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THESIS

**CZECH-GERMAN SUDETEN RELATIONS:
RECONCILIATION PROCESS BETWEEN TWO NATIONS**

by

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March 2000

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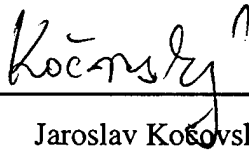
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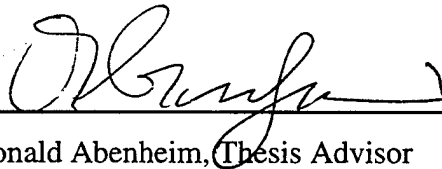
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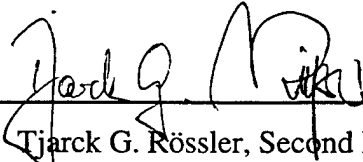


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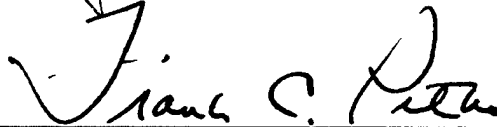
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ABSTRACT

This thesis focuses on the present relationship between the Czech Republic and the Federal Republic of Germany regarding the post-World War II transfer of Germans from Czechoslovakia to Germany. The new approach to this issue appeared after the fall of the communist regime in Czechoslovakia in 1989. The Sudeten German issue started to be openly discussed again, and both countries tried to solve this issue by negotiating and creating the Czech-German Declaration; however, this did not bring the reconciliation process to the end.

This thesis describes the life of Czech and German nations within the Central European region since the thirteenth century and shows some important events of their common history. The thesis discusses the problem of nationalism, which started to increase from the beginning of the nineteenth century, and became a widespread political problem.

In 1998, both the German Chancellor Gerhard Schröder and Czech Prime Minister Miloš Zeman backed the 1997 declaration statement by agreeing their countries would not encumber their relations with the past. However, German opposition, as well as the Sudetendeutsche Landsmannschaft, opposed these statements and conditioned the European Union membership for the Czech Republic by solving Sudeten German issue which remains still unsettled.

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EXECUTIVE SUMMARY

This thesis, *Czech-German Sudeten relations: Reconciliation process between two nations* examines the problem of nationalism developed and increased from the beginning of the nineteenth century. This thesis also discusses the important historical events in Czech-German history and focuses especially on post-World War II transfer of the German population from Czechoslovakia, and on the process of reconciliation in Czech-German relations after the so-called "Velvet Revolution" in Czechoslovakia in 1989.

Initially, this thesis points out the common background of Czechs and Germans and discusses the reasons or causes of their disagreements and present disputes. This thesis then shows the important role nationalism played in common Czech-German history and examines the possibility to settle the Czech-German issue, particularly Czech-Sudeten German one. The thesis examines the process of the creation of the Czech-German declaration and other events, which influenced and shaped current mutual Czech-German relations.

To explore this subject, this thesis adopts and uses the theories as espoused by the authors of comprehensive and perceptive works on this topic: first, the theory of nationalism as described in Peter Alter's book, *Nationalism*, and in the work of Hagen Schulze, *States, Nations and Nationalism*; second, the theory of the systematic comparative analyses of the democratic process of consolidation in post-Communist Europe, in this case especially valid for transition (democratization) in Czechoslovakia

after the revolution in 1989, as presented in book of Juan L. Linz and Alfred Stepan., *Problems of Democratic Transition and Consolidation*.

The introductory chapter of this thesis discusses briefly the Czech-German relations throughout the common history and shows the current situation in these relations. The second chapter briefly outlines and discusses historical background of Czech and German relations since the thirteenth century until the end of the communist regime in Czechoslovakia. This historical knowledge is significant for understanding the main issue of this study. The period after World War II is essential for current disputes, claims, and the entire process of reconciliation.

The third chapter deals with the period of Czechoslovak transition to democracy and discourses development of the mutual Czech-German relation with regard to the Sudeten German issue. It shows two different opinions on common history and two points of view on the results of the reconciliation process. The fourth chapter discusses the political parties in the Czech Republic as well as in the Federal Republic of Germany and analyses their approaches, their roles and attitudes during the process of creating the Czech-Germany declaration and, later, after signing of that declaration. It points out how the political parties are willing to continue in the reconciliation process and willing to find a final solution.

Finally, the last chapter summarizes the current situation in Czech-German relations and gives recommendations to the Czech side on what to do to cover the entire scale of possible topics related to the Sudeten German issue. The recommendations offer a solution which would contribute to the overall reconciliation process.

The main Czech interest and goal is to be accepted as a member of the European Union and to be integrated into the political and economic structures of the European Union. This is the future objective related to solving Czech-Sudeten German issue after achieving the goal to become part of the Western political and military defense structure. Although the situation of mutual Czech-German relations looks good thanks to the good relations between leaders of both governments, the Czech-German issue regarding the Sudeten German expulsion is still open. Cooperation between the Czech Republic and the Federal Republic of Germany should be based on mutual positive facts from history and positive present relations could be a way achieving this goal.

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I. INTRODUCTION

On 17 November 1989, a window of opportunity opened for Czechoslovakia and consequently, following the separation of the Czech Republic and the Slovak Republic in 1993, for the Czech Republic to become a democratic European country, thus resuming a democracy first broken by World War II and then by more than forty years of the Communist rule. The end of the Communist regime in Czechoslovakia meant a change of political system and led to changes in attitudes and approaches in foreign policy towards its western neighbor. Within this process, relations between the Czech Republic and the Federal Republic of Germany are a very special consideration in the area of Czech foreign affairs, and they form the subject of this thesis.

People of both nations, Czechs and Germans, lived together in relative harmony within one region and later within one empire for many centuries. They had lived within a common geographical region, but within different kingdoms or empires and under different rulers. Since the sixteenth century, they lived together within the Habsburg Empire under one emperor. At the beginning of seventeenth century, disputes over religion between Catholic German rulers and Protestant Czechs led to the Thirty Years War from 1618 to 1648. The Czechs were defeated; consequently they were forced to convert to the Catholic religion. However, a lot of them left the country instead of being converted. Following the outcome of the war, the most important empire offices were moved to Vienna, and Czechs, as well as other minorities within the Habsburg Empire, had to learn the German language. Furthermore, the Bohemian crown lands were highly influenced by Habsburg policy and military activities.

By the beginning of the nineteenth century, the system of crown lands meant difficult problems in solving the national issue. The crown lands became a source of conflict with both the economic and the national claims because they divided people with the same culture and nationality. In individual crown lands, the nation in the majority tried to dominate other minority nations, and get and maintain certain privileges. This was the central reason for national struggles and rivalries.¹

From the end of the eighteenth century on, significant contributions of the Slavic renaissance strengthened a national consciousness among the people of Bohemia. This process of the national awakening was started by the so-called "awakeners", poets, writers, historians, etc., who re-created the national language because the rulers in the multinational empire did not care about minorities and suppressed them, including their languages. The Czech and Slovak languages existed only as a peasant dialect - not being respected as national languages.² This situation changed during the enlightened rule of Empress Maria Theresa, and the Czechs started to revise and reconstruct their own language. Czech historians of that time looked back to the Hussite period and the time of the George of Poděbrady rule and stressed that period as the most significant time in Czech history. They also emphasized John Hus, John Žižka, and George of Poděbrady as Czech heroes who had fought for the Czech nation. Therefore the first national groups were based on traditions of medieval societal differences. In the early nineteenth century, national "awakeners" also expressed and enforced the nation's claims for independence

¹ Jaszi, Oscar, *The dissolution of the Habsburg Monarchy*, 4th ed., (Chicago: University of Chicago Press, 1966), p.292.

² Alter, Peter, *Nationalism*, 2nd ed., (London: Edward Arnold, a division of Hodder Headline PLC, 1994), p.43.

and self-determination as following the general trend in Europe after the French revolution.³

Nationalism played a very important role among all national groups, not only within their domestic order but also in their attitudes and relationship toward the empire. Czech nationalists had a strong feeling of national identity and consciousness, and nationalism started to become a widespread political problem, especially under the influence of the Slavs and with the recognition of the ethnic factor.⁴ Additionally, Slavic national sentiment and consciousness increased when the Slavs discovered they were the most numerous nation in Europe. Czechs built their identity in contrast to German speakers in the Bohemia crown lands within the Habsburg Empire where Czechs and Germans lived together as a result of the German colonization of the middle ages. Most of the urban population spoke German, but the rural people and nobility spoke Czech.⁵

The revolutionary year of 1848 brought an acceleration in the divergent path of the Czechs and the Germans of the crown lands within the frame of the Habsburg Empire. There was a tendency from the Slav side to set themselves apart in a national sense from their western neighbor and to establish their own national character by "contrasting with the German adversary."⁶ Delegates of the international Slav Congress proposed an idea that the German domination of the Habsburg Empire should end and a

³ Ibid., p.16.

⁴ Kann Robert A, *History of the Habsburg Empire 1526-1918*, (Berkeley: University of California Press, 1974), pp.290-91.

⁵ Schulze, Hagen, *States, Nations and Nationalism*, (Cambridge: Blackwell Publishers Ltd., 1996), pp.109-110.

⁶ Brandt, Harm-Hinrich, "The Revolution of 1848 and the Problem of Central European Nationalities," in Schulze, Hagen, ed., *States, Nations and Nationalism*, (Cambridge: Blackwell Publishers Ltd., 1996), p.110.

state based on equal rights for all nations should be created.⁷ The year 1848 meant a clear Czech distance from the idea of forming one unified Slavic state, because the Czechs opposed the concept of a Slav state dominated and directed by Russian Panslavism.⁸

The Czechs demanded an equal status for the Czech language with the German language in Bohemia. The people of Bohemia, a lot of whom also spoke German, rejected becoming a part of a German nation-state, which Germans of the Frankfurt parliament of the Paulus Kirche wanted to create. The actual Bohemian historic territory was not in accord with linguistic and ethnic national territory resulting in national tensions and conflicts, which lasted through the nineteenth and twentieth centuries until World War II.

As the century wore on, and the conflicts of nationalities within the Habsburg Empire increased, the Czechs claimed that they were increasingly oppressed by German directed centralism. As a result, they made an effort to get autonomy by demanding Czech political dominance according to the medieval concept of a Bohemian state and a possible Czech-German separation. The Czechs claimed that they were equally important and politically at the same level as the Hungarians, but they had been under a stronger state control. Czechs demands for equality or autonomy were seen as a major goal and represented the most important political opinion before 1867.

In March 1867, after the Habsburgs were defeated at Königgrätz at the hands of the Prussians, the Magyars and the Austrian Habsburgs re-arranged the empire as a constitutional monarchy. This new form of government became the site of increasing

⁷ Schulze, Hagen, *States, Nations and Nationalism*, (Cambridge: Blackwell Publishers Ltd., 1996), p.212.

⁸ Kann, Robert, A., *History of the Habsburg Empire 1526-1918*, (Berkeley: University of California Press, 1974), p.292.

nationalist strife in which the fate of the Czechs, within the Austrian part of the empire - cisleithenia - emerged as a constant issue until the outbreak of the war in 1914.

Capitulation of Germany and the defeat of its ally, Austria-Hungary, in the fall 1918 contributed to the dissolution of the Austria-Hungary Empire and the creation of new states. When the Czechoslovak Republic was created in 1918, the Czech pursuit of national sovereignty was on top, and although the newly created Czechoslovakia was a multinational state, the Czechs considered it as restoration of their statehood after three hundred years of Habsburg rule. They saw it as an instrument for the realization of Czech interests and its actual ethnic policy gave full credence to do this.⁹

Czechoslovakia became a multinational state in which the nationality issues that had existed before 1918 in the empire continued in amended form in the new nation state. The Czechs constituted a ruling majority and Germans became the minority. German Social Democrats and also German nationalists were becoming followers of the right of nations for self-determination. They accepted the right of other nations to create their own states, but they also wanted to stay as part of German-Austria and not become a minority within a newly born state. The remnants of German Austria wanted annexation ("anschluss") from what became known as the Weimar Republic, a desire which frustrated the victors after 1919, while Sudeten Germans wanted annexation from their brethren in Germany. The Nazis later seized upon this impulse as the first Austrian Republic to be dwindled politically and Nazi German power increased after 1935.

The situation in Czechoslovakia between the two World Wars, especially events before the outbreak of World War II, was significant for future relations between both

⁹ Holý, Ladislav, *The little Czech and the great Czech nation*, (Cambridge: Cambridge University Press, 1996), p.57.

nations. Before World War II, German minority inhabited the Czechoslovak borderlands to Germany and Austria of 1919-1938. After the rise of the Nazi movement, and Hitler's gain of power in Germany in 1933, an increased wave of nationalism within the German minority was evident. Hitler put pressure on Czechoslovakia by pushing the issue of national self-determination for three million Germans living in the Czechoslovak borderland. He also claimed that the post-World War I settlement was not correct because it put these German speaking people inside the Czechoslovak territory and violated their right of self-determination. This territory was strategically and militarily important for Hitler because it consisted of the Bohemia mountain massive, a Czech natural defense line where military fortifications similar to the French Maginot Line were erected. After the Munich Agreement in 1938, Czechoslovakia was partitioned and the Sudetenland became a part of Germany. Inhabitants with Czech nationality were forced to leave the Sudetenland. After the end of World War II, the Czechoslovak President Beneš issued decrees which - inter alia - meant confiscation of German and Hungarian properties and the loss of Czechoslovak citizenship for these two minorities, unless these Germans and Hungarians proved they actively fought nazism. Based on the Potsdam Agreement, about two and half million Germans were transferred from Czechoslovakia to Germany. It was considered an act to prevent repetition of the 1938 Munich event.

After the Communist coup d'etat in February 1948, the political life in Czechoslovakia was affected by the communist political model where the executive, legislative, and judicial branches were substituted by the leading role of the Communist Party. The party dominance was institutionalized by a Stalinist constitution put in hand after 1948. During that period, when Czechoslovakia was under the communist regime,

the question of mutual relations regarding the Sudeten German issue was not openly mentioned in the Czechoslovak Socialist Republic. West Germany was considered as ideological enemy and the transfer of Sudeten Germans was thought of as the right thing. The situation with "East Germany" was different. In 1950, Czechoslovakia and the German Democratic Republic (GDR) signed a declaration that both countries did not have any territorial or border requirements with each other, and the transfer of Germans was unchangeable, just, and definitively solved.¹⁰ Both countries cooperated militarily within the Warsaw Pact, and the German Armed Forces was one of the forces which came to suppress the Czechoslovak democratic tendency, so-called "Prague Spring", in 1968. Mutual cooperation also developed within the economic area, and Czechoslovakia became the third biggest export/import partner of GDR.

The mutual relation between Czechoslovak Socialist Republic (CSSR) and the Federal Republic of Germany (FRG) was not changed until the late 1960s when the German Social Democratic government of Willy Brandt ended the confrontational policy toward the Central and Eastern European Communist countries. The breakthrough of Czech-German relations occurred in 1973 when CSSR and FRG signed the Treaty on Mutual Relations between the Federal Republic of Germany and the Czechoslovak Socialist Republic. After this, cooperation also started to develop.

The so-called "Velvet Revolution" resulted in the end of the Communist regime in Czechoslovakia in 1989. It brought on a change of the political elite, which had different opinions on foreign affairs issues. The Communist political regime broke down together with its political party system. Because the previous regime oppressed and banned almost

¹⁰ Smutný, Jaromír, *Svědectví prezidentova kancléře*, (Prague: Mladá fronta, 1996), p.298.

all political parties, it was necessary to restore a democratic political system with a diversity of political parties, which had been disrupted more than fifty years ago. The new Czech political representatives were willing to settle the long-term issue of Czech-German relations. The newly elected Czech president, Václav Havel, played a leading role among them and his apology to expelled Germans for lawlessness, committed in 1945-46, meant a turn in Czech-German relations. But his approach to this issue changed during his ten-year presidency, and in 1999 he stood on the side of the defenders of Beneš's decrees. He was criticized for making the first step towards Czech-German reconciliation; however, he did not continue in this effort and did not do anything in practice to help find a solution for the Sudeten German issue.

Another opinion, which helped to start the Czech-German negotiating process, was the belief that if Czechoslovakia wanted "to return to Europe" and become once again one of the full democratic states, it would have to first settle its "old debts" with Germany. It was stressed that resolving the Sudeten German issue was one of the most important problems, because without establishing a good relationship with its closest western neighbor, Czechoslovakia could not be included in democratic Europe. The Czech politicians, mostly dissidents or exiles, knowing the opinions and points of view from the western side, thought this process could be easily and smoothly completed. Yet the majority of the Czech population was influenced by the former communist regime propaganda and was not willing to accept the Czech side apologizing to Germany for unlawful events, which happened in 1945-46.

Some attempts were made to solve this so long-lasting issue and to make relations with Germany friendlier. In 1992, the Czech-German Agreement was signed and in 1995,

Czech President Havel said that there had been enough apologizing, and it was time to take some actions to solve the problem. He indirectly initiated the process of the creation of the Czech-German Declaration. It was thought and hoped, from the Czech side, that it would be "a definitive full stop" after the Czech-German history. The Czech-German declaration itself did not really help to improve the mutual relations between both countries, because it did not solve the problem of Sudeten German claims. Basically, both countries stated that they would not encumber their mutual future relations with this issue, and there were different opinions on this issue because of different legal systems and norms in each country. Additionally, the question of compensation and possible return of confiscated property to expelled Sudeten Germans was not solved and remained open. All of this did not contribute to the intended settlement of the "conflict" between Czechs and Germans, but instead went the other way around.

The opinion towards this issue slowly changed under influence of the stream of news, reports, and books about this topic. In May 1996, eighty-six percent of the Czech population was against any kind of apology or negotiation with Germans; however, in December 1996, fifty-three percent of Czechs supported the declaration, though it did not contain any solution of the Sudeten German claims.

