and a *novum* compared to the previous measures the ninth amendment of the Fundamental Law states that “the Government is obliged to take all the necessary steps to ensure the continuous work of the Parliament”.<sup>29</sup> In sum, apart from the president of the republic and the Constitutional Court – whose uninterrupted practice has already been ensured by the Fundamental Law - the Parliament performs constant monitoring function towards the government which assumes extraordinary rule – and obviously bears extraordinary responsibility. The legal basis for this practice has been provided not only by the rules and regulations to be applied in the course of special legal order but also the rules and regulations of normal legal order that apply in the course of special legal order. The details of regulations must be settled in a cardinal law.

The following are to be considered cardinal laws: the Act CXIII of 2011 on national defence and the Hungarian Defence Force, and on the measures implemented in the course of special legal order, the Act CXXVIII of 2011 on disaster management in relation to the emergency condition and the amendments of certain laws attached, giving details of the guarantee regulations concerning empowerment in special legal order. Amidst this circle these legislations define those exceptional measures which the government, the addressee of exceptional rule in special legal order is entitled to introduce. The local requirements, demands and tasks of the implementation of these regulations are defined by the local authorities of defence administration within their local competence.

## Summary

Perhaps the only safeguarding mechanism of the rule of law appears to be the application of the cases of special legal order. The rules set out in the Fundamental Law and in cardinal laws provides the normal periodic system of checks and balances, such as the committees

27 Till Szabolcs: „Különleges jogrend” in Jakab András – Fekete Balázs (eds.): *Internetes Jogtudományi Enciklopédia*, 2019. [37] („Online Encyclopedia of Legal Science”).

28 Draft law no. T/13647. with reasoning attached – the 9th amendment to the Fundamental Law of Hungary, to the 11. paragraph.

29 The ninth amendment of the Fundamental Law (22 December 2022, paragraph 52, subparagraph (3)).

of Parliament, or the role of the president of the republic in accordance with certain legal acts of the government. The sovereignty and the functioning of the state and the removal of sources of danger threatening the security of life and possessions of the country's citizens in certain periods of special legal order is ensured by the right of deduction outside the central order of power appointed by Parliament.

Most recently, the new types of security challenges, i. e. global terrorism, mass illegal migration, the appearance of hybrid warfare and its increasing sophistication, the pandemic, as well as natural disasters caused by climatic change has been forcing us to maintain the review and the constant update of the regulations of special legal order. This can indeed be defined as a new level of the constitutional development, as the core of the rules in force at present has developed as a result of a long process during the last century, enrooted in earlier sources of legal history, finally took coherent form in 1989. This review of the special legal order has however been born from the fear of the return of the party-state, therefore it has become – at least in the opinion of the modern spectator - over-regulated employing unjustified and excessively cumbersome practical methods. In 2011 the Fundamental Law was implementing this material as its foundation, as the appearance and the measure of the new security challenges did not require a different approach. Subsequently, the legislator had to give an adequate response which has resulted in the codification of the case of terror emergency.

On the basis of the special legal order of emergency condition introduced because of the Coronavirus-pandemic and influenced by security issues gathered recently the Parliament, with the ninth amendment of the Fundamental Laws suspended the majority of applicable cases thus accomplishing a comprehensive reform of the whole system satisfying at the same time the need for simplification witnessed in legal scientific writings. Hungarian legislation has chosen a flexible, yet stable solution to meet the familiar but also the so far unfamiliar challenges, corresponding to the requirements adequately noted by Szabolcs Till: "the constitutional system is ought to keep its operability in a hybrid environment."<sup>30</sup>

We sincerely hope that the employment of special legal order and its regulations will not appear as precedent in the future. However, keeping in mind the principle of "hope for the best, but prepare for the worst" it is the legislature's task to estimate the new challenges and to constantly review the framework of rules. As the partial rules are at present being appointed by the cardinal laws which makes the legislation non-transparent and fractured (in accordance with Pál Kádár's opinion)<sup>31</sup> further simplification would be the right direction. If a security management codification containing the relevant measures in a unified framework – covering the duties and authority of the sectors concerned as well as the framework of central co-ordination of national defence and civil security and national defence security management - were accomplished in that case a new foundation would be created for the sectors and organizations concerned.

30 Till Szabolcs: A különleges jogrendi kategóriarendszer egyszerűsítésének jövőbeli esélyei, *IustumAequumSalutare* 2017/4, 55-75. (Future opportunities of the simplification of the category system of special legal order).

31 Kádár Pál: A különleges jogrendi szabályozás megújítása és a Magyar Katonai Jogi és Hadijogi Társaság, *Katonai Jogi és Hadijogi Szemle* 2020/4, 7-34. (The revision of the regulations of special legal order and the Society of Hungarian Military Law and War Legislation).

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<b>80</b>	<b>ARTICLES</b> <b>István SIMICSKÓ</b>	<b>Regulation of special legal order in Hungary - Constitutional options in the shadow of the COVID crisis</b>	
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# Examining Public Social Responsibility (PSR) through digital responsibility

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## Abstract

The megatrends of the digital age, changes in competitive culture, and the dimensions of sustainable development have redefined the concept of social value and its interrelated duties, including the identity of the parties that are responsible for undertaking such actions. These trend spirals bring to the forefront the unavoidability of individual and community actions; supporting – and in some cases, coordinating these actions – is the duty of the state/local government. Social integration has been noted in a diverse selection of documents for quite a long time; digital inequality (and consequently the digital catchup effort) – one of the most significant segregation inducing factors – has only become a defining factor in the current „third generation” strategies. Our paper presents the most significant stages for catching up, potential points where actors can intervene, and pinpoints the responsibility for undertaking this effort. Finally, we define specific tasks that can be integrated into the routine of public administration under the label of an administrative Public Service Responsibility task.

## Keywords

Public Social Responsibility, Corporate Social Responsibility, digital safety, digital competencies, digitalization.

## Introduction

Debate is ongoing about public responsibility, since the accountability of state and public administrative bodies that serve the public good and the public interest moves within considerably narrower confines than formerly.<sup>1</sup> The focal point of this line of inquiry is digital responsibility, where – alongside many other factors – the locations where catch-up efforts are being undertaken in the digital arena can be identified for the various actors, including the question of what the content should be, whose responsibility it is to protect users and digital space, and to have trust in it all.

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1 R., GARDE-SANCHEZ, M. Victoria LÓPEZ-PÉREZ, A. M. LÓPEZ-HERNÁNDEZ: *Current Trends in Research on Social Responsibility in State-Owned Enterprises: A Review of the Literature from 2000 to 2017*; Sustainability 2018, 10, 2403; <https://doi.org/10.3390/su10072403>.