Expelled Sudeten Germans expressed two opportunities to force the Czech Republic to accept Sudeten German demands. They said that Czech membership in NATO or in the European Union could be blocked by Germany until the Czech-Sudeten German issue was solved. During the ratification process of the Czech Republic, Poland, and Hungary NATO membership in German Bundestag, CSU and Sudetendeutsche Landsmannschaft representatives publicly commented that the Czech Republic had not

solved the Sudeten German issue, so its membership could be refused. Eventually the Czech Republic became a NATO member in March 1999; nevertheless, Sudetendeutsche Landsmannschaft leaders stated that there would be enough opportunities to enforce Sudeten German interests in connection with the Czech Republic. One opportunity they considered was the Czech wish to join European Union (EU), which would also need to be approved by all member countries.

The Czech Republic is trying to become a European Union member and German government representatives and leaders of German political parties officially gave their full support for Czech membership in the EU. However, there were non-supportive voices, especially from the Sudetendeutsche Landsmannschaft side, which conditioned a Czech membership on solving the Sudeten German problem.

In 1998, the German Social Democratic Party (SPD) and the Czech Social Democratic Party (CSSD) won elections in each of the countries and formed governments. Their representatives, the German Chancellor and the Czech Prime Minister, backed the 1997 declaration, specifically its statement that both countries would not encumber their relations with the past. The German Chancellor said that the expellee organizations could not influence German foreign policy and the German federal government would not raise any property claims towards the Czech Republic.¹¹ The German opposition parties as well as the Sudetendeutsche Landsmannschaft representatives, strongly opposed that statement.

Although the situation in mutual Czech-German relations looks very good thanks to the good relations between leaders of both governments, the Czech-German issue

¹¹ Palata, Luboš, "Zeman a Schröder udělali tečku za těžkou minulostí, (Zeman and Schröder Made a Period After the Difficult Past)," Mladá fronta DNES, 9 March 1999.

regarding the Sudeten German expulsion is still open. The Czech republic can expect difficulties and pressure from some German parties and organizations to solve this topic as the condition for its European Union membership. Even the EU itself can create some pressure on the Czech Republic to abandon the Beneš's decrees, allegedly inhuman and not in accordance with the modern European legal system.

What is the future of Czech-German relations under the present situation and the present Czech government of Social Democrats, which did not strongly support the final version of the Czech-German declaration? Can the Czechs change their minds and opinions about Germany once again wanting to conquer their country, or does the vision of prosperity and common cooperation with powerful Germany within Europe and the European Union prevail? Can the Czech Republic and Germany reach a two-sided justified agreement about the past without future claims and make a bold line after the past heading toward a common future without further "Sudetenland" disputes? These are some of the questions which really matter for these two countries and which should be seriously considered; if possible, then answered, and if there is a political will, then also eventually solved.

II. HISTORY OF THE CZECH-GERMAN RELATIONS

This second chapter briefly outlines and discusses history of Czech and German relations since the thirteenth century until the end of the communist regime in Czechoslovakia. It will point out some important issues and historical events in common Czech-German history. The history of Czech and German relations started in the pre-national period when the antecedents of Czechs and Germans lived relatively harmonious with each other.

The first part discusses history of the Bohemian crown lands and their relations with the Habsburg Empire. In early nineteenth century, modern nationalism, as an ideology described self-determination and equality and supported the demands for independent statehood with its legislature.¹² The collective process of the "national awakening" started with "awakeners", such as philologists, poets, politicians and historians who recognizably and mostly successfully enforced the nation's claims for independence and self-determination.¹³ This was the starting point for disputes between Czechs who claimed independence and Germans who ruled the country. Disputes and nationalist issues lasted over the next hundred and fifty years.

The second part of the chapter shows important events in the nineteenth century, especially in the revolutionary years 1848 and 1867. The third part describes the situation

¹² Alter, Peter, *Nationalism*, 2nd ed., (London: Edward Arnold, a division of Hodder Headline PLC, 1994), p.16.

¹³ *Ibid.*, p.42.

from the beginning of the twentieth century until World War II, including the establishment of independent Czechoslovakia in 1918. The last part discusses the situation from the end of World War II until the fall of the communist regime in Czechoslovakia in 1989.

A. HISTORY FROM THE THIRTEENTH TO NINETEENTH CENTURY

The nationality and national minority issue of the struggle between Czechs and Germans was not resolved through the centuries and it later improved and stressed main problems of Czech development within the new union - the Habsburg Empire. The Habsburgs ruled over a huge territory and their empire included many nations, of which the Czechs were only one. This Habsburg rule lasted several centuries, exactly from the sixteenth century until 1918. They ruled by the law of hereditary succession in the German lands; whereas, in the Bohemian crown lands, they ruled by election through the estates until 1620 after which, hereditary succession in the Bohemian lands remained by law.¹⁴

The first union between Bohemian and German lands under Rudolf III in 1306-1307 was an important connection between the king's accession and the extinction of the Premyslids who had ruled in Bohemia for four centuries. The Premyslids, raised to royalty by the German king, Philip of Swabia, at the end of twelfth century, continued in a policy of close relations with the empire and enabled a flow of German culture into the Bohemian lands. In the thirteenth century, expansionist policies of Premysl Ottokar II, the new king of Bohemia, created new circumstances. In 1273, the princes of the empire

¹⁴ Kann, Robert A., *History of the Habsburg Empire 1526-1918*, (Berkeley: University of California Press, 1974), p.3.

elected as a king, Rudolf of Habsburg. Ottokar II's aspirations to the Holy Roman Empire ended by the great battle of Dürnkrut in 1278, his defeat by Rudolf, the joint accession of Rudolf's son in the Austrian lands and in Styria in 1282, and the following succession of the Luxembourgs to the Bohemian throne in 1310. The Habsburgs, a new German dynasty, strengthened the German impact in Central Europe. German national-oriented historiography shows that the breakdown of Ottokar's great plans for establishing his Czech dynasty rule in Austrian lands stopped a complete Germanization of the Bohemian crown lands. "Ottokar II with German help might have advanced Czech economic and cultural development faster and perhaps further had he not been stopped by Rudolf."¹⁵ However, there is no clear evidence for that.

The supreme Habsburg rule in the following centuries strengthened Germanic influence. On the other hand, this influence was not created only by Habsburgs, but also by the social and cultural influence of Czechs, Magyars, Slovaks, Italians, and other nationalities in this region.¹⁶

Quite close ties between the Bohemian and German hereditary lands had existed as long as the German-Luxembourg rulers supported the cultural center in Prague. They valued both the imperial crown and the Czech national tradition and also added new regions to Bohemian lands named the Crownlands of Bohemia.¹⁷ The Emperor Charles IV succeeded in getting the synthesis between Czech and German institutions, and achieving the highest level of culture in Czech history. Bohemia became the center of

¹⁵ Ibid., p.6.

¹⁶ Ibid., p.7.

¹⁷ Charles IV made this term official in 1348. The Crownlands of Bohemia consisted of the Kingdom of Bohemia, and so-called adjoining lands - the margravate of Moravia, the Silesian principalities, Upper Lusatia, and from 1368 Lower Lusatia.

power and also a cultural center. Under the last Luxembourg king, Václav IV, the combination of a Bohemian geographic position and a central power position, in relation to the empire and together with the religious aspect of the Hussite movement, led into a conflict between Czechs and Germans. The Hussite wars and the social struggle in Bohemia constrained cultural relations with the Habsburg Empire.

The equal status with electors was already demanded by Charles IV's son-in-law Duke Rudolf IV. There was a controversial discussion as to whether the king of Bohemia should be considered an empire prince like other German electoral princes. This question was solved in 1356 when Charles IV, and later both his sons, succeeded the empire as well as Bohemia. "These constitutional developments raised the status of the Bohemian king as genuine royalty in relations to the German princes."¹⁸ But this relationship limited the freedom of the Bohemian ruler because now, the Bohemia crown lands were closely tied to the empire.

In the fifteenth century, Albrecht II's brief reign was a significant event because of his marriage to the daughter of the last Luxembourg emperor, who was a ruler of the Bohemian crown lands. This marriage established the long-range Habsburg claims to the Bohemian crown lands. The long reign of Frederick III, the next Habsburg ruler, was filled by a continuous struggle to get a Bohemian heritage crown. First, his claim was blocked by Albrecht's late-born son, Ladislav Posthumus, and later by George of Poděbrady, the powerful Hussite regent who lately became a truly national Bohemian king. If Frederick III had not had the personal aspiration, the union could have been

¹⁸ Kann, Robert A., *History of the Habsburg Empire 1526-1918*, (Berkeley: University of California Press, 1974), p.33.

established in the mid-fifteenth century. There were two reasons for the union. First, the threat of the advancing Turks and second, Albrecht's contested rule in Bohemia.¹⁹

The Bohemian crown lands had been under Habsburg rule twice, in 1306 - 1307 and 1437 - 1439; the Habsburg king in Bohemia participated in the imperial elections only in a formal sense. When Ferdinand succeeded to the Bohemian crown in 1526 and the Bohemian lands joined the Habsburg Empire, the union of imperial and Bohemian crowns was established in the same person, the Bohemian ruler was definitely subordinated to the imperial ruler, and the lands were ruled and oriented by Germans. The Catholicism established common ties between new and old Habsburg lands, but it could do so only at the price of humiliating and alienating the Czech people for centuries to come.²⁰ Consequences of all these developments, especially in the Bohemian lands, were apparent until 1918 and beyond.

Before 1600, the progress of the Christian religion in the north was quite limited. Ferdinand I²¹ felt that tolerance was the best way to deal with the issue of religious diversity. His successors, Maximilian II, Rudolf II, and Mathias, who ruled from 1564 to 1619, showed sympathy for Protestantism. It changed when Ferdinand II succeeded to the Bohemian throne in 1617 and assumed the Austrian titles and Hungarian crown together with his election as Holy Roman Emperor in 1619. He was loyal to Rome and he identified the mission of Habsburg dynasty with the Roman Church and Roman Catholicism. Therefore, he had opportunity to fight Protestantism and to consolidate the

¹⁹ Ibid., p.20.

²⁰ Ibid., p.26.

²¹ Ferdinand I was the archduke of Austria, king of Bohemia, King of Hungary, and after 1555 Habsburg Holy Roman Emperor of the German nation.

realm in the name of God. Ferdinand II possessed several realms, each of them had its own feudal estates with their traditions, institutions, and interests. Additionally, most of the Ferdinand's subjects were Protestants and they reinforced traditional aversion to royal centralization. If the dynasty wanted to increase its power, it was only possible at the expense of these feudal estates.²²

The crises between Protestants and Catholics deepened in the beginning of the seventeenth century when the Duke of Bavaria, Maximilian, started to occupy the Protestant free cities. This led to the distraction of Religious Peace of Augsburg of 1555 between Protestant and Catholic princes and the emperor whose interests were closer to the Catholic princes. Bohemia and Moravia were part of the alliance against Maximilian. Additionally, the Protestant Czech estates demanded wider autonomy in 1615. Ferdinand, before his election as a Bohemian king, had pledged to abide the Letter of Majesty issued by Rudolf II that granted freedom of conscience to all inhabitants of Bohemia, but he did not keep his promise.²³ Violation of the Letter of Majesty was a good reason for Bohemian rebels to protest against the German ruler. The defenestration of the royal governors in 1618 was the first act of protest. In 1618, the Bohemian nobility decided that Ferdinand II had violated their rights, so they renounced the crown, established a directory of thirty aristocrats to rule the land, and then elected a German Protestant prince

²² Johnson, Lonnie R., *Central Europe: Enemies, Neighbors, Friends*, (New York: Oxford University Press, 1996), pp.87-88.

²³ Kann, Robert A., *History of the Habsburg Empire 1526-1918*, (Berkeley: University of California Press, 1974), p.49.

Frederick V king of Bohemia. This Bohemian crisis had led the Habsburgs directly into the war, which lasted thirty years (so-called the Thirty Years War).²⁴

The Bohemian estates were determined to fight for their liberties but they were defeated in the battle of White Mountain and Ferdinand II proceeded with the dismantling of Bohemian independence. Twenty seven uprising leaders of the Bohemian nation, including German nobles, were put on trial and beheaded.²⁵

The Westphalian Peace Treaty in 1648 did not affect the Habsburgs lands so much because it lost only domains in Alsace, Sundgau, and Vorlande; however, the Bohemian crown lands were the biggest loser because they were devastated, only 5,000 towns remained from the previous 35,000 prosperous ones, and were among territories where the Protestants were expelled or had to go underground. The Czechs lost their crown, most of their nobility, and their religion. They later referred to the period after the battle of White Mountain as "the time of darkness." About 150,000 people emigrated because of religious or political reasons.²⁶ John Amos Comenius called "the teacher of nations" in Czech history, left Bohemia in 1627 rather than to be converted to Catholicism. When he was leaving he said that after the storm of anger the Czech people would again achieve mastery of their own fate.²⁷ German Catholic immigrants settled the

²⁴ Johnson, Lonnie R., *Central Europe: Enemies, Neighbors, Friends*, (New York: Oxford University Press, 1996), p.88.

²⁵ Distinguishing between Bohemian and Czech nations is important. Bohemian nation consisted of, in that medieval sense of the word, Czech and German nobles who fought the crown to maintain their own freedom and privileges. The Czech nation was a linguistic, cultural, and eventually political entity that arose in eighteenth and nineteenth centuries.

²⁶ Johnson, Lonnie R., *Central Europe: Enemies, Neighbors, Friends*, (New York: Oxford University Press, 1996), p.89.

²⁷ Holý, Ladislav, *The little Czech and the great Czech nation*, (Cambridge: Cambridge University Press, 1996), p.39.

lands abandoned by the Czech Protestant emigrants and constituted the wave of Germanization in Bohemia.²⁸ The Bohemian throne became hereditary right to Habsburgs, and the most important governmental offices were transferred to Vienna.

Bohemian crown lands were highly influenced by German Habsburg policy and military activities. In 1741, Maria Theresa of Austria and Frederick II of Prussia had signed the secret pact in which Austria had to give up Lower Silesia to Prussia after an unsuccessful Austrian military campaign. In the summer of 1742, Austria also lost Upper Silesia. The Bohemian estates were conscious of their reduction in political status and influence after the Battle of the White Mountain; therefore, they significantly supported Albert of Bavaria against the Habsburgs in 1741-1742. His Bavarian forces occupied Bohemia, but in 1742 they were forced to withdraw and Bohemian estates accepted renewed Habsburg rule. In 1744, Prussian king Frederick II worried that Austria had almost recovered and could take back the Silesian land, so he established an alliance with France. Then in August of 1744, his troops marched through Saxony into Bohemia. After severe and costly fighting, a peace accord was signed in 1745 and Frederick II left the plans to conquer Bohemia.²⁹ Habsburgs succeeded in the War of the Austrian Succession and reestablished their rule in the empire partly because the individual anti-Habsburg members did not consider it valuable enough to fight and to suffer for the disintegration of the empire. As the independent elements, they were aware that they would have to face such results as control of Bohemia by Bavaria, or Hungary by Turks.

²⁸ Johnson, Lonnie R., *Central Europe: Enemies, Neighbors, Friends*, (New York: Oxford University Press, 1996), pp.94-95.

²⁹ Kann, Robert A., *History of the Habsburg Empire 1526-1918*, (Berkeley: University of California Press, 1974), pp.97-98.

The reforms of Maria Theresa and Joseph II in the second half of the eighteenth century resulted in some positive aspects; for example, Bohemia and the margravate Moravia became independent of the Habsburg Empire. The negative aspect of the reforms was the benefit for the centralization of power and Germanization.

B. EVENTS IN THE NINETEENTH CENTURY

Bohemia had been linguistically divided as a result of the German colonization of the eastern territories in the twelfth and thirteen centuries and later in seventeenth century. Most of the urban population spoke German, while the rural people and nobility spoke Czech. There was a tendency from the Slav side to set themselves apart in a national sense from their western neighbor and to establish their own national character by contrasting with the German foe.³⁰

The system of crown lands meant difficult problems in solving national issues. Crown lands became a source of conflict with both the economic and the national claims because they divided people of the same culture and nationality. In individual crown lands, the nation with the majority tried to dominate over other minority nations and to obtain and maintain certain privileges. This was the reason why there were national struggles and rivalries.³¹

During the eighteenth and beginning of the nineteenth century, the influence of the Church on elementary and intermediate education, under state supervision, was strengthened. The purely administrative aspects of elementary education showed some

³⁰ Brandt, Harm-Hinrich, "The Revolution of 1848 and the Problem of Central European Nationalities," in Schulze, Hagen, ed., *States, Nations and Nationalism*, (Cambridge: Blackwell Publishers Ltd., 1996), pp.109-110.

³¹ Jaszi, Oscar, *The dissolution of the Habsburg Monarchy*, 4th ed., (Chicago: University of Chicago Press, 1966), p.292.

improvement because the parish priests and ecclesiastical deans were now entrusted by the state with full supervision of education in their districts. Clerical control was on the rise and censorship was tightened. Slight progress could be seen in the establishment of technical colleges of university level in Prague in 1812 and in Vienna in 1815. Technological progress in industry was slow, even though the textile manufacture in Bohemian lands and in Lower Austria, the best-developed Austrian industry, profited from the Continental Blockade.³²

The Czech historians of romantic nationalism in that time looked back to the Hussite period, George of Poděbrady's reign, and the rise of the Unity of Czech Brothers as the light period of Czech history. The fiction was that Slavs in different countries, such as Russia, Austria, Prussia, spoke dialects of one Slavic language and that they formed one nation. This idea and the fact that the Slavs found themselves as the most numerous nation in Europe awakened national sentiment and strengthened Slavic consciousness.³³ The development and the use of the Czech language were severely restricted after the Battle of the White Mountain because the rulers and the governments in multinational empires follow the policy of discrimination and uniformity. The situation gradually changed and the Czechs started to revise and rebuild their language during the enlightened era of Maria Theresa. In 1769, some enlightened aristocrats, such as Prince K. E. Fürstenberg, Count E. Waldstein, Count F. J. Kinsky, founded a society for the study of so-called Bohemian culture. In 1789, Vaclav Matej Kramerius published the first

³² Kann, Robert A., *History of the Habsburg Empire 1526-1918*, (Berkeley: University of California Press, 1974), p.240.

³³ Kohn, Hans, *Panslavism, its history and ideology*, (Notre Dame, Indiana: University of Notre Dame Press, 1953), pp.12-17.

Czech revival newspaper.³⁴ In many cases, "awakeners", philologists, poets, politicians, historians, etc. who enforced the nation's claims for independence and self-determination, were also re-creators of the Czech language. Czech or Slovak languages existed only as peasant dialects and not as national languages.³⁵ In the revolutionary year of 1848, the Czech language movement demanded an equal status to the German language in Bohemia.

The person who really contributed to the Czech Slavic renaissance was a former Jesuit priest, Josef Dobrovský. He considered Czech to be his mother tongue but due to external suppression and clerical education, his command of the native language was limited causing him to write most of his work in German. His contribution in that period of time was very significant because of his work in the field of general Slavic studies.³⁶ Another contributor to the Czech resurgence was Josef Jungman whose work had more specific value because he wrote in the Czech language.³⁷ As a result of his great efforts, the authorities finally allowed the teaching of the Czech language in secondary schools. There were also other important persons who contributed to the rebirth of the Czech language and culture, such as František Ladislav Čelakovský, collector of ancient

³⁴ Kann, Robert A., *History of the Habsburg Empire 1526-1918*, (Berkeley: University of California Press, 1974), p.240.

³⁵ Alter, Peter, *Nationalism*, 2nd ed., (London: Edward Arnold, a division of Hodder Headline PLC, 1994), p.43.

³⁶ Kann, Robert A., *History of the Habsburg Empire 1526-1918*, (Berkeley: University of California Press, 1974), pp.384-85.

³⁷ Dobrovský wrote an Old Slavic grammar in Latin, the history of the Bohemian language and literature in German, another grammar focused on syntax in German, and Czech-German dictionary. Jungman wrote a textbook on style in Czech, translated several works of foreign authors into Czech, completed the Czech-German dictionary in five volumes, and wrote a history of Bohemian literature in Czech.

folksongs, Pavel Josef Šafařík, expert on Slavic medieval history and ethnography, and František Palacký, writer and distinguished leader on the question of national reform.³⁸

There were debates and disagreements about the Prague University, one of the oldest universities in the Central Europe, founded by Emperor Charles IV in 1348. The Germans claimed it to be a German establishment and the Czechs claimed the opposite. It was run as a German institution until 1882 when a Czech university with Czech as the language of instruction was added. There was also development of theatrical life, music, and other arts in the eighteenth and nineteenth centuries.³⁹ In proportion to the much larger Czech population, Czech theatrical life was at a disadvantage compared to the German one.⁴⁰ In the 1820s and 1830s, the Czech and Slovak national consciousness had not yet crystallized.

Czech and Austrian culture were interrelated because Germans and Czechs had lived together for many centuries. The intensified national conflict between the two nations after the revolution in 1848 did not restrained the cultural interchange.

1. Events of 1848

The new and important cultural contributions of the Slavic renaissance and the changes in the nationalist ideologies were made from the last quarter of the eighteenth

³⁸ Palacký wrote the history of the Bohemian people to 1526, first in German and then in Czech. As a collector of the documents about Hussite wars, he surpassed in scholarly quality contemporary Magyar and Austria-German historiography. Kann, Robert A., *History of the Habsburg Empire 1526-1918*, (Berkeley: University of California Press, 1974), p.385.

³⁹ In 1783, the German National Theater was opened and lately renamed on the Theater of the Bohemian Estates or the Estates National Theater. Interim Czech National Theater was opened in 1862. The great Bohemian National Theater for plays and operas was built between 1868 and 1891. In 1881, the new German Theater, whose construction as counterweight to the Czech institution was furthered by the Vienna government, was opened. Another German theater was opened in Brno in 1882.

⁴⁰ Kann, Robert A., *History of the Habsburg Empire 1526-1918*, (Berkeley: University of California Press, 1974), p.386.

century to the half of the nineteenth century. The Slavic renaissance strengthened national consciousness among several national groups. The first national groups with a political history were based on traditions of medieval societal differences and possessed a strong sense of national identity and consciousness. Nationalism played an important role among national groups within their domestic order, as well as in their relationship to the empire. Nationalism started to become a political problem for all national groups, especially under the influence of the Slavic renaissance and with the recognition of the ethnic factor.⁴¹ This became obvious during the political confrontation of the revolution of 1848-1849.

In the nineteenth century, the voices against German rule intensified. State supervision, conditions in the educational system, and censorship contributed to revolutionary upheaval. The year 1848 was a year of the first great manifestation of Pan-Slavism which Czech leaders of the 1840s brought into Austro-Slavism. The Austrian Slavs joined the general western liberalism and political equality movement.⁴² Nationalism, after the French Revolution, was one of the most powerful ideologies "... the destroyer and creator of states, the bearer of strong emotions and aspirations, the mover or feelings of solidarity, sacrifice, and hatred."⁴³

The aspects of the Czech national struggle in Austria were that the programs and aims of the struggle were changing permanently, and domination or at least equality was

⁴¹ Ibid., pp.290-91.

⁴² Kohn, Hans, *Panslavism, its history and ideology*, (Notre Dame, Indiana: University of Notre Dame Press, 1953), p.22.

⁴³ Alter, Peter, *Nationalism*, 2nd ed., (London: Edward Arnold, a division of Hodder Headline PLC, 1994), p.105.

the final goal.⁴⁴ The Slav-speaking people in Bohemia called themselves Czechs and included all inhabitants of Bohemia, although there was a large group of people who were Germans. People of Moravia called themselves Moravians and slowly learnt to identify themselves as a Czech people.⁴⁵ The fact that moderate progress was not accompanied by social legislation led to serious disturbances in Vienna, Prague, Pilsen, and other places during the economic crisis between 1845 and 1848.

The police reported the political attitude of individuals to the regime. The main task and goal of the police under its chief, Count Joseph Sedlnitzky,⁴⁶ was to control the spread of even slightly liberal thoughts or potentially revolutionary ideas. Some Franciscan bureaucrats, particularly in the Bohemian lands, like Count Franz Anton Kolowrat, opposed this strict censorship system; however, Sedlnitzky's policies, backed by Metternich, dominated until the 1848 revolution.⁴⁷

The great Czech historian, František Palacký was considered as a representative not only of all Slavs, but also of all non-Germanic people who were not recognized within the multinational German empire. He refused in his letter in April 1848 any Czech participation in the "Vorparlament" and consequently in the German National Assembly. The international Slav Congress was organized under the Palacký chairmanship in Prague on 2 June 1848. Congress approved his letter to the Austrian Emperor. Czech nationalists

⁴⁴ Jaszi, Oscar, *The dissolution of the Habsburg Monarchy*, 4th ed., (Chicago: University of Chicago Press, 1966), pp.286-87.

⁴⁵ Kohn, Hans, *Panslavism, its history and ideology*, (Notre Dame, Indiana: University of Notre Dame Press, 1953), p.11.

⁴⁶ Count Joseph Sedlnitzky was president of the police and censorship agency from 1817 to 1848.

⁴⁷ Kann, Robert A., *History of the Habsburg Empire 1526-1918*, (Berkeley: University of California Press, 1974), p.283.

in Prague were highly interested in constitutional government and recognition of equality with the Germans. The delegates expressed an idea that the German domination of the Habsburg Empire should end and that there should be a constituted federative state based on equal rights for all the nations.⁴⁸

When Palacký returned from his journey from Poland and Russia he wrote an article entitled "the Slavs and the Czechs." Palacký's opinion was that the name Slav was and should forever remain in a purely geographical and scientific sense. He thought that nationality was determined not only by language, but also by customs, religion, form of government, state of education, sympathies, and other features.⁴⁹ In his opinion, Russians' and Poles' desires were to use Pan-Slavism only as an idea on how to use other Slavs for their own purposes. He said that Czechs did not want to be Germans, Magyars, or Russians, but they wanted to stay Czechs, and therefore they should be cool to the Russians.⁵⁰ One of his arguments was that if the Habsburg Empire should become a true multinational association of people with the same rights, people would have to be freed from the German nationalistic pressures within the empire borders.

Palacký was afraid that unified Germany could bring Bohemia under its domination. He also opposed czarist Russia and its form of Pan-Slavism. He saw the chance for small nations living within the Austrian Empire if the Empire would be

⁴⁸ Schulze, Hagen, *States, Nations and Nationalism*, (Cambridge: Blackwell Publishers Ltd., 1996), p.212.

⁴⁹ Kohn, Hans, *Panslavism, its history and ideology*, (Notre Dame, Indiana: University of Notre Dame Press, 1953), p.27.

⁵⁰ *Ibid.*, p.28.

reformed into a federal state of autonomous democratic national states with a central government and administration.⁵¹

German endeavor to create a German state as a "Great Germany" failed in the revolutionary years 1848-49. Delegates at the German Congress in St. Paul's Church in Frankfurt on 18 May 1848 were divided in debate on what Germany should constitute and who should be entitled to elect the national assembly.⁵² Czechs responded with a negative answer to the attempts to create a single unified German state in which they would be a member. Also the Habsburgs were not willing to disband their empire because of the idea of unified Germany.⁵³

Relatively minor clashes between Czech nationalist and imperial troops were considered as opportunity for the commanding general, Prince Alfred Windischgrätz, to dissolve the Congress by military force. This dissolution meant the end of a great hope for Slavs. Revolutionary upheaval was also in the Hungarian part of the empire. The Habsburgs sent troops, which had restored order in Italy, Bohemia, and Vienna to deal with Hungarians at the beginning of 1849, but they were not successful. So, the Habsburgs asked czarist Russia for assistance. The combined operation of Austrian and Russian armies defeated the Hungarian revolutionary army and brought the end of the Hungarian revolution. The Hungarians lost their old privileges.

⁵¹ Johnson, Lonnie R., *Central Europe: Enemies, Neighbors, Friends*, (New York: Oxford University Press, 1996), p.154.

⁵² Brandt, Harm-Hinrich, "The Revolution of 1848 and the Problem of Central European Nationalities," in Schulze, Hagen, ed., *Nation-building in Central Europe*, (Hamburg: Berg Publishers Limited, 1987), p.115.

⁵³ Johnson, Lonnie R., *Central Europe: Enemies, Neighbors, Friends*, (New York: Oxford University Press, 1996), p.153.

Outcome of revolution years, 1848-49 was that Bohemia, whose people mainly spoke Czech, refused to become a part of the German nation-state and decided to stay within the Habsburg Empire. Palacký did not believe that there was a place for the Czech nation in a German nation-state. In Bohemia, where historic territory was not in accord with linguistic and ethnic nationality, the "springtime of nations" resulted in national conflicts. Tension did not disappear even after the Habsburg Empire split up and remained up until World War II.⁵⁴

The comprehensive philosophy of the moderate Bohemian reformers overlapped at some point with Panslav ideas. They expressed the desire for a political union of all Slavic nations as equal partners, but this idea was hardly practically-executable. Another not very popular idea was the concept of a Russian directed and dominated Panslavism against which Palacký took a stand. When the Czech effort to get autonomy of the Czech state failed, Palacký stated "we were here before Austria and we shall be here after it."⁵⁵ It meant leaving an idea of autonomy and starting the Czech struggle for independence.

2. Refusal of the Czech Rights in 1867

After 1848, the new generation of leaders in European powers brought new spirit to European international policy. They were ambitious for their own countries and not willing to follow principles of cooperation invented by a previous generation of statesman. They fought wars with each other.⁵⁶ Europe was in anarchy, and an old

⁵⁴ Alter, Peter, *Nationalism*, 2nd ed., (London: Edward Arnold, a division of Hodder Headline PLC, 1994), p.77.

⁵⁵ Holý, Ladislav, *The little Czech and the great Czech nation*, (Cambridge: Cambridge University Press, 1996), p.38.

⁵⁶ For example, the war between Russia and Britain in 1854, and four major wars within fifteen years - the Italian War Austria against Piedmont and France in 1859, the war between Denmark and the German states in 1864, the war between Austria and Prussia in 1866, and the war between Prussia and France in 1870.

balance of the power system was abandoned.⁵⁷ There were some issues that influenced struggles of the Habsburg Empire during this period of time, such as democratization of government, the struggle for supremacy in Germany between Austria and Prussia, and awakened Slavic interests.

The danger of Pan-Slavism made Germans angry and when the Czech national aspiration issue came to the agenda, it was denounced as a result of Russian propaganda. This offended the Slav nations of the monarchy, especially constitutionally and culturally developed Czechs.⁵⁸ Czechs in the Bohemian lands claimed that they were equally important and politically advanced as Magyars, but that they were the aim of a stronger government control. According to the public opinions, German directed centralism was increasingly oppressive and insufferable. Czechs cautiously stated the demand for Czech political dominance according to the medieval concept of the Bohemian state with a view of possible Czech-German separation. The Old Czech party considered this demand and whole program as a final goal and a political view before the Austro-Hungarian Compromise in 1867. However, it was primarily a view and interest of aristocratic families who had settled in the Bohemia lands after 1620.⁵⁹ Count Joseph Thun and historian Palacký could be considered, in the pre-March period, spokesmen for these views.

⁵⁷ Craig, Gordon, A., and George, Alexander, L., *Force and Statecraft: Diplomatic Problems of Our Time*, 3rd ed., (New York/Oxford: Oxford University Press, 1995), pp.31-32.

⁵⁸ Jaszi, Oscar: *The dissolution of the Habsburg Monarchy*, 4th ed., (Chicago: University of Chicago Press, 1966), pp.386-87.

⁵⁹ Aristocratic families, such as the Colloredos, the Liechtensteins, the Clam Martinic, the Thuns, the Schwarzenbergs, and others, were German aristocrats who had settled in the Bohemia lands. They had never become Czech nationalists, but they remained in favor of a strengthened estate right in the land of the Bohemian crown.

The young Czech liberal writer and first Czech journalist, Karel Havlíček, and an enlightened conservative and capable Bohemian aristocrat, Count Leo Thun⁶⁰ were politically more long-headed than the Panslavs. Havlíček's idea was the creation of a separate democratic Czech political nation, which would get away from the Habsburg absolutism, but which would be protected from tsarist-dominated Panslavism. Count Thun thought that the best solution for the Czech demands was successive achievement of equality with the Germans by incorporating bilingualism in mixed territories. This would indeed greatly benefit the Czechs against Germans who were not willing to learn the language of a small Slavic nation. Thun further thought about developing multinational parties in Austria, which would be based on common political-social interests.⁶¹

Prussia and Austria had significantly different concerns within the German Confederation after revolutionary years 1848-49. Austria wanted to maintain its traditional interests and superiority in the Confederation that placed a restriction on the ambitions of Prussia. Bismark, at that time Prussian Foreign Minister, challenged Austrian seniority in the German Confederation. In 1866, he initiated an idea of German Confederation revision, which would exclude Austria from the Confederation. In April 1866, conflict between Austria and Prussia had already introduced a motion for reform of the Confederal assembly. The situation was solved on the battlefield and decisive battle occurred near Königgrätz in Northern Bohemia on 21 June 1866. A Prussian superiority in leadership, logistics, training, and weapon equipment led into an unambiguous

⁶⁰ Thun was a governor of Bohemia in 1848. He was an excellent Austrian minister of education for the following eleven years.

Prussian victory. Through this battle, Austria not only lost the fight of supremacy in Germany, but also had to leave German Confederation affairs,⁶² which was the assumption for the creation of a Prussian dominated "kleindeutsch" (little Germany). Hungarians benefited from Austrian defeat as well, because they used Austrian weakness to ask for more national autonomy. They succeeded in obtaining the so-called Compromise in 1867. It meant reestablishment of the Hungarian kingdom with significant autonomy, as well as the recognition of the Dual Monarchy of Austria-Hungary.⁶³ The disastrous defeat by Prussia was connected to the failure of the absolutist Bach regime. When Austrian Minister Balcredi resigned in February 1867, his concept of an Austrian federation was not considered any more.⁶⁴

The compromise made between Austria and Hungary in March 1867 was consequently passed by the Austrian parliament. The Habsburg Empire was transformed into the dual Austria-Hungary Empire and constitutional monarchy as figure II-1 shows. The Czechs, the third biggest nationality within the Habsburg Empire, felt they had been sold out because of a Habsburg endeavor to keep the empire undivided. František Palacký, who was until that time a loyal Czech nationalist, participated in the Panslav Congress, assembled in Moscow in May 1867. This congress was more hostile to Austrian interests than the Prague Slavs Congress in 1848.

⁶¹ Kann, Robert, A., *History of the Habsburg Empire 1526-1918*, (Berkeley: University of California Press, 1974), p.292.

⁶² Schulze, Hagen, *States, Nations and Nationalism*, (Cambridge, Blackwell Publishers Ltd., 1996), p.217.

⁶³ Johnson, Lonnie, R., *Central Europe: Enemies, Neighbors, Friends*, (New York: Oxford University Press, 1996), pp.161-62.

⁶⁴ Balcredi had a concept of Austrian federation consisting of five historic political entities, a German-Alpine, Magyar-Hungarian, Bohemian-Moravian, Polish-Ruthenian, and Southern Slavs. Kann, Robert, A., *History of the Habsburg Empire 1526-1918*, (Berkeley: University of California Press, 1974), p.332.

The new Austrian parliament, which rallied in May 1867, had a two-thirds German liberal majority against federalist opposition, largely consisting of Slavs representatives. The compromise legislation could be passed only with full German support obtained only for a price. This price was to be a constitutional law, which would be subordinated to the wishes of the German liberals with respect to civil liberties, as well as the maintenance of the German privileged position in Austria.⁶⁵



Figure II-1: A Map of the Austria-Hungary Empire in 1914

Source: Zeman, Zbynek, A. B., *The break-up of the Habsburg empire 1914-1918, A study in national and social revolution*. New York, Octopus Books, 1977.