82	ARTICLES Balázs Benjámín BUDAI	Examining Public Social Responsibility (PSR) through digital responsibility	
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Nowadays, the digital age and the world wide web create megatrends that overturn the decades or centuries long reflexes, routines, and customary operational principles of our societies. The robust changes to our information habits, the applied forms of communications, the tools we use for the same, these have an immediate impact on us. These changes, and the presence or lack of adaptive intelligence concerning the changes recreates those social and economic differences that induce segregation within society. To be blunt, those who lag behind are simply excluded. The naked truth, however, is that when one is unable to properly profit from the accelerated stream of information, he/she cannot access the most important resource of information society, is excluded from the information economy and its value chains. In the knowledge market, the less information demanding jobs require less qualified labor, those who receive less compensation. Consequently, they are less and less able to adopt changes in infocommunications tools and software or acquire required user know-how. Thus, the poor become even poorer (we can interpret this phenomenon on an individual, community, organizational and national level alike). Thus, as far as change is concerned, segregation results in lack of change. Relating to and regulating these trends on an individual, community, national and supranational level foreshadows serious responsibilities on each level.

Therefore, one of the most essential public administrative issues of the day is the role of social public responsibility within the digital ecosystem – with particular emphasis on the concept of digital inclusion – in the reflection of megatrends, on the level of various social classes. The examination of the digital catch-up effort in the light of megatrends is particularly important, because ignoring and not responding to innovation-based phenomena, services and customs results in segregation.

One of the most fundamental issues of competitive culture is the issue of the sort of field the companies are competing with one another on. The greatest challenge of the 21st century is that the significance of economic, environmental and social sustainability rose to an identical level, with an exceptional rise in the relative weight of the latter two. Thus, the latter have brought new dimensions of the economic competition to the surface, which is best captured through the concept of so-called social and/or shared value creation.<sup>2</sup>

This results in the expansion of the content of competitive culture, which means that in the economic and social judgment of the existence and purity of competition it has become more and more significant to induce a conscious awareness of the social value creation role of products and services, including all related capabilities and their presentation in the purview of private and public goods alike. The legal foundations of this process have begun to take shape.<sup>3</sup>

The business sphere has gradually recognized – in many stages, currently we are in generation 4.0 of Corporate Service Responsibilities – that CSR only translates into a competitive advantage for the affected companies when its content refers to sustainable development in a narrow sense, and societal value creation in a broader sense. In other

2 M. E. PORTER: *Shared Value and Strategy; Shared Value Leadership Summit*, New York, NY, May 12th, 2015; [https://www.hbs.edu/faculty/Publication%20Files/Michael%20Porter%20-%20CSV%20and%20Strategy%20presentation\\_5c6accd5-94ac-444c-ac01-24772ce95bfa.pdf](https://www.hbs.edu/faculty/Publication%20Files/Michael%20Porter%20-%20CSV%20and%20Strategy%20presentation_5c6accd5-94ac-444c-ac01-24772ce95bfa.pdf) (Accessed : 02/01/2021) and Benefits of Social Value <http://www.socialvalueuk.org/what-is-social-value/the-benefits-of-social-value/> (Accessed: 02/01/2021).

3 R. CLAASEN and A. GERBRANDY: *Rethinking European Competition Law: From a Consumer Welfare to a Capability Approach*, Utrecht Law Review, Volume 12, Issue 1 (January) 2016; <http://doi.org/10.18352/ulr.321>.

cases, CSR unavoidably becomes hostage to other, peripheral struggles of society or local communities, and does not contribute to an increase in competitive ability.<sup>4</sup>

The most crucial issue in the context of corporate competition and the new dimensions of competitive culture is how – by whom and in what manner – it gets defined, and what societal value consists of, in general and with specificity, e.g., in a given time and space. This is where Public Social Responsibility (PSR) comes into play, meaning the social responsibility of the public sector, a crucial issue that defines the wellbeing of communities, nations and the globe alike.

Where is the boundary of public responsibility for enforcing the public good/public interest? The term „public duty” could be an explanatory synonym of public responsibility, which provides a direct answer to the question by its very expression. In this regard, the respected authority we can cite is none other than the OECD SIGMA/PUMA Shared Principles of Public Administration among EU Member States, which „classifies the generally enforced principles in the legal systems of the member states, according to the following groupings: 1.) reliability and calculability, 2.) openness and transparency, 3.) accountability (public responsibility), 4.) efficiency and effectiveness”.<sup>5</sup> Thus, the content and boundary of public responsibility is accountability for activities performed in the service of the public good and public interest, as mandated by law.

Consequently, public responsibility arises by a legal mandate. The range of motion of public administration (more broadly defined as the organizations of the public sector) exists by its very nature, due to function, in some cases, as a result of discretionary action deriving from general legal authorization, and freedom to effect solutions and operate the organization, that is beyond mere service or enforcement for the public interest/public good. Until proven otherwise, we can risk making the assertion that this can be shown in the case of every public institution. In case of local governments (for French model municipalities), it is in the nature of general authorization to undertake duties on a voluntary basis. This class includes activities undertaken in harmony with the respective missions, authorizations of public sphere organizations, within the framework of procurements, agreements, partner agreements, and other expressions of intent (e.g. planning, organization, coordination) that is not based on direct legal obligation.

It is proven that public institutions and service providers continuously perform activities that serve the public good and public interest beyond the level of public responsibility, with such activity undertaken on the basis of various reasons without making it obvious that this is none other than operating in what is well defined in the business sector as Corporate Social Responsibility, or CSR. When the public agency strives to handle cases faster in a more efficient manner, with more accessibility, (or strives to avoid having to address, intervene, impose action or punish in the matter of the case at all) by offering client training, information services, advertising, community outreach or online services, it can somewhat exceed its legally expressed, narrowly interpreted enforcement/executive role.

4 M. REEVES, D. HEUSKEL, T. LEWIS: *Social Advantage*, <https://www.bcg.com/publications/2010/business-unit-strategy-social-advantage.aspx> (Accessed: 02/01/2021).

5 TORMA A.: *Az Európai Közigazgatási Térségről – magyar szemmel* (About the European Administrative Area - from a Hungarian perspective.), Miskolci Jogi Szemle, 6. évfolyam, 2011, különszám, [http://www.mjsz.uni-miskolc.hu/201102/15\\_tormaandras.pdf](http://www.mjsz.uni-miskolc.hu/201102/15_tormaandras.pdf) (Accessed: 02/01/2021).

An obvious and tangible international trend in the business sector has been the intersectoral, hierarchical, thematic expansion of the standardization and globalization of social responsibility (the four together: Global/Collective Social Responsibility, GSR). In this process, governments are the most significant economic actors and define their own roles as catalyzers of the civil sector. The issue of the public sector's own social responsibility, however, has only arisen in recent years, as a separate function exceeding far beyond that of CSR promotion, and applicable to the entire public sector.