Some laws, which offered basic rights of the citizens, were passed but a law relating to national rights was not. The most important provisional law, (Statute 142 of 1867) article 19, dealt with the national problem. This article broadly stated possible improvements in the status of ethnic groups and it stated the following:

⁶⁵ Ibid., p.338.

All ethnic groups (Volksstämme) in the state have equal rights and every ethnic group has the inviolable right to preserve and cultivate its nationality and language.

The equality of all languages customary in the crownlands (Landesübliche sprachen) is recognized in schools, government agencies, and public life.

In the lands inhabited by several ethnic groups, the public schools shall be organized in a way that every ethnic group receives the necessary funds of training in its own language without being compelled to learn the second language of any land.⁶⁶

The real implication of this article was not as liberal as it seems to be, because the ethnic groups were not recognized as statutory bodies with a right of representation. Only individuals could use national rights, but they had big difficulties realizing this in public life. Additionally, the equality of all national languages guaranteed in the second paragraph, was immediately and indirectly invalidated in the next paragraph, since if not every child in mixed regions was required to learn two languages, there could be no real equality of all languages. Germans were neither required nor, in general, willing to learn the language of a smaller Slavic nation. The non-German people, on the other hand, had no chance to succeed in public life unless they learned and spoke German. Thus this article helped to enhance the German position.

German haughtiness brought Germans into a difficult position at the end of nineteenth century. For a long time, they were refusing to learn the Czech language; whereas, the Czechs learnt German as a necessary condition for their career, although it was not a state language in an official sense. In 1897, the Count Badeni's government issued a decree concerning the use of languages in the German-Czech territories. According to it, after 1901 each official had to have perfect command in speaking and

⁶⁶ Ibid., p.339.

writing in both languages. This undoubtedly just and fair decree, in the eyes of the Czechs, created indignation among Germans.⁶⁷

C. BEGINNING OF THE TWENTIETH CENTURY UNTIL 1939

A nation-state principle prevailed in Europe at the beginning of the twentieth century even though a homogenous population state was still a rarity, especially in Eastern and Central Europe.⁶⁸ There were voices that were not openly against the monarchy and supported its breakdown on the Czech-Austrian political scene, but there were voices which called for full Czech autonomy or independence. "It is not true that most Czechs were anti-Habsburg before the war or that they were all loyally Austrian until the outbreak of war."⁶⁹ Czech lands sent their representatives to the Austria-Hungary parliament in Vienna. The two conservative parties, Agrarians and Social Democrats, represented the majority of Czechs and did not oppose the existence of the monarchy before the war; nonetheless, they were an opposition for the government.⁷⁰ On the other hand, parties supported by the urban, middle, and lower middle class, such as the Young Czechs, the Progressives, and the National Socialists, supported the anti-German ideas and the idea of splitting the Austria-Hungary Empire, and made plans or

⁶⁷ Jaszi, Oscar: *The dissolution of the Habsburg Monarchy*, Fourth Impression, (Chicago, University of Chicago Press, 1966), p.290.

⁶⁸ Alter, Peter: *Nationalism*, 2nd ed., (London: Edward Arnold, a division of Hodder Headline PLC, 1994), p.79.

⁶⁹ Zeman, Zbynek, A. B., *The break-up of the Habsburg empire 1914-1918, A study in national and social revolution* (New York, Octopus Books, 1977), pp.13-14.

⁷⁰ Agrarians were too conscious of their power that they did not want to accept or concede any eccentric radical ideas. Social Democrats shared the Marxist idea for a large economic union. They believed in cooperation of the working class in theory and cooperate with German Social Democrats.

acted against the monarchy, but only the Progressives openly took a stand against the Austria-Hungary Empire before the war.

1. Independence of Czechoslovakia in 1918 and Further Development Until the Beginning of 1930s

Before World War I, Germany became the most important business partner for Austria-Hungary. About 40 percent of Austrian import came from Germany and about the same amount was exported to Germany. World War I resulted in a political and economical dependence of the Austria-Hungary Empire on Germany. The result of it was a plan for creating a custom union between Germany and Austria-Hungary, the so-called Mitteleuropa.⁷¹ In the fall 1918, Germany, together with its main ally Austria-Hungary, was defeated which contributed to the creation of new states, which emerged from Austria-Hungary (figure II-2).



Figure II-2: A Map of Europe after the Dissolution of the Habsburg Empire in 1918

Source: Zeman, Zbynek, A. B., *The break-up of the Habsburg empire 1914-1918, A study in national and social revolution*. New York, Octopus Books, 1977.

⁷¹ Gajan, Koloman, *Německý imperialismus proti ČSR (1918-1939)*, (Prague: Nakladatelství politické literatury, 1962), p.8.

The revolutionary atmosphere during the war indicated that a radical solution of the national question in Austria-Hungary would be applied after the end of a war, but, in its place, a new national program, made by Otto Bauer, was a step backward. The program to transform the monarchy into a federation accepted the right of Roman and Slavic nations for self-determination, but only within the monarchy, which would mean Czechs would have the same unequal status as during the Austria-Hungary Empire. Gradually at the end of the war, the dissolution of the Austria-Habsburg Empire was becoming a reality. Consequently, Social Democrats and also German nationalists were becoming followers of the right of nations for self-determination. They accepted this right for other nations and their right to create their own states, but they also wanted to stay as part of German-Austria and not to become a minority within a newly born state. German-Moravian parliament members refused the association of German parts of Moravia with Czechoslovakia and required an annexation of these parts to the German-Austrian state. The Czech German National-Socialist Workers Party (Deutsche Nationalsozialistische Arbeiterpartei-DNSAP) even asked for direct unification of Austria with Germany.

After issuing the emperor's manifest, German parliament members from Austria, including members from the Czech region, met in Vienna on 21 October 1918 to claim the establishment of a new state, German-Austria. They approved the resolution that read the German nation had decided to establish an independent German-Austrian state, which would settle relations with other nations by agreements. Additionally, they mentioned that this new state required the entire area populated by Germans, especially Sudetenland. Czechs refused the emperor's manifest, as well as establishment and claims of German-

Austria. They stated that national issues and Czech question would not be solved within the Austria-Hungary Empire but within the international context.

The first Czechoslovak Republic was established on 28 October 1918. The Czechs identified fully with Czechoslovakia although it was a multiethnic state. They considered it as a restoration of their statehood after three hundred years of Habsburg rule. After the announcement that the Czechoslovak state was established, the German Low Austria parliament members from the Czech territory met in Vienna on 29 October asking for the right of nations for self-determination and announcing the separation of northern parts of Bohemia from Czechoslovakia. They established an independent province "Deutschböhmen" (German Bohemia) as a province of German-Austria. According to this pattern, parliament members of northern Moravia and Silesia announced the establishment of another German-Austria independent province "Sudetenland" on October 30 in Vienna. The independent province "Deutschsüdmähren" (South German Moravia) made from the area within southern Moravia and "Böhmerwaldgau" (Bohemian Forest Region) from the Šumava region were created during the following days.⁷² Czech and German representatives met in Prague on 30 October 1918 and agreed on the questions of maintenance of "order and tranquillity" and "Deutschböhmen" government but Czechs refused it.

Immediately after establishing the four independent provinces, German leaders started to work on their organization. They created governments, issued new edicts and orders, changed "unreliable" clerks, and occupied railway stations and important objects by German so-called "national defense" (Volkswehr) units. The Czechoslovak

⁷² Gajan, Koloman, *Německý imperialismus a československo-německé vztahy v letech 1918-1921*, (Praha: Nakladatelství Československé akademie věd, 1962), pp.26-27.

government discussed the issue of German minorities and decided to negotiate with Germans and include one German as minister-countryman into the final Czechoslovak government. During its first meeting, Czechoslovak parliament decided to offer cooperation to the Germans and promised all rights for free cultural and national development, but German nationalist leaders refused all offers.

As a result of the war, there was a lack of food and also an insufficient supply system in the Czechoslovak borderland. Therefore the waves of turmoil erupted in the northern region at the beginning of November 1918. Germans called unsuccessfully for help from Vienna, Dresden, and Berlin because Austria and Germany had to solve their own problems. Finally, the "Deutschböhmen" government asked Prague for military assistance. Prague sent troops there to settle disturbances.

During the second half of November 1918, the Czech government decided to start a systematic military occupation of the frontier areas of Bohemia, Moravia, and Silesia. The main reason was that Czechs wanted to prevent German residents of Czechoslovakia from participating in the election for German-Austria National Rally in January 1919. Also at that time, Czech-German industrialists in the borderland asked Germans to accept the new Czechoslovak state. After several small range actions, the Czechoslovak government decided to occupy the important northern Bohemian lignit coalfields. The German "Volkswehr" units conducted small resistance in the city of Most. The occupation of "Deutschböhmen" was finished by 16 December 1918 and at about the

same time, Czechoslovak forces occupied "Deutschsüdmähren."⁷³ Until the end of December, all frontier lands were under Czechoslovak military control.

It was very important for Czechoslovakia to keep the borderland areas within the existing historical and political framework of Bohemia, Moravia, and Silesia not only because these areas had been there for whole centuries, but also because they were significant parts of the territory, essential for the Czechoslovak state existence. They represented the defense areas for saving and preserving the Czechoslovak state within its present frontiers.

As a reaction to the Czechoslovak military occupation, the Germans sent a request to Versailles and asked the Great Powers to send their troops to occupied "Deutschböhmen" and other Czech German territories. The French and British governments replied that German requirements could not be accepted, and until the Peace Conference decided differently, the Czechoslovak state had to have its borders, which had been approved by allied governments.

Within their effort for independence, the Germans in Sudeten lands were not united and the disagreements deepened among different interest groups during the first municipal elections. The Sudeten Germans had "no leaders and no popular movement of real force that were justified in taking their stand upon the legal principle of self-determination."⁷⁴ Part of the Germans stated that the Czechoslovak government did not have any rights to issue elections in German frontier lands and called for an election

⁷³ For example, in its city of Liberec, there were 1500 "Volkswehr" members who were equipped with rifles, hand grenades, submachine guns, etc. guarding important facilities. So, it was not true that Czechoslovak military forces occupied unarmed areas and cities as it was later claimed. *Ibid.*, p.44.

⁷⁴ Putzel, Max, *Germany and Czechoslovakia*, (Prague: Orbis Publishing Co., 1937), p.68.

boycott; whereas, another part, especially German Social Democrats, supported participation in elections. Thereafter, some other parties joined the German Social Democrats and voted for participation. Finally, even the Czech-German government in Sudeten lands expressed its opinion for participation in elections.⁷⁵

Also the opinions about cooperation with Czechs and acceptance of the Czechoslovak state were different. A number of the Sudeten Germans wanted to make an immediate agreement with the Czechs, while others preferred independence for the Germans and racially mixed areas with the intention of linking up later to Germany. Another section was in a favor of joining Austria because they believed in the restoration of the old empire in a new different form. Independence for Germans and racially mixed areas was impossible because of the geographical situation of those areas (they did not constitute one integral formation) and their economic non-viability as an independent entity.

At the Peace Conference in Paris in 1918-1919, the Czechoslovak delegation acted only as participant without any real decision-making power. Later, Czechoslovakia was accused of submitting the memorandum which was full of hostility towards Germany and the German race, giving incorrect data concerning the Germans in Czechoslovak territory to mislead the Peace Conference, and promising its minorities a liberal internal regime which it failed to keep.⁷⁶

⁷⁵ During the elections, the posters consisting of accusation and instigation against Czechs were also distributed. The German nation was shown as a bearer of culture, and as the nation, which had been determined to rule, and which was now humiliated.

⁷⁶ Putzel, Max, *Germany and Czechoslovakia*, (Prague: Orbis Publishing Co., 1937), pp.7-8.

Czechoslovakia said that it openly and honestly stated that the statistics used in its memoranda were approximate figures, based on the estimates of Czech factors and together with this Czech data they cited the official Austrian statistics. Additionally, they said that allied experts used the official Austro-Hungarian and German statistics relating to the minority population.⁷⁷

At the opening of the Conference, the delegations of all the minor and new states were asked to submit wishes and claims which the Czechoslovak delegation provided within the prescribed time period. Each of the Great Powers (United States, Great Britain, France, Italy, and Japan) had its own experts who dealt with particular issues.⁷⁸ The important and leading point was Poland. A minority treaty with Poland was given as the general basis of an obligation towards minorities and was adapted in details to the needs of the other states. It was laid before the Czechoslovak delegation without any special discussion. The Czechoslovak delegation accepted these principles at once and without opposition. A Minority Protection Treaty, as a binding document, was signed by Czechoslovakia representing one side, and USA, Britain, France, Italy, and Japan on the other. Czechoslovakia also accepted the heaviness of a proportion of the old Austria-Hungarian debt, they agreed to pay the so-called liberation taxes.⁷⁹

⁷⁷ "Czechoslovak memorandum No. III stated the precise number of Germans in all the Bohemian Crown lands according to the official Austrian returns of the year 1910 (altogether 3,512,582 Germans). It was also stated that this number was not correct because of census pressure on the Czech population in the racially mixed areas. In the Czech opinion, the actual number should be 800,000 or 1,000,000 less. According to official Czechoslovak census of 1921, the number of Germans in Czechoslovakia was 3,123,568 including 150,000 Germans in Slovakia and Carpatian Ruthenia." *Ibid.*, p.62.

⁷⁸ For example, American University professor Coolidge visited Czech German-speaking districts three times, went through them, studied the questions, and talked with people in the linguistically-mixed districts before giving his vote. The other American and Italian delegates did the same. All of them personally visited Czechoslovak territory and secured information on the spot. *Ibid.*, pp.25-26.

⁷⁹ Zeman, Zbynek, A. B., *The break-up of the Habsburg Empire 1914 - 1918: A study in national and social revolution*, (New York: Octagon Books, 1977), p.77.

Propaganda launched in Germany claimed later that Czechoslovakia was not following the treaties signed in Paris. According to the German Reich propaganda, the Czechoslovakia promised German would be the second language in the country and Czechoslovakia would follow the Switzerland model for settlement of the nationalities; however, its government failed to fulfill its promises. Czechoslovakia defended its position claiming the minority treaties were formulated in general terms and left to the administration and bureaucracy to make their own free decisions in the matter of minorities.⁸⁰ A higher number of German schools than Czech ones was one of the special privileges, which Germans possessed in the pre-war era and which was changed. Regarding the Czechoslovak Note and proposed privileges of the minorities within its boundaries "it was observed that these facilities would be considerably more far-reaching than any obligations which would be imposed upon Czechoslovakia by the Treaty."⁸¹

Regarding territorial demands, the Czechoslovak delegation was the only one that offered to a weakened Germany a portion of territory that had not previously belong to it. Czechoslovakia demanded a small area in the district of Hlučín where the majority of the population was Czech and submitted a proposal for exchange of territory and rectification of frontiers on both sides. It wanted to compensate Germany for this Hlučín district with the territory that had for centuries belonged to the ancient Kingdom of Bohemia. Germany published information about the Hlučín issue, but the number of documents, diplomatic notes, and maps relating to this proposed exchange were not published.

⁸⁰ There were not stated clear criteria of a free minority regime: a number of elementary schools and classes per every 10,000 head of population both on the majority and minority side, the use of minority language in the public offices under defined conditions, direct and guaranteed free and proportional franchise for elections to the local government and political bodies, etc., Putzel, Max, *Germany and Czechoslovakia*, (Prague: Orbis Publishing Co., 1937), p.37.

⁸¹ *Ibid.*, p.53.

On 28 June 1919, the Versailles Peace Treaty was signed. Germany agreed to accept the historical Bohemian borders and to establish regular diplomatic relations with Czechoslovakia. The first Czechoslovak National Assembly was not created on a proportional representational basis and Germans did not have their representatives there. Universal suffrage with comparative representation, established in 1919, allowed Germans to run the administration in cities where they had majority. Czechoslovak Germans entered the Prague parliament after the first general elections in 1920. "The Germans elected seventy-two deputies who represented 25.6 percent of the House of Deputies."⁸²

The German Nationalist deputies made use of the memoranda as early as 1920 and 1922 for criticism of Czechoslovak policy. A big conflict also occurred in May 1920 in the Prague parliament where the Language Law was discussed. The question was how to formulate this law and avoid the well-known disaccord experience of the theory and practice of the state language from the former Habsburg Empire.⁸³

Language law determined that in cities where the minority held more than two thirds of inhabitants, the minority language was used for all oral or written proceedings. In places where the minority consisted of more than twenty percent, the proceedings were provided in both languages. For example in 1937, there was one German school per every 852 inhabitants, which was higher number than in Prussia at that time. Ninety-seven percent of German children attended German schools supervised by German school boards. According to the census in 1930, 2,338,000 Germans lived in regions where

⁸² Grant Duff, Shiela, *German and Czech*, (London: V. Gollancz, 1937), p.29.

⁸³ Viz. above mentioned (pp.23-24) provision law, (Statute 142 of 1867) article 19.

German was the official language.⁸⁴ Additionally since 1926, Germans had been represented in all Czechoslovak governments and had the possibility to influence its policy and decision-making process.⁸⁵

In April 1920, the so-called Political Leadership of German Sudeten People was not successful with requesting financial help from the German government. Only some German political parties were willing to provide support for the Sudeten Germans, such as the German National People Party, which cooperated with its counterpart Czech-German National Party (Deutschnationale Partei - DNP), and Hitler's National Socialist German Workers Party (Nationalsozialistische Deutsche Arbeiterpartei - NSDAP) which created close cooperation with leaders of the Czech DNSAP. In the 1930s, they called for the creation of the Third Reich, which would solve the German-Czech question.

The date, 16 October 1925 was an important landmark in international relations because Western Allies signed an agreement with Germany, which guaranteeing inviolable western borders. However this agreement did not mention anything about eastern borders. Germany behaved as an equal partner of France and Britain in Locarno and refused to guarantee the eastern borders designed by the Versailles Peace Treaty, especially borders with Czechoslovakia and Poland.

"..., Czechoslovakia was a democracy in which the cultural rights of the Germans were largely respected and their political wishes could receive public expression as long

⁸⁴ Luža, Radomír, *Odsun*, (Vienna, Nakladatelství Naše vojsko, 1952), p.6.

⁸⁵ In 1926, the German Agrarian Party and Christian Socialist Party joined the government. Mr. Spina was made Minister of Public Works, and Mr. Mayr-Harting was Minister of Justice. In 1929, these two parties were joined by German Social Democrats.

as they were not clearly treasonous."⁸⁶ The German situation in Czechoslovakia was better than elsewhere in Europe, but during the economic crisis it became worse for Germans workers because of objective reasons too; for example, light industry, which was afflicted the most, was concentrated mostly in border regions and was dependent on export. German nationalists misused this situation. The conclusion based on German criticism was that as long as Czechoslovakia did not alter the spirit and lines of its policy and failed to come to terms with its German minority there would not be good relations between Germany and the Czechoslovak Republic.

2. Czech-German Relations During 1930s, Munich Agreement in 1938 and Occupation in 1939

In 1928, Nazis in Germany polled some 810,000 votes equaling 2.6 percent of those cast. The economic crises helped them to spread their idea, to attract a lot of unemployed people, and to make Hitler a German national figure. The following two elections in 1930 and 1932 demonstrated that the Nazis had emerged as the country's largest political party, but they were also a violent party.

There were about 3,200,000 Austria-Germans living in Czechoslovakia. They became targets of German Nazi propaganda, because they were supposed to support the expansionist plan of the Nazis. On 31 March 1931, German President Hindenburg stated that Czechs had re-founded an ancient nation and established a strong state based on the foundation of social democracy and anti-communism, but if Germany and Austria were reunited, Czechoslovakia would be very endangered.

⁸⁶ Weinberg, Gerhard L., *The foreign policy of Hitler's Germany*, (Chicago: University of Chicago, 1970), p.107.

Nazi's propaganda was decisively enhanced once Adolph Hitler had become German chancellor and the NSDAP started to rule Germany. Nazi propaganda continually increased in intensity and the Nazis claimed that they had to defend other Germans who had to live abroad. Czechoslovakia had emerged from Versailles with Germans living within its border who had always lived there as inhabitants of the Habsburg and then the Austria-Hungarian Empire. Neither they nor their ancestors had ever been citizens of the Reich. Nevertheless, Hitler's statements were very well accepted by pseudo-Nazi parties in the Sudetenland, such as the Sedetendeutsche Heimatfront (Sudeten German Home Front). One of the Heimatfront's most effective actions was to send gangs into Czech communities to create border incidents. The Czechs had been extraordinary tolerant to these incidents created by the Nazis living within the Czechoslovak territory. Additionally, Czechs received "the word of honor" from Göring⁸⁷ that the Czechs had nothing to fear from the Reich.

At the beginning of October 1933, the Czech National Socialist Party dissolved. At that time, Konrad Henlein became a main Czech German leader and started to organize a new Sudeten movement. In the same month, he created a new political party "Sudetendeutsche Heimatsfront" (SHF), afterwards renamed the "Sudetendeutsche Partei" (Sudeten German Party - SdP). From the beginning of 1935, this party received support of fifteen thousands marks a month from Germany. On 19 May 1935, the SdP had shown astonishing strength at the polls, winning 1,250,000 votes with three out of every five Germans votes cast. It became the largest party in the Czech national parliament; however, "[i]t was neither asked to form a government nor to take part in

⁸⁷ He was Reichsmarshal and second person, after Hitler, within German NSDAP.

one."⁸⁸ To form a government would be impossible for SdP but the fact that it was not member of a government was highly criticized.

In 1936, the Czechs started rapid rearming and building of a powerful line of fortifications, similar to the French Maginot Line, along the German frontiers. Goebbels, German Propaganda Minister, accused them of letting the Russians build military airfields on their soil. The Sudeten Mountains, which Czechs had fortified to repel a German attack, were an integral part of the region inhabited by Henlein's supporters. If Hitler annexed them, those strongholds would become part of the Reich and the rest of Czechoslovakia would be defenseless.

Until 1938, most Sudeteners had intermarried with Czechs or members of other ethnic groups in Czechoslovakia. German propaganda created an impression that everyone living in the Sudetenland was German and that Henlein was their spokesman. Neither one was true. Henlein could not speak for all Germans. There were four other political parties which strongly opposed Sudeten-German Nazis and at least a quarter million of voters were German refugees from the Third Reich.

About ninety percent of Germans gave their vote for the Sudeten German Party in municipal elections in 1938. They freely and democratically voted for Nazism. On the other hand, it should not be overlooked that German democrats, despite the difficult conditions and persecutions, defended Czechoslovakia.

After the Annexation of Austria on 12 March 1938, Hitler indicated he was in no hurry to solve the Czech question. Additionally, he assured that he did not want Czechs in the Reich and he would have been satisfied if the Sudeten Germans had been included

⁸⁸ Grant Duff, Shiela, *German and Czech*, (London: V. Gollancz, 1937), p.47.

in Germany. With the help of the national minority in Czechoslovakia, who was not satisfied, Hitler wanted to get another area, which he could claim belonged to Germany. In 1935, he started to instruct Konrad Henlein and pushed him to ask the Czech government for other demands that it could not accept.⁸⁹ In 1941, Henlein stated in Vienna that he could now openly admit he had established a Nazi party with an agreement of Berlin in 1933-34 to destroy Czechoslovakia.⁹⁰

In April 1938, Sudeten Germans asked for eight demands within the "Karlsbad Program", including autonomy and the possibility to propagate German Weltanschauung, meaning the Czechoslovak government should allow Nazi propaganda.⁹¹ Another demand was that police, railway, and postal workers in the Sudetenland would be required to speak German, and the Sudeten Germans would be entitled to their own town and country government, allowing the Czechs troops to man the frontier fortresses with unhindered access thereto. The demands were constructed in a way that they were unacceptable for the Czech government. President Beneš planned to open "serious negotiation" with Henlein and to pass necessary legislation through the Czech legislature; however, after Henlein issued his demands, he canceled this idea.

In May 1938, information was published stating German troops were concentrated on the Czech frontier.⁹² Gangs of Sudeten German youths wearing swastika had attacked neighbors of Slavic descent, marched through streets, held rallies, and

⁸⁹ Watt, Donald, Cameron, *How war came*, (London: William Heinemann Ltd., 1989), p.26.

⁹⁰ Luža, Radomír, *Odsun*, (Vienna: Nakladatelství Naše cesty, 1952), p.9.

⁹¹ Hildebrand, Klaus, *The Foreign Policy of the Third Reich*, (Berkeley: Los Angeles, University of California Press, 1973), p.66.

⁹² It was shown to the German minister in Prague as irrefutable evidence that about eight to ten divisions concentrated in Saxony with another twelve on the Czech frontier ready to march within twelve hours.

shouted "Heim ins Reich" (we want to go home to the Reich!). President Beneš approved an urgent recommendation of the Czechoslovak General Staff, calling up reservists and specialist troops to man Sudetenland garrisons, therefore the Czechoslovak government issued partial mobilization, but was forced by Western Powers to discontinue its effort.

At the beginning of September 1938, President Beneš told representatives of the Sudeten German Party that he promised to fulfil all their suggested requirements. He immediately signed all requests. Karl Hermann Frank⁹³ said about it: "My God, they gave us everything!"⁹⁴ Confused leadership of the Sudeten German Party gave the order to create incidents, so it had some reason not to accept Beneš's offer.

Henlein militants started an attempt of a coup in September 1938, but they were quickly defeated and escaped into Germany. They started to organize "Sudetendeutsche Freikorps" which was tasked to make attacks against Czechoslovak border guards and guardrooms and undergo other terrorist actions. They killed at least 110 Czech inhabitants and more than 2,000 were dragged away into Germany. Additionally, an open attack started after 20 September 1938, when two SS battalions⁹⁵ occupied Aš salient.⁹⁶

Western powers wanted to avoid war, so they agreed to make a concession and accept Hitler's demand to unite all Germans in one state and annex Sudetenland to the Reich. A final Munich document was signed early on 29 September 1938 and specified that Czechoslovakia would begin evacuation of the Sudetenland immediately. All Czechs

⁹³ A significant figure within the Sudeten German Party; he later became Deputy of Reinhard Heydrich, Deputy Reichsprotektor in the Protectorate of Bohemia and Moravia.

⁹⁴ Luža, Radomír, *Odsun*, (Vienna: Nakladatelství Naše cesty, 1952), p.11.

⁹⁵ SS units were not part of the German military but were part of the German National Socialist Party.

⁹⁶ Gajan, Koloman, *Německý imperialismus proti ČSR (1918-1939)*, (Prague: Nakladatelství politické literatury, 1962), p.25.

in the Sudetenland had to be gone by 10 October. Anyone who remained would be arrested or shot as trespassers, because the region would be Reich soil. During the evacuation, German troops would be moving in to protect the area and to restore order. The entire procedure would be supervised by an international commission, which would also decide when plebiscite should be held. The Munich agreement ended the existence of the first Czechoslovak Republic after twenty years as a successful democracy.

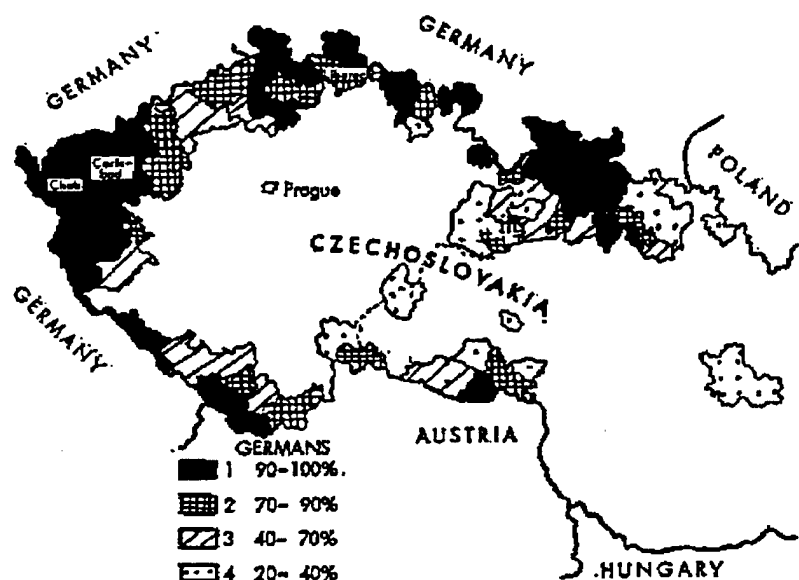


Figure II-3: A Map of German Areas of Settlement within Bohemia and Moravia-Silesia.

Source: Luža, Radomír, *The Transfer of the Sudeten German: A Study of Czech-German Relations, 1933-1962*, New York, New York University Press, 1964.

Germans lived in Czechoslovakia in eight different areas (Figure II-3) hampering the creation of a united state. This was realized in 1918 when Germans had to create several independent areas, and also after Munich, when regions designated by this treaty consisting of 28,971 square kilometers with 3,636,000 inhabitants were reduced in March

1939 to an area called "Sudetenland" containing 22,608 square kilometers with 2,943,187 inhabitants.

The Munich agreement meant that not only Germans, but also 739,000 Czechs were annexed to the German Reich (viz. Figure II-4). For instance, in Southern Moravia, the cities with an overwhelming Czech majority were occupied by Germans.⁹⁷ Czech inhabitants were forced to leave their homes and German families started to move into the newly established "Sudetenland" where they could acquire land. After the Munich agreement, about 120,000 Czechs, allowed to take only several pieces of luggage, were expelled from the borderland to inland. During the period after Munich, Germans distributed about 150,000 hectares of land to Sudeten German Party leaders, abolished Czech schools only with few exceptions, confiscated or bought for very cheap price, Czech factories, and confiscated Czech banks. Additionally, Czechs were not allowed to participate in municipal administration, and their associations were disbanded and their property confiscated.

At the end of February 1939, Slovakia discussed conditions with Germany about the future Slovak state. In the meantime, Germany issued propaganda about new oppression of the remaining Germans in the rest of Bohemian lands. All of this contributed to a final attack against Czechoslovakia. On 15 March 1939, German forces entered the independent part of Czechoslovakia, and Slovaks declared the independent Slovak state. Czech lands were declared as the Protectorate of Bohemia and Moravia. In fall 1939, the Czech universities were closed, high representatives of university students were executed and many students were dragged away into concentration camps.

⁹⁷ The number in parenthesis shows the percentage of Czech inhabitants in a city. For example, Znojmo (64.29), Breclav (83.4), Stramberk (98.62), Policka (96.84), Hlucin (89.18), Koprivnice (86.3), and others.

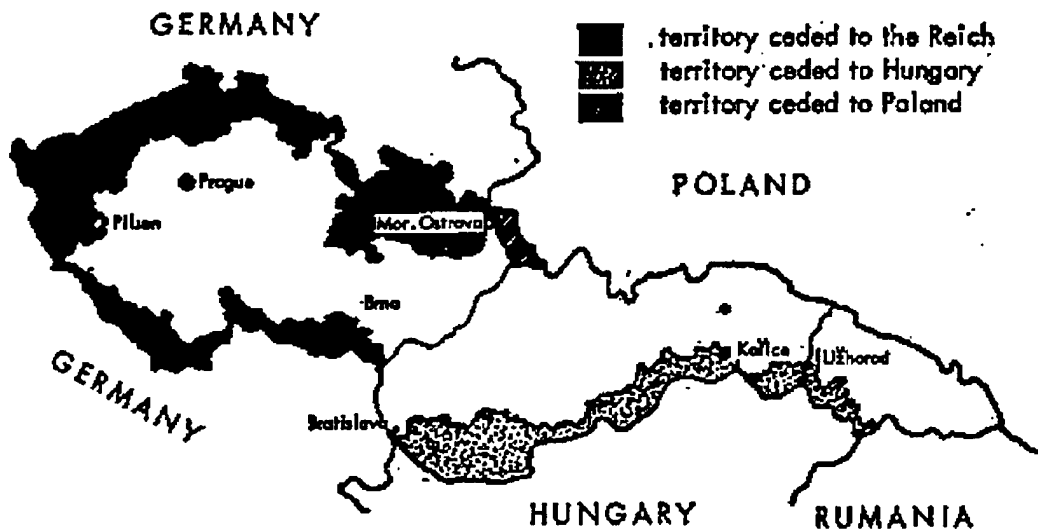


Figure II-4: A Map of the Czechoslovak Territory Ceded after the Munich Agreement in 1938

Source: Luža, Radomír, *The Transfer of the Sudeten German: A Study of Czech-German Relations, 1933-1962*, New York, New York University Press, 1964.

D. WORLD WAR II AND POST-WORLD WAR II DEVELOPMENT

1. World War II and 1945-48 Period

After the German invasion of Czechoslovakia in March 1939, the Czech-German democratic parties disappeared, since their leader either "were made silent" or were exiled. President Beneš believed that all democratic forces would be united for the fight against Nazism. In his speech in Chicago in June 1939, he addressed even Sudeten Germans. "Unite in the fight for freedom of our nation and state. Unite all free Czechs, Slovaks, Karpatian Rutherians, and also all free Sudeten Germans who report to us from whole world and from our state..."⁹⁸

There were two opinions on the German question from the German anti-Nazi side during the war. The first was represented by Mr. Jaksch, German Socialist anti-Nazi with

⁹⁸ Smutný, Jaromír, *Svědectví presidentova kancléře*, (Prague: Mladá fronta, 1996), p.277.

strong nationalist feeling. He stressed the right of a nation of self-determination, which wants to stay as an independent region within Czechoslovakia, or which wants to be a province of the Reich. The second was represented by Mr. Bauer, a communist parliament member, who said that Germans still considered themselves as citizens of Czechoslovakia.

On 10 March 1940, the Sudeten German Socialists in exile in Britain defined their aims publicly but more cautiously. They claimed that they would be members of the European Federation together with Czechs, but as a fully recognized nationality with their own regional parliament and government. This was in contradiction with the Czech conception of continuity in their pre-Munich state. In London, German Socialist leader, Mr. Jaksh, openly denied this continuity.⁹⁹

Himmler's¹⁰⁰ task was to Germanize, which should have affected the Czechs more than the Poles, because fifty percent of the Czechs were marked down for Germanization. The Czechs had not been subjected to the shattering military defeat and their traditional resistance to Germanization was more passive than that of the Poles. "It was difficult, even with the help of concentration camps, to Germanize a people which was self-trained to pretend to be stupid to understand German."¹⁰¹ During the period after the assassination of Heydrich¹⁰² Nazi terror significantly increased. The total destruction of

⁹⁹ Wiskermann, Elizabeth, *Germany's Eastern Neighbours*, (London: Oxford University Press, 1956), p.64.

¹⁰⁰ Himmler was Reichsfürer SS and Nazi police chief.

¹⁰¹ *Ibid.*, p.60.

¹⁰² Reinhard Heydrich was Reich Protector in the Protectorate Bohemia and Moravia during World War II until his death in June 1941.

the villages, Lidice and Ležáky, by Nazis resulted in higher negative feeling towards Germans, whether they came from Bohemia or elsewhere.

In London, President Beneš discussed with Germans in exile the possible future of Germans in Czechoslovakia. In 1942, he told them he had thought about the transfer of some Germans into Germany but not all Germans, "I have never wished orderly Germans who fought with us for democracy and stayed loyal to democracy to be forced into a tragic situation."¹⁰³ He determined principles for the transfer. So, according to him, about 800,000 or 1,000,000 Germans could stay in Czechoslovakia if German representatives would cooperate. In this case, there could be some arguments why Germans could stay in such a huge amount. The problem was that Germans in exile did not have any leader who would negotiate and lessen the range of transfer. Therefore the transfer of Germans was carried out in a larger amount than Beneš and the exile London government had considered.