The following trends reinforce the above ideas:

CSR TREND 1 – The initial recognition of Corporate Social Responsibility was that business can only be sustained in the long term if it does not cause social, economic and environmental (TBL – Triple Bottom Line or People, Planet, Profit (3P).) damage. Today's perception is that only those businesses are competitive which can contribute to solving problems and development goals in these three themes. The shift from risk management to strategic development has become an obvious trend.<sup>6</sup>

CSR TREND 2 – The direct consequence of the previous trend is that CSR, as in the case of PR (Public Relations), is shifted from the point of chance altruism to the Social Responsibility Sub-Strategy in the company's comprehensive future planning system. This aim and trend is epitomized by classics such as Michael Porter and Mark Kramer, who propose the transformation of the value chain in which the organization's internal and external social value-creation activities are also displayed.<sup>7</sup> Such companies are called B-Corporations,<sup>8</sup> which build a more sustainable and inclusive economy.

CSR TREND 3 – It is evident that an international trend is altering from fully volunteered social responsibility towards a partial mandatory operating condition through various stages (see the legal elements of PSR in greater detail below). Such stages (which have induced greater debates): certain PSR elements becoming mandatory, voluntary alignment to state expectations or requirements, the benefit of adapters, and soft law solutions such as ISO 26000 or SA 8000 CSR.

GSR TREND – Social Responsibility becomes intersectoral and global, as organizations from different sectors and individual citizens are increasingly seeking each other in solving the problems of society and utilizing opportunities. Corporate, public, civil and personal (individual) responsibility is globalized into a multifaceted collaboration, "Global / Collective Social Responsibility". However, the question arises whether the process remains spontaneous, or should this collaboration be coordinated. The trend shows the latter (see below).<sup>9,10</sup>

6 E. ABAD-SEGURA, F. J. CORTÉS-GARCÍA, L. J. BELMONTE-UREÑA: *The Sustainable Approach to Corporate Social Responsibility: A Global Analysis and Future Trends*. Sustainability 2019, 11, 5382; <https://doi.org/10.3390/su11195382>.

7 M. E. PORTER – M. R. KRAMER: *Creating Shared Value*. Harvard Business Review, 2011. 01-02., 2–17.

8 <https://bcorporation.net/about-b-lab> (Accessed: 02/01/2021).

9 Y. TANG, Y. MA, C.W.Y. WONG, X. MIAO: *Evolution of Government Policies on Guiding Corporate Social Responsibility in China*. Sustainability 2018, 10, 741; <https://doi.org/10.3390/su10030741>.

10 L. ALBAREDA, J. M. LOZANO, A. TENCATI, A. MIDTTUN, Francesco PERRINI: *The changing role of governments in corporate social responsibility: drivers and responses*. Business Ethics: A European Review Volume 17. Number 4. (2008).

PSR TREND – As it is proven by the KÖFOP<sup>11</sup> study, internationally as well as in Hungary, public sector organizations have been mostly latently undertaking „beyond mandatory” social responsibility activities. However, there is an increasing awareness of the trend that the public interest activity is not automatically socially responsible. This finding is not easy to see immediately, because public good and public interest make public responsibility self-explanatory. But the latter – which essentially „only” means accountability, does not include social responsibility as well. That is why it is necessary to interpret and cultivate Public Social Responsibility, as an administrative function at individual levels and public institutions.

ISR TREND – The essence of personal, Individual Social Responsibility is represented by voluntary movements, respectively, any other personal or family activity that we make in the spirit of the responsibility for each other, for the community and for society.<sup>12</sup> Personal solidarity is not at all a new phenomenon. As a trend it can be grasped: settlement, regional, national institutionalization, globalization, integration into the economy and society as a specific „task-solving organizational system”, which in this form can become part of the GSR’s personal level, partly through the well-known civil society system. An important element of this change, besides many others,<sup>13</sup> is the gradual transformation of episodic volunteering into life-course volunteering.

IT/DT TREND – The unmistakable, perceived, simultaneously destructive and constructive effects of Digital Transformation, often referred to as the 4th Industrial Revolution, labeled for the most vital issue, namely, IT/DT. What is the social value of the process? The World Economic Forum gave the answer.<sup>14</sup> Since digital transformation affects almost all aspects of our lives, the examination of its presence and impact in the process of producing social value needs to be given special attention, in particular to address barriers to social inclusion and reduce existing inequalities.<sup>15,16,17</sup>

OD TREND – An additional and more general trend, not completely independent of the above trends, proves that through collaboration, organizations will be more successful in all sectors. It is increasingly evident that the organizations and management that are based on the masses, atomization, division of labor and hierarchy that have emerged from

11 KÖFOP – Közigazgatás Fejlesztési Operatív Program - Public Administration Development Operational Program.

12 A. DEVALIA: PSR v CSR: *Is personal social responsibility still good for business?* <https://www.mycustomer.com/selling/sales-performance/psr-v-csr-is-personal-social-responsibility-still-good-for-business> (Accessed: 02/01/2021).

13 C. ROCHESTER: *Trends in Volunteering*. <http://volunteernow.aw-stage.co.uk/app/uploads/2018/10/Trends-in-Volunteering-Final-Report.pdf> (Accessed: 02/01/2021).

14 *Unlocking Digital Value to Society: A new framework for growth* - White Paper, World Economic Forum, 2017. <http://reports.weforum.org/digital-transformation/wp-content/blogs.dir/94/mp/files/pages/files/dti-unlocking-digital-value-to-society-white-paper.pdf> (Accessed: 02/01/2021).

15 M. COOK, T.M. HARRISON: *Using public value thinking for government IT planning and decision making: A case study*; Information Polity, 20 (2/3) (2015), 183–197.

16 W. BAI: *A Public Value Based Framework for Evaluating the Performance of e-Government in China*; iBusiness, Vol. 5 No. 3B, 2013, 26–29. doi: <http://doi.org/10.4236/ib.2013.53B006>.

17 BANNISTER, F., CONNOLLY, R.: *ICT, public values and transformative government: A framework and programme for research*; Government Information Quarterly 31, 1, January 2014, 119–128.

the industrial revolutions so far and which are generic in the economy, the state in operation and in society cannot be sustained in the future. The sharp boundaries between sectors, organizations, and management levels are blurred by a growing holistic approach. In all three sectors, the growing importance of collaboration, hybrid organizations and community solutions are becoming more and more widely recognized.

PS TREND – Nowhere in the world has the provision of public services (PSs) exclusively belonged in a specific sector, individual or family of sectors. Transitions and overlaps are constant between social actors. The trend witnessed in the developed world is the increasing strength of cooperation, shared and corporate solutions, and complementary support for each other in the pursuit of the common social goals, e.g. MDG (Millennium Development Goals).<sup>18</sup> This raises the increasing importance of the sectoral coordination mechanisms with the responsibility of public administration, such as the English Public Service (Social Value) Act (2012) and its extended practice.<sup>19</sup>

#### Materials and Methods

Within the framework of highlighted project number KÖFOP-2.1.2-VEKOP-15-2016-00001, titled “Public Service Development as a Foundation of Sound Governance, Social Public Responsibility – Social Responsibility in the Public Sphere, the Role of Public Administration in the Effective Operation of Intersector Partnerships,” the Ludovika Research Group has participated for over a year in broad research and professional cooperative efforts at the National University of Public Service. The goal of the research was the exploration of the Hungarian situation, contrasting it with international trends, and express the directions and opportunities of moving forward.

One of the most spectacular fields of PSR functions is the entirety of digitalization, digital transformation, and the development of the digital ecosystem, for even though these contribute significantly to the development of society, they do come with numerous negative externalities. Thus, while on the one hand we are deploying tools for the development of the digital world, in parallel and automatically with this effort, greater and greater tasks arise on the other hand that mitigate naturally arising anomalies.

Our research focused on the clarification of three issues in this field:

1. How the inclusion related PSR relate in the digital field to the strategies (Here we examined what areas these strategies did or did not address). This line of questioning created the foundation of the regulatory environment as well.
2. What it means, what is the ever expanding content of relevant digital competencies? Where are the scenes of digital catchup for given actors? Where do we see best practices?
3. Whose responsibility is the protection of users and user trust, of the digital space? What is the content of such protection?

First, we examined the interpreted role of social public responsibility in the digital ecosystem – highlighting the concept of digital inclusion – as reflected in megatrends, on each societal level. The study of digital catchup in light of megatrends is important, as ignoring

18 D. ELFFERS: CSR and Government role in SDGs, <http://www.emg-csr.com/csr-and-government-role/> (Accessed: 02/01/2021).

19 M. TALIENTO, C. FAVINO, A. NETTI: *Impact of Environmental, Social, and Governance Information on Economic Performance: Evidence of a Corporate ‘Sustainability Advantage’ from Europe*. Sustainability 2019, 11, 1738; <https://doi.org/10.3390/su11061738>.

or non-responding to phenomena, services and habits that are built on innovation results in segregation. Relating to trends on an individual, community, national and supranational level and regulating the same outlines a serious responsibility on the various levels. After sketching out the theory, we have examined the international digital inclusive strategic efforts. Side by side, we saw first generation catchup programs – mainly programs seeking to eliminate disparities in access – and third generation programs – seeking to reduce quality usage disparities; the proportions reflect the level of development of the given nations, however. At the same time, tools are used from each of the three groups of tools to improve inclusion.

## Results

### Strategic documents

Ever since the symptoms of information society, strengthened with infocommunication tools, have been showing an ever more intensive presence in Europe, the decisionmakers of European countries have been feeling the need to respond to these challenges with strategies, action plans, and programs. These responses are not merely of symbolic significance; they are truly determinative in a competitiveness context: the quantitative and qualitative indicators of access to infocommunication tools and services fundamentally define the competitiveness of an individual, community, organization or nation. The development of digital skills is included in nearly every larger strategic document. Added to this is the support of information dissemination activities over the course of 10 – 12 years, and the heightening of the catchup status of those who are on different levels of development (inclusivity, if necessary, even by enabling the catching up of disadvantaged population segments). E-learning and telecommuting often appear as peculiar categories of information society.

The strategies reflect an unusual shift in tone here:

- First generation catchup programs target the elimination of the access divide (between those with and those without access). Their tools are: Infocommunication technologies provided to individuals, the establishment of public internet access points (PIAP), providing broadband network access, etc.
- Second generation programs target the user divide (between users and non-users). Their tools: enabling access for those with special needs (eAccessibility), the development of digital literacy, the expansion of services – content development (primarily in the fields of public services and e-public administration).
- Finally, third generation programs attempt to steer the divide reflecting the quality of service (what the users use it for) in a substantive direction. Their tools are campaigns improving trust and knowledge, initiation of niche market services (reaching narrow target groups), initiatives improving civil discourse and inclusion

As long as we are discussing three generations, we can observe each of these three generations in Hungary (and in other, less developed countries). While improving inclusivity, tools are utilized from each of the three tool groups.



Even though social strategies for information have been placing lesser and greater emphasis on transforming the members of the population into digital citizens since 1993, following initial enthusiasm, this reality has only come to pass in the years around the turn of the millennia. Around this time, alongside content development, the elimination of informational social anomalies has become more and more of a focal point, thus the implementation of the Safer Internet Action Plan, and to enable the catching up of disadvantaged countries, social classes, and groups. Even now, this latter initiative remains significant under the name "Inclusion Europe." In subsequent strategies, inclusion was emphatically emphasized in eEurope programs (eEurope 2002 – action plan [COM (2000) 330 final] – 2000 and eEurope 2005 [COM (2002) 263 final] – 2002) via digital accessibility and simplifying network access (reducing prices, mitigating taxes, improving infrastructure, enabling access to software developed for people with disabilities, advancing digital literacy, etc.).

Of the three iSociety priorities of the program for European Information Society for growth and employment (i2010 strategy), the third – inclusion – concerns the creation of a European information society. Social, economic, and geographic cohesion is sought to be achieved by providing high quality public services and improving quality of life. In the interest of this objective, it recommended equal opportunity programs, programs aiding the catch-up effort in information communications technology skills, and programs mitigating regional digital divides.

This was continued by the i2010 eGovernment Action Plan, which had listed among its goals to be achieved by 2010 the speeding up of social integration through the improvement of the level of preparedness of human resources. Of its five priorities, it has designated the elimination of (digital) obstacles before the online accessibility of public services, an element of the struggle against the digital divide. The eAccessibility and eInclusion programs had strengthened these objectives.

In the Malmö ministerial declaration issued in November 2009, inclusion is once again an area of emphasis, as this tool can improve not just competitiveness, but also expand the circle of participants of public services; involving participants in the development of public services can yield additional returns. Inclusion is expanded to the utilization of digital services as well, as the utilization of social subsidies or e-health services also implements inclusion in a physical sense. They had also assigned specific target values to the improvement of the activity level and willingness to utilize user feedback: They expected the implementation of the action plan to accomplish the following with regard to the following:

By 2015, at least 50 percent of EU citizens and 80 percent of its enterprises should be an active e-government user. An important component of this declaration is that (in part as a result of the worldwide financial crisis), under the label of a public administration duty, it recommends the undertaking of informational activities to citizens, for the utilization of financial services, for instance (an important PSR task milestone).

The e-government action plan following the Malmö declaration recommends the empowerment and preparation of users under the aegis of inclusion; to enable them to proactively make use of the services to be offered by the state, to inspire, formulate and continuously review the work of the government.

The Europe 2020 growth strategy considers digital skill development to be a special tool for the improvement of competitiveness and employment. This area affects two of the three thematic tools:

- Value creation through knowledge transfer.<sup>20</sup>
- Increasing opportunities for people in accepting societies.