On 5 August 1942, the British parliament annulled the Munich agreement. At that time, British Minister Nichols, appointed to the Czechoslovak exile government in London, informed "... at the time of the final solution of our minority problems after the victorious end of the war the British government did not intend to oppose the principle of transfer of the minority population from Czechoslovakia in an endeavor to make Czechoslovakia as homogenous a country as possible from the standpoint of nationality."¹⁰⁴

¹⁰³ Smutný, Jaromír, *Svědectví presidentova kancléře*, (Prague: Mladá fronta, 1996), p.283.

¹⁰⁴ Wiskermann, Elizabeth, *Germany's Eastern Neighbours*, (London: Oxford University Press, 1956), p.67.

During May and June 1945, executions were made, especially members of the SS, military Wehrmacht, and traitors, but these executions generally were not preceded by any investigation. In June 1945, many Czechs returned home from concentration camps and were put into a position of authority, which they used sometimes with hatred for everything German.¹⁰⁵

Choosing the Henlein party and shouting "Heim ins Reich", Germans clearly showed that most of them did not care about either democracy nor freedom and Nazism, as a state system, was fully acceptable to them.¹⁰⁶ Transfer, therefore, was seen as a prevention of repeating that situation from 1938. Beneš figured that the transfer would take five years including a two year period for the transfer of the main number of Germans, but six years of occupation led to many cases of personal revenge, very often on innocent Germans, and to demands to transfer Germans as quickly as possible. Additionally, the rush was the reason for some flaws during the transfer; for example, lists of abandoned property were not made, confirmations of abandoned property were not provided, the idea of President Beneš paying compensation for abandoned property to people not actively participating in anti-state activities was not executed. The entire transfer was supervised by international observers who issued information that news in the German mass media was overstated. Later, opinions were that if a communist coup had not occurred, the criticism would not have been so strong and it would have died down very soon.

¹⁰⁵ Ibid., p.77.

¹⁰⁶ Smutný, Jaromír, *Svědectví presidentova kancléře*, (Prague: Mladá fronta, 1996), p.272.

On 19 May 1945, President Beneš issued the first of several decrees, which were related to the Czech-German question. It was decree 5/1945 Sb. about the invalidity of legal property issues from the occupation period and about the national administration of the property of Germans, Hungarians, traitors, and collaborators. In article 2, it was mentioned that property of unreliable people in the Czechoslovak state should be put under state administration. Another decree 12/1945 Sb. addressed the confiscation and rapid distribution of agricultural property belonging to Germans, Hungarians, traitors, and collaborators. For example; in article 1 paragraph 1, the decree stated the agricultural property of all Germans should be confiscated regardless of their citizenship. In August, decree 33/1945 Sb. was issued, questioning citizenship for persons of German or Hungarian nationality.¹⁰⁷ According to this decree, all Germans or Hungarians lost their Czechoslovak citizenship, except in those cases when they stated in some official paper that they had been Czechs or Slovaks from 21 May 1938 until a given day. The next decree, 16/1945 Sb., discussed punishment of Nazi criminals, traitors, and collaborators, and extraordinary people's courts. On 28 March 1946, the Czechoslovak parliament passed constitutional law, No. 57/1946, that approved all President Beneš' decrees and stated that these decrees would become a law.

After World War II, the German parliament members turned to France and Great Britain, powers contributing to the Munich agreement in 1938, and asked them to give a just solution for Sudeten German problems as their moral responsibility. These two countries, together with the Soviet Union and the USA, solved this problem by the Potsdam Agreement. The transfer of Germans from Czechoslovakia, Poland, and

¹⁰⁷ Decree No. 5/1945, 12/1945, 33/1945. Available [Online]: < <http://www.psp.cz/cgi-bin/ascii/docs/laws/dek/>>, Internet Explorer, [4 November 1999].

Hungary was contained in article 13 of this declaration from 2 August 1945. The Control body agreed with the suggestion of the Czechoslovak government and decided that 1,750,000 Germans would be sent into the American zone and 750,000 Germans into the Soviet zone.¹⁰⁸

Germans refused the idea that the transfer was not intended as punishment or revenge. They said that the punishment of offenders should have been a matter of the Czechoslovak courts and it did not matter if an offender was Czech, Slovak, or German. According to Germans, the transfer was intended as a political action of a wide range. Actually, it was a preventive measure with the purpose of preventing a repeat of a similar situation in 1938.

In October 1945, the Czech Minister of Interior announced the approval of the transfer of two and half million Germans. The Czechoslovak government prepared a directive for the transfer according to which Reception Centers were created. Each of them would accommodate 1,200 persons. Reception Centers were created in places where Germans, scheduled for transfer, were concentrated. The assumption was that Germans would spend only one or two weeks there, but it was impossible to follow these plans for two reasons. First, in Czechoslovakia, there was a big number of Germans who were not supposed to receive any legal punishment, or be scheduled for long-term work, but had lost their homes and did not have any place to go. All of them lived or were put in so-called "Mixed" Reception Centers where people determined for transfer were together with people who could stay in Czechoslovakia but had to conduct hard labor. There were 75 of these centers in Bohemia, 29 in Moravia, and 3 in Slovakia. A special

¹⁰⁸ Smutný, Jaromír, *Svědectví prezidentova kancléře*, (Prague: Mladá fronta, 1996), pp.288-89.

department of the Ministry of Interior provided administration and supervision over the centers.

Second, in January 1946, a directive from the Ministry of Interior specified in President Beneš's decree 16/1945 Sb. that only members of specific German organization should be punished. It resulted in a new wave of people put into Reception Centers. Additionally, some of the Germans spent a longer time in these Centers because the Ministry of Interior asked for an inquiry with these people for information on traitors and collaborators. For these reasons, the situation in Reception and Mixed Reception Centers became worse. The Ministry of Interior partially wanted to solve this problem by removing persons, who were judged guilty, out of the Receptions Centers and put them into jail.¹⁰⁹

The Reception Centers had strict order and breaking of this order by guardians was to be severely punished; however, this order was not followed every time. Faults were discovered in Reception Centers, such as bad accommodations, lack of accommodation equipment, and overcrowded conditions.¹¹⁰

Negotiations with Americans were held in January 1946 and technical conditions were agreed upon. On 25 January 1946, the first transport left Czechoslovakia. Each German person had a right to take clothes, shoes, coat, 500 Reich marks, and 50 kilos of luggage into the Soviet zone or 75 kilos of luggage into the American zone. Continued transfer into the American zone started on January 24, 1946. Overcrowding of the American zone resulted in a decreasing number of transports per day and consequently

¹⁰⁹ Staněk, Tomáš, *Tábory v českých zemích 1945-48*, (Šenov u Opavy, Tilia, 1996), pp.130-31.

¹¹⁰ For example, in Reception Center near the city of Cheb, twelve people were in a room designated for four persons.

the transfer was temporarily stopped on 30 November 1946. Transfer into the Soviet zone started on 10 June 1946 and finished on 18 October 1946. Until June 30, 1947, there were 1,223,000 Germans officially transferred into the American zone along with 250,000 Germans who chose to go there individually. A total of 636,000 Germans were officially transferred into the Soviet zone and 150,000 Germans chose to go there individually. Finally, about 270,000 Germans were left in Czechoslovakia.¹¹¹

The German people were put into these centers because of denunciations, illegal accusations, or hard labor punishment. They had to undergo bad conditions in the camps where punishing of prisoners physically was prohibited, but according to mindful of that this law was followed only a little.¹¹² It depended on how strong personality the commander of the camp and guardians were.

On 23 January 1947, a directive of the Ministry of Interior again described the categories of people to be transferred. At the end of 1947, the American side did not want to renew mass transfers and about 190,000 Germans remained in Czechoslovakia. During 1947, the discrimination measures were gradually abandoned. The International Red Cross committees executed inspections of the Reception Centers and discovered violations; such as insufficient food, and quickly consigned children who were not allowed to speak German. Their citations were mostly respected and faults were corrected.¹¹³

¹¹¹ Smutný, Jaromír, *Svědectví prezidentova kancléře*, (Prague: Mladá fronta, 1996), p.303.

¹¹² Staněk, Tomáš, *Tábory v českých zemích 1945-48*, (Šenov u Opavy, Tilia, 1996), p.77.

¹¹³ *Ibid.*, p.176.

2. Communist Regime in Czechoslovakia and Its Relation with Germany During 1948-89

In February 1948, government members of three Czechoslovak parties, the National Socialist Party, Slovak Democratic Party, and the People's Party resigned. They wanted to create a government crisis and early elections. But there was no cooperation among all opposition parties, so Social Democrats did not join the effort of the above mentioned parties. The Communists used this situation for their coup and created their communist government.¹¹⁴

During that period, when Czechoslovak Socialist Republic (CSSR) was under the communist regime, the question of mutual relations regarding the Sudeten German issue was not openly mentioned in the Czechoslovak Socialist Republic. After the end of World War II, relations between Czechoslovakia and Germany were very tense. The Federal Republic of Germany (FRG) was considered as ideological enemy, which wanted to undermine "communist democracy" in Czechoslovakia, and the transfer of Sudeten Germans was thought as a right thing.

Relations with "East Germany", the German Democratic Republic (GDR), were totally different. In 1950, Czechoslovakia and GDR signed a declaration that both countries did not have any territorial or border requirements with each other, and that the transfer of Germans was unchangeable, just, and definitively solved.¹¹⁵ FRG refused to recognize GDR as an independent state. Its response was that communists in GDR were only the minority, and the FRG was the only legal successor state of Germany.

¹¹⁴ Smutný, Jaromír, *Svědectví prezidentova kancléře*, (Prague: Mladá fronta, 1996), p.258.

¹¹⁵ *Ibid.*, p.298.

Czechoslovakia belonged to the main trade partners, together with the Soviet Union and FRG. When the oil prices increased and the Soviet Union cut down its oil export, GDR increased cooperation with Czechoslovakia in the chemical industry.¹¹⁶ Both countries also cooperated militarily within the Warsaw Pact. However, in 1968 afraid that the ideas of the Prague Spring could threaten social and political order in GDR, "...the SED¹¹⁷ leadership allowed GDR troops to participate in the Warsaw Pact's suppression of the Czech reform movement...."¹¹⁸

During the 1950s and 1960s, leaders of the former Czech-Germans criticized Czechoslovakia for its communist regime and for communist rule in Central and Eastern Europe. They stated that it is only German credit that saved Europe before communism. But actually, it was the fault of the Sudeten Germans who had contributed to the beginning of war, allowing Stalin and communism to enter Berlin, Prague, and Warsaw.

During the 1950s, the Germans expressed their opinions about where they should be allowed to live. Additionally, the transferred or expelled Germans expressed these requirements:

- 1) refused Czechoslovakism - state and principles on which it is based
- 2) return to the situation before Munich, but under totally different conditions for

Germans who lived in Czechoslovakia before the transfer, namely:

- a) the establishing of an autonomous territory Sudetenland
- b) the right of self-determination for this territory

¹¹⁶ Dennis, Mike, *German Democratic Republic: Politics, Economic and Society*, (London and New York: Pinter Publisher, 1988), pp.137 and 148-49.

¹¹⁷ SED was East Germany communist party.

¹¹⁸ Dennis, Mike, *German Democratic Republic: Politics, Economic and Society*, (London and New York: Pinter Publisher, 1988), pp.148-49, and p.34.

c) a change in the state order in Czechoslovak Republic and entire Central Europe.¹¹⁹

In the beginning of 1960s, German political parties made statements about the German expellees' issue. They recognized Sudetendeutsche Landsmannschaft as an organization representing expelled Sudeten Germans. They stated that the Sudeten German issue was not solved and that Sudeten Germans had the right for self-determination and for a fatherland.

The Czechoslovak Communist regime criticized Germany for Germans calling for a right of nations for self-determination, but not having anything common with a fight of nation for freedom and self-determination. Communists said that the former Sudeten Germans misused the idea of self-determination for deceiving the masses and used them for their reactionary imperialistic and militant goals.

The mutual relations between CSSR and FRG were without any change until the late 1960s when the German Social Democratic government of Willy Brandt ended the confrontational policy toward the Central and Eastern European Communist countries. First, FRG and GDR negotiated mutual relations in 1972, and then they signed the Basic Treaty on 8 November 1972. They agreed to develop their relations, to solve possible disagreements by peaceful means, to agree with present borders as inviolable, and not interfere in the affairs of the other state. The FRG abandoned its position towards GDR, except it did not explicitly recognize the other state, and the GDR gave up its insistence to be explicitly recognized as a foreign country. Then in 1973, CSSR and FRG signed the Treaty on Mutual Relations between the Federal Republic of Germany and the

¹¹⁹ Smutný, Jaromír, *Svědectví prezidentova kancléře*, (Prague: Mladá fronta, 1996), p.304.

Czechoslovak Socialist Republic, Czechoslovakia and Federal Republic of Germany (FRG), stated that it was necessary for peace to create harmonious coexistence of the nation in Europe. German Chancellor Willy Brandt and Prime Minister of the CSSR, Lubomir Strugal, together with the Ministers of Foreign Affairs of both states, signed the Treaty on Mutual Relations between the FRG and the CSSR.

Articles I and IV were very important for both countries. In Article I, both countries expressed that they treat the Munich agreement invalid. Article IV, paragraph 1 said "... the Federal Republic of Germany and the Czechoslovak Socialist Republic reaffirm the inviolability of their common frontier now and in the future and undertake to respect each other's territorial integrity without restriction."¹²⁰

CSSR and FRG agreed that they would establish diplomatic relations, open embassies in Prague and Bonn, and would nominate representatives with the rank of Ambassador. They also approved that they would make an extension of their economic, scientific, technological, cultural, environmental, and other relations, and mutual interests. The cooperation between these two countries started to develop.

¹²⁰ Treaty on Mutual Relations between the Federal Republic of Germany and the Czechoslovak Socialist Republic of 11 December 1973, (Bonn: the Press and Information Office of the Government of the Federal Republic of Germany, 1974), pp.8-9.

III. FALL OF COMMUNISM AND THE JOURNEY TOWARD DEMOCRACY

The year 1989 changed the political situation in Czechoslovakia, ended the communist regime and started to build up democracy. This change of system resulted in further changes in foreign policy towards Western countries, especially towards Germany where the process of unification of Germany played an important role. This chapter will describe the development in Czechoslovakia after the 1989 revolution, and later in the Czech Republic after the split of the Republic in 1993. The chapter is divided into two parts; the first part will discuss development in Czechoslovakia from 1989 to the split of the country and creation of the Czech Republic and Slovak Republic (Slovakia) on 1 January 1993. The second part will provide information about the situation in Czech-German relations, discuss the process of the creation and the development of the Czech-German declaration in 1995-97, and describe attitudes of both countries towards mutual relations after the signing of the declaration.

A. RELATIONS BETWEEN GERMANY AND CZECHOSLOVAKIA DURING 1989 - 1992 PERIOD

The first Czechoslovak Republic in 1918-39 was considered as a Czech democratic tradition, which helped to shape the November 1989 revolution. Czechs were able to preserve their belief in democracy as a characteristic of their nation without any problems, because the collapses of the democratic regime were seen as catastrophes

imposed on them by others from outside: by the Nazis in 1939 and by a Moscow led coup d'état in 1948.¹²¹

The Czechoslovak hard-line communist regime did not give any space for reformists within the Communist Party.¹²² Therefore the rigid system was not able to react to the new situation, which developed after the students' anti-regime demonstration on 17 November 1989 during which students were beaten. This beating led to a general strike. The hard-line communist leader, Miroslav Štěpán, appealed to members of the People's Militia and other armed units to deal with anti-socialist elements. But militia units disbanded themselves and General Václavík, Minister of Defense, gave a speech on television and said that the Armed Forces would not fight the people.¹²³ Communist leaders were not flexible and open to democratic ideas and negotiations, like, for example, communists in Bulgaria were,¹²⁴ and the regime just collapsed and communist leaders left their positions. Two days after the strike, the Federal Assembly abolished an article in Czechoslovak constitution about the leading role of the Communist Party.

The Communists tried to stay in power and satisfy demonstrators by reforming the government. The new cabinet consisted of fifteen communists and five non-communists; however, after the new demonstrations occurred, new cabinet reform was installed. The renewed government consisted of nine communists and eleven non-

¹²¹ Holý, Ladislav, *The little Czech and the great Czech nation*, (Cambridge: Cambridge University Press, 1996), p.146.

¹²² Linz, Juan L. and Stepan, Alfred, *Problems of Democratic Transition and Consolidation*, (Baltimore: The Johns Hopkins University Press, 1996), p.321.

¹²³ *Ibid.*, pp.325-26.

¹²⁴ The communist regime in Bulgaria initiated reforms and never lost control of the transition. Changes, instigated by the ruling elite, were largely accepted below. *Ibid.*, p.328.

communists. On 28 December 1989, Mr. Alexander Dubček was elected the Federal Assembly chairman and Václav Havel was elected president one day later.¹²⁵

Great changes also occurred in Germany. After the fall of the Berlin Wall there was an opportunity to reunify Germany. Chancellor Kohl decided to take the opportunity and make it happen as fast as possible. The CDU won the elections in March 1990 in West Germany, and in April 1990 the East Germany government, elected after the first free elections in the German Democratic Republic, held earlier that year, approved the idea to unite with West Germany. By the end of June 1990, the East German mark was abolished and both countries coalesced economically. Negotiations between World War II victorious power and Germany were held and finally "the 2+4 Treaty" was signed. Prior to this, Mr. Kohl could overcome any resistance of Soviet president Mikhail Gorbachev,¹²⁶ and the unification occurred on 3 October 1990.

From 17 November 1989 to the end of the year, the beginning of a new democratic era in Czechoslovak history took root. This so called "velvet revolution" resulted in the end of the communist regime in Czechoslovakia and brought forward a new approach toward Czech-German relations. From the Czech point of view, Germany stopped being one of the western enemies and became a friendly neighbor and important economic partner. The old views on the post-war transfer of Germans were replaced because dissidents and exiles brought opinions and approaches to the Czechoslovak political scene gained from western historians and political scientists' literature

¹²⁵ Mr. Dubček was Secretary General of the Communist Party of Czechoslovakia and became a famous leading person during the so-called "Prague Spring" in 1968. Holý, Ladislav, *The little Czech and the great Czech nation*, (Cambridge: Cambridge University Press, 1996), p.34 , p.44, and p.140.