Of its highlighted initiatives, the European Digital Timeline emphasizes the development of digital know-how and digital skills, encouraging the involvement of as many people as possible in the digital world. The timeline of New Skills and Jobs designates our field. The Digital Timeline has also expressed 16 key measures, of which two of them directly assist the case of improving the cause of digital know-how, digital skills, and digital inclusion.

- It mandates that the decree on the new European Social Fund (2014–2020) should emphatically deal with digital know-how and digital competencies. They wished to accomplish this goal through the more intensive coordination of member state level initiatives associated with the development of IT skills, and by making digital know-how and digital competency into an ESA priority.
- It mandates the development of tools – in connection with the European certification framework and Europass – to identify competencies that are necessary for ICT professionals and users, urging an acknowledgment of such necessity. Furthermore, it recommends the establishment of the European framework of the ICT profession in the interest of expanding the competencies of ICT professionals and improving their mobility within Europe.

The most recent strategic document was the Tallin declaration on e-governance,<sup>21</sup> adopted during the Estonian EU presidency, which – among others – expects accepting and accessible digital solutions from the member states.

These strategies signal that the EU has, from the very beginning, assigned the digital catchup effort into the national sphere, but supports it with large-scale subsidy programs. Since the appearance of information society strategies (with varying degrees of emphasis and depth of content), this has been signaling that failure to undertake these tasks has a segregational effect: if the inclusion programs do not take place, classes that are left behind are excluded from society. Thus, their economic potential and quality of life also go down. The task of the prevailing government is therefore the continuous improvement of the necessary catch-up infrastructure in the field of know-how as well, and to develop services that help speed up (and support) the catch-up effort, and to bring them closer to the user. Thus, the EU has been marking the path for a quarter of century and schedules necessary steps, launching programs in order to support national efforts. At the same time, it appears that the advancement of technology in the future justifies the catch-up effort as well, giving rise to tasks for each and every societal actor.

## Digital competencies – digital (catch-up) sites

20 A. CORDELLA, C.M. BONINA: *A public value perspective for ICT enabled public sector reforms: A theoretical reflection*; Government Information Quarterly, 29 (4) (2012).

21 <https://www.interregeurope.eu/erudite/news/news-article/1769/tallinn-declaration-on-egovernment/> (Accessed: 02/01/2021).

The content of the catch-up effort consists of the development and perfection of digital competencies throughout society, nearly in its entirety. Part of this can be undertaken through institutions (can and should be within school walls), however, most of it is taking shape as a PSR (Public Social Responsibility) task. It appears that it is necessary to develop digital competencies, to strategically plan, supplement, or augment the system of conditions for lifelong learning (perfecting the ability to adapt), here and beyond public education.

Having recognized the foregoing, there have been more and more targeted and centrally coordinated catch-up programs (educational and continuous education), that assist those who lag behind in a local (family, close to the home) environment, using local (or locally integrated) mentors, so that those lagging behind can get closer to digital services via a complex perspective affecting every dimension of the lag, by improving competencies. With regard to effectiveness, those small community or inter family programs where a member of the small community or family with information technology skills (or with more experience) performs the catch-up activity, eliminating the differences in knowledge. Community catch-up efforts are most easily imagined when we base them on PIAPs (Public Internet Access Points). There, digital services can be presented, thus openness towards the digital world can be established for less advantaged citizens not possessing digital competence. At these same points, trainings, continuous education and motivational courses (built on top of one another), targeting digital competence, can be implemented for this segment of the population.

The prevention of attrition becomes important from the community level onward – as a preventive activity – which is strategically at least as important as the development of digital competencies. The catch-up responsibility of individual societal actors (duty of cooperation) is self-evident. From the perspective of our subject matter, civil organizations are primarily important due to their signaling function. As they are able to signal every social need, it is self-evident for other social actors as well that they should seek cooperation with civil actors, since they can point out problems to be solved. The responsibility of helping the competitive sector's catch-up efforts can be witnessed at the moment of their inclusion in the digital ecosystem. This inclusion can take numerous forms, but the most obvious solution is the cooperation of the competitive sphere and education in the interest of strengthening digital competencies.

The crucial terrain of the catch-up effort is the arena where accessibility is ensured within public administration. It is an essential condition of the spread of comprehensive user-friendly, speedy and comfortable services that in order to bridge the potential obstacles to access of clients – due to physical and digital inequality – public administration must take appropriate measures. At first glance, digital accessibility efforts to deal with electronic access means the support of the disadvantaged that arise from digital inequality. This phenomenon, also referenced as so-called e-acceptance targeted at the disadvantaged, typically includes measures with the goal of expanding advantages arising from the use of ICTs.

As the final area of study, we highlight the tasks of creating and preserving public trust and safety, the responsibility of danger and risk avoidance. It is an essential condition of the spread of infocommunication services and the expansion of the universe of users, that the users be cognizant of the security of their devices and data, self-utilizing the services

with full confidence. The tasks that are outlined here – in a PSR context – are primarily informational in nature, the users must be able to distinguish between factual and assumed (fictional pseudo elements) phenomena, while contrary to the former, they must be aware of the self-evident variations of avoidance and defense.

## The duty of ensuring accessibility

Assuming that the state supports (or at least does not prohibit or is allowing space for it) the increased adoption of infocommunications technologies, then its resulting responsibility is the mitigation of associated anomalies, including their elimination. The new media has become an agent of socialization, which forces children and older generations (who were not born into a technology-based environment) alike into the role of students. Not to mention that the territory of this new media has expanded past the internet to mobile devices as well, as the services integrated into the devices can already compete with any home PC. Users unskilled in virtual space – independent of age – can be victimized with childhood naivete by every anomaly (the age issue only plays a role in the degree to which the user can be influenced). We see six areas where social public responsibility must (also) be exercised:

1. Protection of young users from damaging and illegal content,
2. The protection of young users from ill-intentioned persons (e-pedophilia, cyberbullying)
3. The protection of users from untrue content and transactions (the protection of the reliability and credibility of virtual space),
4. The defense of the identity, virtual agency and assets of users (cybercrimes)
5. The protection of users from psychological distortions (information clutter, information anxiety, internet dependence, functional neurological disorders)
6. Keeping digital culture properly aligned, defending against the degradation of communications.

The duty to catch-up affects every actor, via the active role played by public administration or through its assistance.

Any advanced user on the family or small community level (e.g. a worker at a local governmental office) can take on a mentoring role and provide assistance (by teaching and learning at the same time) in practicing and perfecting digital competence-based activities. In this circle, it is particularly worthwhile to analyze solutions developed for especially (or cumulatively) disadvantaged persons, the expansion of lifelong learning opportunities, strengthening the potential acceptance of a digital future. Thus, the PSR tasks of digital solidarity begin with the signaling of catch-up opportunities (connecting educational materials, teaching spaces, instructors and target audiences) and the mentoring and tutoring process, and conclude with the support of opportunities inherent in connectivity, in the support of participation and access, and in ensuring access. In individual and family catch-up efforts, the mission is for the users of the future to:

- Get to know the fundamental nature of online communications;
- In spite of the nature of the digital medium, be able to establish healthy social-emotional bonds;

- Be able to use digital (fixed and mobile) technologies in a disciplined (within limits) manner. To be able to connect and relax alike;
- Develop cognitive critical thinking as it pertains to online information, content and actors;
- Proactively protect themselves from risks arising in the online space;
- Develop a strong identity as a responsible digital citizen;
- Get to know as broad (substantive) service portfolio as possible and solve problems in the virtual space in a confident manner.

Just as it is nearly everywhere in the public administration realm, there are best practices here already, reflecting or forming the foundation of PSR activities. Of these, we have explored many dozens in Hungary and internationally alike.

The civil actors perform a control function, since they strengthen pluralism by often highlighting alternative opportunities, opinions, potential solutions that are contrary to the position of the government, often also providing an alternative model to undertake this effort (this is why their operation can be often jeopardized, as these activities can often cease as a consequence of these activities). Self-financing tools are limited: they are either performing business activities as well, or they sustain themselves from membership fees or charitable contributions. Additionally, members can also assist the mission of the organization via voluntary participation, although this is often insufficient to sustain the framework). The significance of civil actors is strengthened by digitalization and the technologies that are based on it. These solutions more easily provide opportunities for the reclaiming of operations of public matters and services (crowdsourcing) as well.

From the point of view of our topic, however, civil organizations are primarily important due to their signaling role. As they are capable of signaling every social need, then it is self-evident to all societal actors to seek cooperation with civil actors, as they point out problems that require a solution. The primary motif of cooperation (the importance of which has also been pointed out by McKinsey Consulting) is the restoration of trust through the integration of consumer feedback and expectations. The government and the competitive sphere alike often diverge from real social problems. Digital technologies provide an opportunity to monitor government and business activities and to transmit comprehensive societal error signals. In other words, nowadays civil actors are experiencing an intensive expansion of the system of tools of civil control (and when the opportunity arises, make use of them), over and above state and corporate social responsibility.<sup>22</sup>

Responsibility for the competitive sector's catch-up efforts is witnessed at the moment of its inclusion within the digital ecosystem. This inclusion can take several forms, but the most obvious solution is the cooperation of the competitive sector and education for the purpose of strengthening digital competencies. The development of human resources is of crucial importance for the competitive sector, as they are the ones who receive the labor that is produced by the educational system. Well trained labor suited to market expectations powers the competitiveness of companies. Dual and adult trainings provide an opportunity for the competitive sector to develop targeted trainings, while at the same time, participating in joint R+D+I programs enables the same on the university level (through the establishment

22 J. BROWNE and R. NUTTALL: *Beyond corporate social responsibility: Integrated external engagement*, <https://www.mckinsey.com/business-functions/strategy-and-corporate-finance/our-insights/beyond-corporate-social-responsibility-integrated-external-engagement> (Accessed: 02/01/2021).

of research workshops, competency centers, incubation houses, etc.). The application of R+D+I activity connected to innovative infocommunications technologies is the other defining factor of competitiveness. The incentivization and support of international cooperation to be implemented in this field visibly improves the effectiveness of innovation. Its ripple effects expand to other sectors and to the consumption habits of clients as well (and to the habits that enable the same). Incentivization appears to be most effective (beyond the above referenced forms) in cluster development (e.g.: the establishment and support of clusters and the training of cluster experts).

Additionally, a potential opportunity arises on both the user and service provider side of the digital economy, assuming that services supporting connection (e.g.: electronic corporate governance, electronic communications, electronic settlements, e-billing, e-payments, etc.) enjoy priority in business life. It is the responsibility of the competitive sector to determine how fast it switches over to digital solutions, to what degree it forces competitors and partners to operate in this medium.

PSR may consist exclusively of the coordination and support of, and in consulting for, these activities.

An important area of the catch-up effort is ensuring digital accessibility in public administration. It is an essential condition of the comprehensive spread of user-friendly, fast and convenient services that public administration take appropriate steps to bridge potential obstacles of clients that arise from physical and digital inequality. On the initial approach, ensuring digital accessibility means the support of those who are disadvantaged due to digital inequality. This phenomenon, also known as e-acceptance, includes measures with the goal of expanding advantages derived from the use of ICT.

In other words, the support of access of those, who do not have access to infocommunication devices is considered – among others – a form of ensuring accessibility. Once access to devices is ensured, ensuring access to service for those with some kind of a disability follows. The integration of people with disabilities, sensitivity training for their inclusion, and the performance of activities that go beyond obligations mandated by law can arise in the form of PSR activities.

Every smart city development has an important indirect and impetus forward, as it is these developments through which achieved improvements in quality of life extend to every member of the settlement (or every resident), irrespective of their digital literacy, illiteracy, or disability. Similarly, non-digital literate persons also receive benefit, even if they receive specialized administrative (e.g.: child welfare, child protection, social, etc.) services.<sup>23</sup> Indirectly, the creation of all digital services represents further impetus forward, as they can be interpreted as an important argument before potential users, in the interest of acquiring know-how.

Finally, it is also worth mentioning the issue of public trust and safety. It is an essential condition for the spread of infocommunication services and the expansion of the the user pool that the users believe that their devices and data are secure and that they can trust the services. The PSR related tasks outlined here are mainly informative in nature: The users must be able to distinguish between real and fictional phenomena (false pseudo

<sup>23</sup> *Nemzeti Infokommunikációs Stratégia* (National Infocommunication Strategy) 2014–2020, [https://www.kormany.hu/download/a/f7/30000/NIS\\_v%C3%A9gleges.pdf](https://www.kormany.hu/download/a/f7/30000/NIS_v%C3%A9gleges.pdf) (Accessed: 02/01/2021).

elements), while regarding the former, we must become cognizant of the obvious versions of avoidance and defense.

## Discussion and Conclusion

Public social responsibility activity can be properly captured within the public sector; it can be delineated and defined, and its criteria described with appropriate precision. They are obviously present on every level and area of the public sector however, this presence is rarely conscious and coordinated (of course, we do see several organizations that have consciously interpreted their PSR operations and expressed its associated core values, strategy, partnership network, and methodically organizes its functions in this field, performing a series of successful programs, and reporting of such activities).

We have identified the strengthening process of harmonization among social responsibility sectors as an international trend, including the implementation of its cross-border collectivization and globalization (Collective/Global Social Responsibility). As a result of the research, we have detected the international trend that the enforcement of social responsibility within the dimension of voluntary undertakings and legal obligations is a mandate of soft law, and has moved gradually, through alternate means, in an incentivizing manner, but unequivocally in this direction.

Operations and activities that have been identified under the PSR label are implemented at a proportionately higher rate on the local government level, mainly due to the fact that their general legal authorization for undertaking volunteer duties can essentially be classified into this category (Consequently, the digital catch-up effort and digital responsibility must be strongest on the local level).