¹²⁶ Mr. Kohl promised to give Russia billions marks economic assistance.

unobtainable or prohibited under the old communist regime. People in Czechoslovakia were influenced by the communist regime propaganda and their sources of information on Czech-German relations and German transfer were limited. Sources and literature about the transfer were focused mainly on the Sudeten German role before World War II and their contribution to Nazi Germany occupation of Czechoslovakia, the creation of the Protectorate of Bohemia and Moravia, and the suffering of the Czech nation during World War II. The facts were not mentioned that some of the Sudeten Germans suffered in Nazi concentration camps and that after World War II, Germans were killed and thousands of them were forced to leave Czechoslovakia during the so-called "wild transfer." There was also no description of German suffering in camps while waiting for transportation to Germany during the transfer based on the Potsdam Agreement. Therefore it was quite difficult for a new dissident's approach to Czech-German relations to be heard and to get support from Czech public.

After the "velvet revolution", politicians formulated an opinion that if Czechoslovakia wanted "to return to Europe" and to become one of the full democratic states again, it had to settle its relations with other nations, especially with Germans. It was stressed that resolving the Sudeten German issue was one of the most important concerns because without settling this relationship with the closest western neighbor, Czechoslovakia could not be included in democratic Europe. "The national traditions were invoked to foster the confidence that the Czechs, as a democratic, cultural, and well-educated nation rightfully belonged to the West."¹²⁷ The idea of the return to Europe became a major issue during the 1990 election campaign and also during the following

¹²⁷ Holý, Ladislav, *The little Czech and the great Czech nation*, (Cambridge: Cambridge University Press, 1996), p.146.

years.¹²⁸ The economic reform, abandonment of the central planning system and building of a market economy were also some of the elements of this return. The support of good Czech-German relations was expressed in several ways: by showing and stressing periods of mutual cooperation of these two nations, criticizing significant historical Czechoslovak persons, such as Palacký or Masaryk, describing the suffering under Nazi rule of some Sudeten Germans who for the most part were peaceful and did not want to disrupt Czechoslovakia. A new approach and newly issued literature¹²⁹ showed all sides of the transfer and pointed out that unlawful transfer of Germans was connected to the rise of the Communist party power in post-war Czechoslovakia.

Václav Havel demonstrated his desire to reconstruct good relations with Germany and immediately after becoming the Czechoslovak president, he visited both the Federal Republic of Germany and the German Democratic Republic. He also gave an important speech on 15 March 1990 when Richard von Weizsäcker, president of the Federal Republic of Germany, visited Czechoslovakia. Havel said that the German president had already spoken many hard truths about the suffering that German ancestors caused Czechs, and then he expressed the opinion that Czechs had not said everything they should have said about their guilt. President Havel apologized for atrocities committed by Czechs during the transfer of the German population and Havel admitted that Czechs had accepted an unjust principle of collective guilt:

¹²⁸ Ibid., p.151.

¹²⁹ For example, the book written by Tomáš Staněk "Tábory v českých zemích 1945-48 (Camps in the Czech lands in 1945-48)," (Šenov u Opavy: Tilia, 1996) describes the situation and suffering of Germans during the 1945-48 period. It illustrates bad conditions in Reception Centers and mentions hundreds of German people who die there.

Instead of giving a proper trial to all those who betrayed their state we drove them out of the country and punished them with the punishment which was unknown to our legal system. It was not punishment it was revenge. Moreover, we did not expel them on the basis of proved individual guilt, but simply because they were members of a certain nation. And thus, on assumption that we were clearing the way for historical justice we hurt many innocent people most of all women and children.¹³⁰

Václav Havel stated he hoped that very soon the bold line after World War II would be drawn, followed by Europe establishing a friendly union of free nations and democratic states, founded on common respect for all human rights.

This speech by President Havel was highly condemned by the Czechoslovak public. Most Czechs saw this as his biggest political blunder affecting the president's popularity for a number of reasons. First, people were excluded from knowing all facts, so they did not see and feel any reason to apologize to Germans. Additionally, they considered Germans as a guilty nation, which should apologize to Czechs; then they saw the transfer as a way in which to prevent another Munich Agreement and as a logical result of the World War II. Next, many people also thought, and still think, and feared that an apology and confirmation of a lawless transfer to Germany and Sudeten Germans could open up an opportunity for Germans to return to the Czech borderland and that Czech people could lose their property obtained during the late 1940s and 1950s resettlement of the borderland areas.

President Havel's speech was continuously criticized during the following years. For example in 1994, Mr. Hekrdla criticized Havel's apology for the growing number of

¹³⁰ Havel, Václav, Projev při návštěvě presidenta Richarda von Weizsäcker 15.března 1990, (Speech of President Havel during a visit of German president Richard von Weizsäcker in Czechoslovakia on 15 March 1990), Available [Online]: < <http://www.hrad.cz/president/Havel/speeches/> > [28 December 1999], p.1-2.

property requests from the German side. He said that the best way to defend Czech interests was to make Czech policy stronger; otherwise, Czechs could fall under the intensified German demands like during the Henlein period in 1937-38.¹³¹

Contrarily, President Havel also had his supporters. Mr. Žák responded to Mr. Hekrdla in *Právo* and said that he understood Havel's gesture as an expression of Czechoslovak political maturity. He also stated that there were many organizations among the Sudeten Germans that did not look for revenge and demonstrate an ordinary partner relationship could exist between Czechs and Sudeten Germans. He mentioned, as an example, a representative of the Catholic Ackermannngemeinde¹³² who had reacted to Havel's gesture and had apologized for the Sudeten German role in the disruption of Czechoslovakia in 1938-1939.¹³³

The restitution law solved the people's fear of losing property. The date of 25 February 1948 was issued as the bottom line for available restitution. It meant if someone's property was confiscated before this date, for example; according to President Beneš's decrees, he or she could not get confiscated property back. This date was chosen because it was the date of a communist coup in Czechoslovakia and after that date, confiscation and laws adopted by the communist regime were considered unlawful. Czechoslovakia until the communist coup in 1948 was considered a democratic state; its laws and property confiscation resulting from different decrees or laws issued by the president or parliament were thought of as democratic and lawful.

¹³¹ Hekrdla, M., "Karta politických her nebo omyl (The card of the political games or a mistake)", *Rudé Právo*, 31 January 1994.

¹³² Ackermannngemeinde is Christian organization of Sudeten Germans in Germany.

¹³³ Žák, Václav, "Karta politických her nebo diletantismus (The card of the political games or diletantism)", *Rudé Právo*, 14 March 1994.

In these circumstances, the mayors of some towns where Sudeten Germans had lived before the transfer, such as; Aš and Liberec, during the years 1991-93, received many requests from Sudeten Germans for the property which had been confiscated according to Beneš's decrees after World War II.¹³⁴ The mayors used the restitution law, a set date of 25 February 1948 for property claims, and the valid Beneš's decrees to respond to these claims.

In February 1992, the Agreement of Good Neighborhoods and Friendly Cooperation between the Czechoslovak Federative Republic and the Federal Republic of Germany was signed. The Agreement confirmed nullity of the Munich Agreement already mentioned in the 1973 agreement. Both sides, Czechoslovakia and Germany, mentioned they were aware of many innocent victims of war, violence, and expulsion. They also expressed a firm decision not to use force and revenge for lawlessness to commit new injustices. Both sides stated that they would support all activities contributing to mutual understanding of Czechoslovak-German history and relations. This agreement did not solve the Czech-Sudeten German issue or any possible compensation claims for expulsion. Moreover, the problem was the 1992 agreement did not get support from a substantial part of the Czechoslovak opposition and the Bavarian CSU did not support it as well.¹³⁵

¹³⁴ Čech, Jan, "Sudetští Němci už na Ašsko kvůli majetku nepší, (Sudeten Germans Have Not Already Written because of Property Claims to Aš Region)," *Mladá fronta Dnes*, 27 February 1996.

¹³⁵ Moček, Michal, "Deklarace neuzavírá prostor pro jednotlivce, míní Vondra (The declaration does not close the space for individuals, Vondra thinks), *Mladá fronta Dnes*, 20 December 1996. CSU is important because it was a government coalition party and there are a lot of Sudeten Germans living in Bavaria who are politically affiliated to the CSU.

B. DIVISION OF CZECHOSLOVAKIA, NEW ATTITUDE TOWARD THE CZECH-GERMAN ISSUE AND THE CZECH-GERMAN RECONCILIATION PROCESS

After the 1992 elections, the discussion about the future of the common state of Czechs and Slovaks was developed. The federal system and inherited constitution, which provided a small number of parliament members, if they were determined or absent, with veto power within the Assembly, resulted in the division of Czechoslovakia.¹³⁶ Consequently, different Czech and Slovak opinions on reforms and state settlement and the federal system could result in a situation that the Federal Assembly would not be able to pass any proposed legislation or bill. The 1992 elections produced a Prime Minister of the Czech Republic, Václav Klaus, and a Prime Minister of Slovakia, Vladimír Mečiar, with electoral pluralities, different economic and political agendas, and veto power over each other.¹³⁷ Because of their different goals and mutual veto power, which could disable the other party in taking some steps, the dissolution of state was a logical and rational solution.

The Czech side was afraid that it was the last country, along with Slovakia, which did not receive any compensation from Germany and that all Nazi victims would die without receiving any financial compensation for their suffering. Therefore the Czech government approved a law and created a fund, in the year of 1994, for the Czech victims who obtained roughly the same amount of money as the Polish people did.¹³⁸ This

¹³⁶ Linz, Juan L. and Stepan, Alfred, *Problems of Democratic Transition and Consolidation*, (Baltimore: The Johns Hopkins University Press, 1996), p.330.

¹³⁷ *Ibid.*, p.332.

¹³⁸ Mocek, Michal, "Deklarace neuzavírá prostor pro jednotlivce, míní Vondra, (The declaration does not close the space for individuals, Vondra thinks)," *Mladá Fronta Dnes*, 20 December 1996.

solution was good for Czech victims of the Nazi regime, but, consequently, later it turned up as an unfortunate step in connection with the Czech-German issue and the compensation that the German side was expected to pay. The German side considered compensation for Czech victims resolved. The German Foreign Minister, Klaus Kinkel, answered the question as to whether the Fund for the Future, which should be one of the results of the Czech-German declaration, would be used also for Czech victims; he thought those people had already been compensated by the Czech side.¹³⁹

In 1994, the German chairperson of Bundestag, Mrs. Rita Süßmuth, offered to negotiate with the Czech parliament chairman Mr. Uhde on a parliamentary level about the compensation issue, including Sudeten German problems, which were not covered by the 1992 agreement and left open. Mr. Uhde refused this offer because, according to him, it was not appropriate for the Czech parliament to discuss such issues.¹⁴⁰ All German parliamentary parties condemned this step, and they said that a democratic state should openly discuss its problems, even if they were very difficult.

The economic cooperation between the Czech Republic and Germany further developed for several years after the revolution in 1989, and Germany became a very important business partner for the Czech Republic. It looked like the situation was stable and there were almost no problems in Czech-German relations except that the Czech Republic and Slovakia were still countries that had not receive direct compensation for

¹³⁹ Kovařík, Jan, "České oběti nacismu již odškodnila vláda ČR, (Czech Nazi victims have been already compensated by the Czech government)," *Právo*, 21 December 1996, and Buchert, Viliam, "Odškodnění: česká samota a německá ostuda, (Compensation: Czech loneliness and German disgrace)," *Mladá Fronta Dnes*, 11 January 1997.

¹⁴⁰ Mr. Uhde stated that "...he would not be glad to see how parliament looked for a solution in the discussion room of the House of Representatives." Žák, Václav, "Karta politických her nebo diletantismus? (The Card of Political Games or Dilettantism)," *Rudé Právo*, 14 March 1994.

Nazi victims due to the Sudeten German problem. In response, there was an endeavor from the Czech side to solve the Sudeten German issue and to get some compensation before all victims died and to make "a thick line after the past"¹⁴¹ forever. This contributed to initiating the process of the creation of the Czech-German declaration, which could solve the entire issue. It is necessary to say that the idea of a declaration was from former dissidents and exiles led by Václav Havel. The purpose was to settle the issue and to make amends with history. The practical and pragmatic politicians did not see any need for such declaration, particularly when they saw the Czech public did not favor a Czech apology to Germans, or any kind of property return or compensation. For example, in 1993, seventy-six percent of Czechs approved the 1945 transfer of the Sudeten Germans and considered that issue closed.¹⁴² They felt that opening up the Sudeten German issue and all relating cases would worsen the present good relations with Germany, especially in the economic sphere; they also feared that it could harm their political carriers.

The turning point was the speech of President Havel at Charles University on 17 February 1995. He asked for further development of Czech-German relations in the future. In his speech, Václav Havel stated that it was time to finish apologizing and sending bills for the past lawlessness, and it was time to start matter-of-fact discussions. He said "confrontation has to end definitively and cooperation has to start"¹⁴³. He also

¹⁴¹ Holý, Ladislav, *The little Czech and the great Czech nation*, (Cambridge: Cambridge University Press, 1996), p.129.

¹⁴² *Ibid.*, p.124.

¹⁴³ Havel, Václav, "Češi a Němci na cestě k dobrému sousedství, (Czechs and Germans on the Way To a Good Neighborhood)," Charles University, Prague, 17 February 1995, Available [Online]: <<http://www.hrad.cz/president/Havel/speeches/>> [28 December 1999], p.4.

mentioned that Germany had to say good bye to the idea of a nationalistic state superior to others and that the Czech Republic had to abandon "provincial fear" of Germans and forget the long-time fed prejudices about them. He stressed the Czech Republic would not negotiate over World War II results, interference into its legal system, and any kind of corrections of history to the detriment of contemporaries. He expressed a hope that thoughts of the Czech-German past, present, and future and the Czech-German reconciliation could be developed on the basis of mutual accord and the common fight against all those who want to spread ideas of nationalism. He stated that it was necessary to stop the course of revenge.¹⁴⁴

Reaction to the President's speech among Czech politicians throughout the entire political spectrum was positive because Havel used the traditional Czech interpretation of history and denied any revision of war results and Czech laws. Although he asked for discussion, he did not leave much space for it.¹⁴⁵ If he said that the Czech Republic would never negotiate about revisions of World War II results or changes in the Czech legal system, then there was nothing to negotiate because admitting the lawlessness of the transfer and rejection of Beneš's decrees were and are two main Sudeten Germans' demands. President Beneš's decrees were not so legally clear or unambiguous that it had to or should be defended. The Czech side should distant itself at least from the decrees, which forgave crimes committed on German people during the immediate post-war period or reject Czechoslovak citizenship for Germans because of nationality. President

¹⁴⁴ Ibid., p.4-5.

¹⁴⁵ Žák, Václav, "Politika nebo dějinné odůvodnění, (Politics or Historical Reasoning)," *Britské listy*, 19 February 1995, Available [Online]: <<http://blisty.internet.cz/9801/19980108f.html#5>> [12 November 1999], p.1.

Havel also talked about German inhabitants in Czechoslovakia who had preferred dictatorship and violence to democracy and dialogue.¹⁴⁶ It is not appropriate to put all Sudeten Germans into the same category because of their nationality. Germans got caught by nice speeches from the Reich, just as Czechs got caught by communism ideas after the World War II. Just as it can not be said that everyone who voted for the Communist Party in 1946, voted for concentration camps and judicial murders, and as it is impossible to say that all Sudeten Germans voted for Henlein.¹⁴⁷

Karl Heinz Filipp, professor at the University of Hamburg and honored member of the teachers' staff at Pedagogical Faculty in Prague, was one of the critics of Havel's speech in February 1995. He said that when President Havel stated he believed in a democratic, liberal, and European Germany of Theodor Heuss, Konrad Adenauer, Kurt Schumacher, Ludwig Erhard, Willi Brandt, and Richard von Weizsäcker, he should also, as a realistic politician, have said that he believed in a democratic Germany and Bavaria of Theo Weigel and Edmund Stoiber. Professor Filipp commented if Havel expressed the concept of leaving monologue and confrontation and starting dialogue why had he avoided mentioning the Sudeten German issue.¹⁴⁸

In March 1995, the Constitutional Court of the Czech Republic dealt with the suggestion to abolish Beneš's decree, No. 108/1946 Sb., concerning the confiscation of

¹⁴⁶ Havel Václav, "Češi a Němci na cestě k dobrému sousedství, (Czechs and Germans on the Way To a Good Neighborhood)," Charles University, Prague, 17 February 1995, Available [Online]: <<http://www.hrad.cz/president/Havel/speeches/>> [28 December 1999], p.5.

¹⁴⁷ Žák, Václav, "Politika nebo dějinné odůvodnění, (Politics or Historical Reasoning)," Britské listy, 19 February 1995, Available [Online]: <<http://blisty.internet.cz/9801/19980108f.html#5>> [12 November 1999], p.1.

¹⁴⁸ Filipp, Karl Heinz, "Historická zátěž česko-německých vztahů, (Historical Cumber of the Czech-German Relations)," Mladá fronta DNES, 16 January 1996.

enemy property, and the creation of funds for national restoration. The Constitutional Court decided that this decree was not only legal but also an legitimate act at the time it was issued.¹⁴⁹ Therefore, the Constitutional Court refused the suggestion to abolish this decree. The decision met with very negative reaction in the Federal Republic of Germany. This was not a good way to create normal relations between the Czech Republic and Germany.¹⁵⁰

The situation was not easy for either side, Czech or German, for the following reasons. According to the decision of the German Constitutional Court, if the German government accepted the invalidity of property claims by Sudeten Germans it would take the commitments on itself and would have to pay compensation by itself.¹⁵¹ The German Constitutional Court rejected the Sudeten German complaint that the 1973 Czech-German Agreement had touched their constitutional rights because confiscation of property without compensation is unconstitutional. The Constitutional Court stated that the Agreement did not consider the property issue, which still remained open. As a result, the Sudeten Germans could not ask the German government for compensation.¹⁵² Czech victims are also waiting for compensation and they should be compensated by Germany for World War II suffering. However, the Czech Republic can not get any compensation

¹⁴⁹ "Nález Ústavního soudu České republiky o platnosti dekretu č. 108/1945 Sb., (Decision of the Constitutional Court of the Czech Republic about the Decree No. 108/1945 Sb.)," 8 March 1995, Available [Online]: <<http://www.psp.cz/cgi-bin/ascii/docs/laws/dek/na1995.html>> [5 Decembra 1999], p.12.