One of the most outstanding results of PSR is the so-called social value regulations, which demand results and contributions that are interpreted in given fields and increasing specific economic, social and environmental well-being from nearly every activity conducted in the public sector (public services, procurements, investments, cooperation, subsidies).<sup>24</sup> In social public responsibility, social catch-up efforts constitute an area of emphasis; its content is the development and perfection of digital competencies nearly throughout the entirety of society. Part of this effort can be institutionalized (can and should be constrained within school walls), but a larger proportion of it has been outlined as a PSR function. A need appears to arise for the development of digital competencies, for the strategic planning, augmentation or supplementing of the system of conditions (support environment) of lifelong learning (the perfection of adaptive abilities), over and beyond the boundaries of public education; specifically:

- The development of the continuously updated catalogue of minimally necessary digital competencies, based on societal consensus;
- The recruitment, training, and continuous education of volunteer trainers;
- The development of cooperation among actors and the development of a significant level of volunteer activity (sensitization);
- The perfection of the level of dedication of target groups;

24 M. SCOTT, W. DELONE, W. GOLDEN: *Measuring eGovernment success: A public value approach*; European Journal of Information Systems, 25 (3) (2016) 187–208.



- The publication of use-oriented, open education content;
- And methodological recommendations appear essential (on community and national level alike).

For the protection of users, pursuant to domestic and international regulations, the following – uniformly applicable – tools are on offer:

- Operation of hotlines.
- Informational guidance, education (the learning process is the crucial aspect: the recognition of what is actually useful and what is useless for the individual. In this process, the recognition of what is bad, as well as its alternative must be presented as well, so that the child can act appropriately due to the insight gained, and not just due to the absence of a better alternative. This learning process must take aim at not just the target audience, but also at those segments, where the child is undergoing socialization (e.g.: parents, teachers. This line of inquiry raises the issue of the need for PSR in this area.)
- Filtering – labeling – the limitation of accessible content. Filtering can be implemented on an individual, institutional, service provider, or state level (state level filtering can also be implemented through service providers, when the service provider blocks sites on the basis of a list, or it can also be implemented by installing the filter on the country's incoming telecommunications backbone, which blocks the regulation violating content for all domestic IP addresses.)
- The voluntary or involuntary removal of web sites or making the content transferring IP addresses inaccessible.
- Supporting self-regulation/co-regulation and the generation of codes of conduct.

We have already seen numerous, well-functioning examples of these tools.<sup>25</sup> It is now our shared responsibility to answer the question of whether we are successful in magically transforming the system of philosophy of PSR into a law of operation, contributing to the sustainable development of society.

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<sup>25</sup> L. TETREVOVA, M. JELINKOVA: Municipal Social Responsibility of Statutory Cities in the Czech Republic. Sustainability 2019, 11, 2308; <https://doi.org/10.3390/su11082308>.



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<b>REVIEWS</b>
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Iván BÁBA – Iván GYURCSÍK – Gy. Csaba KISS

**Közép-Európa magyar szemmel [Central Europe 2020.  
A Hungarian Perspective].**

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Iván Bába, Iván Gyurcsík, and Csaba Gy. Kiss have published their book *Közép-Európa magyar szemmel* in 2020, an English translation is under way with the title *Central Europe 2020. A Hungarian Perspective*. The three Hungarian authors understood the book *Mitteleuropa revisited* by Emil Brix and Erhard Busek as an invitation for debate. They try to give a Hungarian 'national democratic' response on the liberal approach of the Austrian authors. Instead of following the structure of *Mitteleuropa revisited*, the Hungarian book explains notions like nation, stereotypes, empire, fall of communism, minorities, remembrance, cooperation, integration. Some closing remarks answer the question in the subtitle of Brix and Busek, why the future of Europe will be decided in Central Europe. As Kiss takes note, the perception of 'nation' understood as a new framework of identity that suddenly appeared after the French revolution, can easily be bound with a quick process of outdatedness due to globalisation and European integration. For Hungarians and others in the region, modern nation has a dual nature: political and cultural. In the time of the French revolution, the 'birthday' of modern nations, there were no nation states in the central part of Europe ruled by the Habsburg Monarchy, the Ottoman and Russian empires (the Polish-Lithuanian Commonwealth was about to be abolished, some limited autonomy existed in some states and provinces). Unlike in France, attempts towards the linguistic homogenisation of the Kingdom of Hungary were contested by non-Hungarian ethnic and religious groups from the late eighteenth century. Czech, Hungarian(-Croatian) and Polish-Lithuanian medieval kingdoms lost their sovereignty, still these have been part of the political (legal) heritage of the region. Balkan states with eastern Christianity have some medieval tradition of independence, too. Albanian, Slovakian, and Slovenian nation-builders also found some less evident historic legacy serving for the base of modern statehood. Kiss draws our attention to the processes of unifying linguistic norms of peoples of the Central Europe and explains the role of churches in community building. Csaba Gy. Kiss presents a series of examples how political boundaries and cultural communities could not be matched in the framework of a nation state.

As the same academician further explains in the next chapter titled 'Myth and Symbols – Mutual Stereotypes', nation is a symbolic community. Some literary men in the time of romanticism (re)formulated mythologies of the beginnings of the nations assumed to be many centuries earlier. Symbolic rivers and mountains appeared in the literary 'national' landscape. Golden eras with glorious heroes were poeticized. Later, two centuries of freedom struggles coming to an end with the fall of communism became

part of the mythology, too. Kiss also describes martyrology of these nations – influencing auto-stereotypes. The year 1848 brought some mutual stereotypes reflecting conflicting interests stemming from different social conditions and geographic situation. Professor Kiss traces a set of prejudices – some of them have proved not be eternal.

‘Imperial Integration or Federation’ – asks the same author. Empires taking control of the Gdańsk-Rijeka line could become dominant on the continent. The 1335 meeting of the Czech, Hungarian and Polish kings in Visegrád was a reaction to the emerging role of Vienna. Some personal unions in the forthcoming two centuries made the cooperation even closer. Almost four hundred years from 1526 were marked by the success of the Habsburgs’ imperial integration. The threat (of Christians) by the (Muslim) Ottomans as an identity building factor is also mentioned. Ideas of national independence often appeared without the wish to dismantle the empires in the region. Initiatives for cooperation of Central European nations to achieve and preserve independence also have a relatively long history. The appearance of Russian soldiers in Hungary in 1849 and the German unification made the people under Habsburg reign to rethink their relation to the empire. Some considerations of Karl Renner may be relevant even today. German ideas like List’s Zollverein and Naumann’s Mitteleuropa are mentioned as well. The states created after World War I could not stand against the influence of Nazi Germany, later the Soviet Union. Until 1989 there was no room for a third Europe, but some intellectuals rediscovered Central Europe already before the changes making Visegrád cooperation viable.

Iván Bába writes on the fall of communism in Central Europe revealing some interesting details and connections, recalling the role of writers and poets. He also looks back to the border and population changes after World War II, emphasising the Soviet motives behind. 1953 (in GDR) and 1956 (in Poland and Hungary) brought massive actions against communist dictatorship with mixed long-term impacts. Prague Spring of 1968 was preceded by intellectual movements. Charter 77 of Czech intellectuals gained support in Poland and Hungary where some smaller islands of free thinking existed. The election of the Polish pope in 1978 was a sensation for the region. Relative freedom of organisation in Poland did not last long, the strikes beginning in 1980 were ended by the military coup 1981, resistance was repressed. In 1987 workers of Braşov (Romania) revolted. In 1988 and 1989 there were more and more protests tolerated by communists in power. Gorbachev himself made it clear several times that Brezhnev doctrine is over. Mr. Bába gives a detailed narrative how communist leaders of Poland gradually handed over the power, and the responsibly to solve serious economic problems, to freely elected politicians. A similar description of the ‘peaceful transition’ in Hungary is provided. The last period of the German Democratic Republic is recalled, too. Czechoslovakia’s process from the ‘Velvet Revolution’ to the disintegration of the country is animated as well. The events in Timișoara and București parallel to a Romanian ‘TV revolution’ are explained in detail. This chapter goes on with a particular portrayal of the economic legacy of communism and with some ‘was there an alternative’ questions. Iván Bába concludes with a summary focusing on the role of social groups, Reagan and Gorbachev, also mentioning Western European politicians cautiously following the events.

Iván Gyurcsík, in his chapter on minorities and democracy, starts with reciting good practices after World War II in the western part of Europe. He also recalls the beginnings

of multilateral protection of national minority rights between the two world wars without any continuation within the UN system. Communist dictatorships tried to force the change of language of minority groups arousing resistance. 'To build peace, respect minorities' was the title of the papal New Year's message in 1989. National minority groups regained freedom to express their claims to ensure the preservation of their identity, but the social and economic changes did not favour them, partly because of their exclusion from the restitution of property. The most numerous national minority groups (Hungarians in Romania and Czechoslovakia) played an important role in the events of 1989, but already in 1990 demonstrations (in Romania in March, in Slovakia in October) against minority rights showed the limits of co-operation between minority and majority. In former Yugoslavia ethnic tensions led to tragic events in the nineties. Several political parties were formed by national minorities. This helped them to parliamentary representation, but they rarely could influence the formation of constitutional frameworks based on nations-state concepts. Only Hungary and some former Yugoslav republics established self-governing bodies of national minorities elected by popular vote. Mr. Gyurcsík gives an overview of the developments of the international (bilateral and multilateral) legal framework, and the role of minority political parties in governments of the region. He gives an analysis of the Euro-Atlantic integration from the perspective of minority rights. An explanation of interactions of governments, minorities, kin-states and international organisations is given. The Hungarian perspective is described in detail. The author points to the need of further reconciliation process in Central and South-Eastern Europe to be united with the inclusions of national minorities. According to his conclusions, ignorance of national identities question the future of the European Union as a community of values.

We can welcome back Csaba Gy. Kiss in the next chapter on dilemmas of remembrance. In the time of Soviet dominance even public holidays and coats of arm had to welcome the Soviet rule. Professor Kiss mentions some harmful developments in approaching history like exclusivist views in Romania and Bulgaria but draws more attention to an 'iron curtain' between European memories excluding the sufferings of Soviet times from the memory of Western Europe. The people of Central Europe have also just partially outbraved communist past. There has practically been no retaliation. Former communists have just been welcome political and business partners all over in Western Europe, too. Historians are late with processing recent past. Cultural proximity of Visegrád nations is explained by parallel phenomena in literature and music. Visegrád nations' memory has much in common, even if some events and persons have different evaluations. The communist era produced the most recent and most common elements of memory.

After World War II the Soviet Union organised 'cooperation' in Central and Eastern Europe. In the 1990s, accession to NATO and EU were on the top of the foreign political agenda, and democratic cooperation within the region got a new momentum. Iván Gyurcsík gives us an overview how many ways the European countries, previously under Soviet rule, established new forms of cooperation. Austria and Italy organised some limited ('Alps-Adriatic') cooperation with their eastern neighbours already from the late seventies, the start of the Central European Initiative dates to 1989. Visegrád cooperation is in the focus of the analysis but the frameworks covering the Baltic Sea region, the Black Sea region and the Balkans are dealt with, too. Weimar and Slavkov triangles with Western partners



just like 17+1 cooperation with China are mentioned as well. US interest around the Three Seas Initiative appear. Macro-regional strategies of the EU are presented. In Mr. Gyurcsík's evaluation, regional cooperation helped Central European countries to understand each other, to articulate common interests, to reach their integration goals, to identify projects of common interest, to be recognised as economic partners as a group, to preserve identity and independence, to turn from followers into initiators.

Iván Bába devoted a chapter to Central Europe within the European Union. He recalls the after war challenges the European integration successfully met. He reminds that today's circumstances are different, and united action needs deeper understanding of each other. The Central European perception of security seems to be neglected when projects like Nord Stream get high level support in the Western part of the continent. Mr. Bába gives a thorough explanation how NATO and EU (CSDP) contribute to security. In his analysis of Brexit's consequences, EU without UK may be able to step forward in defence and security integration. Central European views on migration are explained in detail. The causes of emigration from Africa and Asia, as well as the legal background (Schengen, Dublin) are presented. He reminds that, a few decades earlier, refugees from Central Europe wanted to fit in the societies of Western Europe and meant no security risk, unlike newcomers from Africa and Asia today, especially Muslims. Iván Bába closes with a short description of Russia's and Turkey's geopolitical role for Central Europe.

The book is closed with the common answer of the authors on the question: Will the future of Europe really be decided in Central Europe? They present three scenarios. In the first, communication between West and East will improve leading to a real human community going beyond economic terms. Another scenario envisages Central Europe gaining economic power enough to influence the fate of Europe. In the third scenario 'core Europe' limited to the West succeeds in further marginalising the role of new members, at the same time marginalising EU's role in the world. It is up to the Western politicians if they can and want to transcend labelling 'post-communist' 'new democracies', to realise common values stemming from our common historic legacy, and to build a real partnership for a stronger, fully united Europe.

This book on Central Europe gives more than a Hungarian perspective. Hungarians may have soft spot for the rights of indigenous national minorities, but this is part of the Central European story anyway. The authors help the reader to draw some own conclusions from history. For them, some events of the 1790s and 1990s are equally important. The eight chapters support the reader in approaching the same Central Europe from eight different perspectives. They allow us to approximate the topical issues of the region by deepening our knowledge on the institutional framework that gives a chance to Central Europe to grow in peace and prosperity without forgetting inherited values. Those who prefer volumes alienating Central European societies by depicting them with expressions like antisemitism, populism, obscurantism etc., should look for another book.

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