¹⁵⁰ Žák, Václav, "Politika nemůže spočívat na dějinném odůvodnění, (Politics Can Not Rely on the Historical Reasoning)," Britské listy, 5 May 1995, Available [Online]: <<http://blisty.internet.cz/9801/19950505f.html#5>> [5 December 1999], p.1.

¹⁵¹ Žák, Václav, "Odpovědnost a karty, (The Reliability and the Cards)," Britské listy, 6 December 1993, Available [Online]: <<http://blisty.internet.cz/9801/19931206f.html#5>> [5 December 1999], p.1.

¹⁵² Žák, Václav, "Karta politických her a diletantismus, (The Card of Political Games or Dilettantism)," Právo, 14 March 1994.

because it has not been willing to reject President Beneš's decrees which remain as a part of the Czech legal system, and because the Sudeten German issue is still open.

On the Czech side, there was an official tendency to draw a thick line under history resulting from Havel's view that the communist regime stayed in power not only because of ruling communists, but also because everyone complied with the regime in some way, although only formally.¹⁵³ A similar approach was applied in foreign policy. A tendency was to make a thick line and solve the historical events, like the Sudeten German issue, once and for all.

In April 1995, Foreign Minister Zieleniec informed the executive board of the Civic Democratic Party¹⁵⁴ that the Czech Republic would start negotiations with Germany. The chairman of the party, Mr. Klaus, was against this idea because he thought that Social Democrats could totally destroy any plans for Czech-German reconciliation. Despite this, negotiations started and Mr. Alexander Vondra, deputy of the Czech Foreign Minister, along with Mr. Peter Hartman, Foreign Minister of the German Foreign Office, started to meet regularly in June 1995. Czech Prime Minister Václav Klaus assured that negotiations would be held at the government level, and not on the level of the Czech government versus Sudeten Germans.

Very soon after, governments of both countries took over the preparation of the Czech-German declaration, which should be worked out and passed by parliaments of both countries. At the beginning of August 1995, Czech Prime Minister Klaus said that it was not enough to deal with Czech-German relations on parliamentary level only, but it

¹⁵³ Holý, Ladislav, *The little Czech and the great Czech nation*, (Cambridge: Cambridge University Press, 1996), p.129.

was necessary to deal with it on the governmental level also.¹⁵⁵ When the negotiations at the "deputy level" were at a stand still, German Foreign Minister Kinkel and his Czech colleague Zieleniec announced in January 1996 they had taken over the negotiation process and wanted to finish negotiations soon.¹⁵⁶

The Chairman of the German opposition party SPD, Rudolf Scharping, claimed the Czech-German declaration would be settled in only a few weeks.¹⁵⁷ Czech coalition parties together with opposition Social Democrats had a similar but not so optimistic opinion. They stated that the declaration could be signed by the general elections in the Czech Republic in May 1996.¹⁵⁸

In September 1995, President Havel visited the eastern part of Germany and gave a speech in Dresden. He commented that Czechs and Germans from former German Democratic Republic could easily understand each other because of their common communist history and their similar feelings of freedom, democracy, hopes, and mutual understanding after the fall of communist regimes. He expressed the idea that life under communism led to a weakened individual responsibility, and therefore, to such causes as growing nationalism, xenophobia, and racism in countries with a communist history. He

¹⁵⁴ He was a member of this party and a member of its executive board, so he informed his colleagues within the party highest executive body.

¹⁵⁵ "K obratu do budoucnosti vyzval pred dvěma roky president Havel, (President Havel Asked for a Turn to the Future Two Years Ago)," *Mladá fronta DNES*, 21 January 1997.

¹⁵⁶ "V deklaraci je zásadní jen minulost, říká Zieleniec, (The Past Is Significant in the Declaration, Zieleniec says)," *Mladá fronta DNES*, 17 January 1996.

¹⁵⁷ "Česko-německé smíření je otázka týdnů, tvrdí předseda opoziční SPD Scharping, (Czech-German Reconciliation Is Question for Weeks, SPD Chairman Scharping claims)," *Mladá fronta DNES*, 8 July 1995.

¹⁵⁸ "Koalice se sociálními demokraty chtějí mít deklaraci do voleb, (Coalition and Social Democrats Want to Complete the Declaration by the Elections)," *Mladá fronta DNES*, 17 July 1995.

said that since Czechs and East Germans shared negative historical experience with communist totalitarianism it helped to develop more accurate perceptions of each other's position. He hoped that the western part of Germany would understand its eastern neighbor, as the eastern part could, and all Europe would not miss the historic chance to become a continent of peaceful cooperation based on equality. He stated, "one of the problems of the Czech-German relationship consists of a lack of knowledge of and understanding for each other's situation."¹⁵⁹

The first crisis developed in January 1996 when German Foreign Minister Klaus Kinkel issued some new demands, although both sides had stated the declaration was almost completed. He also said that the Potsdam Agreement was not a legal document and not binding for Germany.

The Deputy Chairperson of the Bundestag, Mrs. Antje Vollmer, member of the Alliance 90/Green Party, reacted to Mr. Kinkel's statement that Sudeten German property issue remain open. In the middle of January 1996, she said that Bonn government coalition had clearly rejected preparing the declaration during the meeting held on 20 December 1995. She also stated that the Czech side was very cooperative and, according to information she had, the declaration consisted of everything Germany would want: regret for the German expulsion, condemnation of committed crimes during the transfer, and moral dissociation from Beneš's decrees. According to her, Czechs would not accept other demands.¹⁶⁰

¹⁵⁹ Havel, Václav, "The Speech of President Václav Havel during Receiving of Honored Doctor of the Technical University of Dresden," 30 October 1995, Available [Online]: <<http://www.hrad.cz/president/Havel/speeches/>> [28 December 1999], p.4.

¹⁶⁰ "Praha dala Bonnu vše co žádal, tvrdí Vollmerová, (Prague Gave Everything to Bonn What It Asked for, Vollmer Claims)," *Mladá fronta Dnes*, 20 January 1996.

Czech Foreign Minister Josef Zieleniec indirectly accused Germany of complicating the signing of the Czech-German declaration. He also said that except for the view on the past, there was nothing important that needed more negotiations.¹⁶¹ Minister Zieleniec further accused Germany of graduating its requirements. According to him, Germany's approach was a result of development within Germany where forces against the declaration were louder than its supporters.¹⁶²

The Co-chairman of Free Democrats¹⁶³ and former Czech Foreign Minister, Mr. Jiří Dienstbier, believed he could not see any problems with Germany having stated new requirements, however he saw a problem with Chancellor Kohl who had only a narrow majority in the Bundestag and needed CSU, which did not want to lose its absolute majority in Bavarian parliament.¹⁶⁴ He also said that Czechs could not be afraid of some property claims because the Czech-German Agreement clearly stated both sides promised not to allow the results of the war to be solved by new lawlessness.¹⁶⁵

As a reaction to Mr. Zieleniec statements, German Foreign Minister Kinkel said that he had expected the Czech side would dissociate from Beneš's decrees as an exchange for German rejections of all Sudeten German property claims. Other demands addressing lawlessness after World War II, had to be called by their right name. Kinkel

¹⁶¹ "V deklaraci je zásadní jen minulost, říká Zieleniec, (The Past Is Significant in the Declaration, Zieleniec says)," Mladá fronta DNES, 17 January 1996.

¹⁶² "Zieleniec viní Německo, že komplikuje podpis deklarace, (Zieleniec accused Germany of Complicating the Declaration Signing)," Mladá fronta DNES, 17 January 1996.

¹⁶³ Term Free Democrats stands for Free Democrats - Liberal National Socialist Party (Svobodní demokraté - Liberální strana národně sociální [SDLSNS]).

¹⁶⁴ CSU is one of the CDU/CSU coalition parties. They form one faction within the German parliament, Bundestag, but they are two independent parties.

¹⁶⁵ Martinková, Eva and Stonis, Marek, "Emoce patří do dějin, (Emotions Belong to History)," Lidové noviny, 16 January 1996.

required moral dissociation from the 1946 problematic law about amnesty and from the Beneš's decrees. Kinkel stated that "thick line under history" which the Czech side asked for was impossible for legal reasons. He also mentioned that the Potsdam Agreement was only a political statement, not binding for Germany.

Franz Neubauer, representative of Sudetendeutsche Landsmannschaft (SL),¹⁶⁶ said that current difficulties were produced by Prague, requiring everything, but unwilling to give anything.¹⁶⁷ According to Mr. Kinkel, Prague claimed the forced transfer of Germans had been all right from the legal point of view, because it had been backed by the Potsdam Agreement. Mr. Kinkel thought this statement was not true.¹⁶⁸ A spokesman of the parliamentary faction CDU/CSU, Mr. Lamers, said that a different approach to the Potsdam Agreement sprang from the Czech unwillingness to admit the Sudeten German transfer had been unlawful.¹⁶⁹

It seemed from this accusation exchange made by both Foreign Ministers that both countries had, first, very different approaches to history and, secondly, a different approach to negotiations. While the Czech side conducted negotiations in close cooperation within the entire coalition and with the opposition Social Democrats, the German side probably did not seek a wider agreement within its government coalition.

¹⁶⁶ Sudetendeutsche Landsmannschaft is one of the organizations representing Sudeten Germans living in Germany. Tremendous number of the Sudeten Germans are especially living in Bavaria, which make them an influential interest group in Bavarian state politics. According to 1996 polls, about 100,000 Sudeten Germans in Bavaria are members of this organization.

¹⁶⁷ "Kinkel po Praze žádá, aby odsoudila dekrety, (Kinkel Asks for Prague to Reject the Decrees)," Mladá fronta DNES, 19 January 1996.

¹⁶⁸ Rakušanová, Ludmila, "Kinkel žádá alespoň morální odstup od dekretů, (Kinkel Asks for at Least Moral Rejection of the Decrees)," Mladá fronta DNES, 18 January 1996.

¹⁶⁹ "V Praze by se neměli schovávat za Postupim, tvrdí mluvčí CDU, (In Prague, They Should Not Hide Behind the Potsdam Agreement, CDU spokesperson claims)," Mladá fronta DNES, 19 February 1996.

When the German Foreign Minister submitted a draft of the declaration to the government coalition, it, especially its Bavarian part, found it insufficient.¹⁷⁰ This then led to other demands and consequently to accusing statements from both sides. Additionally, Czech Prime Minister Václav Klaus and German Chancellor Helmut Kohl were probably not able to establish good relationship with each other. When Mr. Klaus planned to visit Germany in January 1996, the meeting with Mr. Kohl was not scheduled, even though, the situation needed it because of the Foreign Ministers mutual accusations. It was not the first time for both statesmen to be unwilling to meet. Mr. Klaus and Mr. Kohl had not met for the past three years, so both sides did not follow the provisions of the 1992 agreement in which annual meetings at the level of Prime Ministers were to be held.¹⁷¹

Three victorious powers from World War II, Great Britain, USA, and Russia, backed the Potsdam Agreement. The British and Americans also stated that decisions made in this agreement resulted from international law. Moreover, American and French sides considered the Potsdam Agreement as a historical fact.¹⁷² Statements of victorious powers were not so significant for Czech-German relations and the development of the declaration, but the German's and Czech's approach to this issue was more important.

Kinkel's opinion about the Potsdam Agreement was in discrepancy with statements from the United States, Great Britain, and Russia, a successor of the Soviet

¹⁷⁰ Rakušanová, Ludmila, "Česko-německé vztahy potřebují další kroky, (Czech-German Relations Need Next Steps)," Mladá fronta DNES, 19 January 1996.

¹⁷¹ "Kohl a Klaus se minou i v Bonnu, (Kohl and Klaus will not meet even in Bonn)," Mladá fronta DNES, 16 January 1996.

¹⁷² Mocek, Michal, "Důležitá není Postupim, ale Německo, (Important Is Not Potsdam but Germany)," Mladá fronta DNES, 19 February 1996.

Union. Their Prague Embassies stated that this agreement had authorized and agreed to the Sudeten German transfer.¹⁷³ Allegedly, a positive change in Czech-German relations came because World War II victorious powers replied to Kinkel's statement about the Potsdam agreement. Their reply backed the Potsdam Agreement but weakened the German position.¹⁷⁴

According to some sources, Helmut Kohl did not want to do anything related to a declaration development until the summer¹⁷⁵ when the Czech elections would be over. Antje Vollmer, Deputy Chairperson of the Bundestag and Green Party Bundestag member, and Kurt Biedenkopf, Prime Minister of Saxony and CDU member, had the same opinions.¹⁷⁶

The process of the Czech-German Declaration was affected by the Czech 1996 election campaign. It was hoped, especially from the German side, that Czech-German relations and the Sudeten German issue would not become the main issue during Czech's election campaign, however the opposite happened. All political parties used more or less the fear of Sudeten Germans during the 1996 election campaign. Communists and Republicans tried to scare people in believing that if a coalition received support, it would finish the Czech-German declaration process and Sudeten Germans could return to the Czech Republic. Coalition parties stated that they were not willing to negotiate with

¹⁷³ "Klaus Kinkel přiznává viny Němců, ale odsun odsuzuje, (Klaus Kinkel admits German guilt but condemns the transfer)," *Mladá fronta DNES*, 20 February 1996.

¹⁷⁴ "Vztahy jsou lepší i díky Postupim, (Relations are Better Also Because of Potsdam)," *Mladá fronta DNES*, 5 April 1996.

¹⁷⁵ Czech general elections are expected to be held at the end of May and German politicians do not want a Czech-German declaration and the Sudeten German issues to be involved in the election campaign. It could influence reached negotiations and mutual relations.

¹⁷⁶ "V Praze by se neměli schovávat za Postupim, tvrdí mluvčí CDU, (In Prague, They Should Not Hide Behind the Potsdam Agreement, CDU spokesperson claims)," *Mladá fronta DNES*, 19 February 1996.

Sudeten Germans, and Beneš's decrees were unchangeable, but that the declaration would solve the Sudeten German issue if it were signed.

Political parties were careful in their statements because they were familiar with public opinion. Only seven percent of the people verified they would be willing to vote for a party supporting an idea of apology to Sudeten German; whereas, eighty six percent of people would not vote for such a party.¹⁷⁷ German Foreign Minister Klaus Kinkel declared that Germany would not require any conditions for its support for the Czech Republic to become a part of the European Union (EU) or a NATO member. Mr. Kinkel reacted to recent statements by Bavarian politicians, who had asked to make connection between German's support for the Czech Republic EU and NATO membership and the Sudeten German issue. CSU Bundestag Deputy Chairman Hans Klein said he believed the declaration of Czech-German relations was not necessary, and it was only a superfluous paper.¹⁷⁸

After elections, the situation was unclear because the government coalition, which started the process of creating a declaration, did not get a majority in parliament.¹⁷⁹ The situation was uncertain and discussion about new early elections started. Therefore German Chancellor Kohl stated in Bundestag on 11 September 1996 that the Federal Republic of Germany wanted to finish the Czech-German declaration by the end of that year. He called for the opposition and also government FDP members to have patience

¹⁷⁷ "Jenom zlomek lidí je pro omluvu Německu za odsun, (Only a Small Portion of People Is for Apology to Germans for the Transfer)," Mladá fronta DNES, 9 April 1996.

¹⁷⁸ "Německá vláda nechce podmiňovat český vstup do unie, říká Kinkel, (German Government Does Not Want to Condition Czech Membership in EU, Kinkel says)," Mladá fronta DNES, 3 June 1996.

¹⁷⁹ Coalition parties received only 99 seats out of 200 and depended on independent parliament members or on Social Democrats.

during future negotiations with the Czech Republic.¹⁸⁰ He also confirmed full support for the EU membership of the Czech Republic. Czech Prime Minister Václav Klaus replied to Kohl's statement by saying that negotiations were continuing at the level of negotiators who worked on details.¹⁸¹ Czech President Havel appreciated German Chancellor Helmut Kohl's wish to conclude a declaration process by the end of the year. Josef Lux, chairman of the Czech Christian Democrats, considered it important for the agreement to exceed coalition accord and for the opposition to also take part in the declaration discussion.¹⁸² German FDP¹⁸³ Chairman Wolfgang Gerhardt said that Prague had complied with the transferred Germans, and now he expected the Bavarian government of CSU leader Edmund Stoiber to take a positive attitude towards the declaration.¹⁸⁴

Mr. Kohl said that the Czech side should openly speak about the post-war German transfer in the declaration. The Czech daily "Právo" expressed that more open statement about Czech post-war history was not so important for Germans, but that the Sudetendeutsche Landsmannschaft and Bavarian CSU wanted the Czech side to admit that the German transfer, approved by victorious powers in Potsdam, was basically expulsion: it means an unlawful act. The Sudetendeutsche Landsmannschaft

¹⁸⁰ "Kohl chce letos dokončit deklaraci, (Kohl Wants to Complete the Declarations This Year)," Právo, 12 September 1996.

¹⁸¹ "Klaus: Text ještě pilují úředníci, (Klaus: Clerks Still Work on the Text)," Právo, 12 September 1996.

¹⁸² "Havel, Kalvoda a Lux chtějí deklaraci do konce roku, (Havel, Kalvoda, and Lux Want to Finish the Declaration by the End of Year)," Právo, 13 September 1996.

¹⁸³ FDP had been the junior partner in the government coalition with CDU/CSU since 1982.

¹⁸⁴ "Kohl chce letos dokončit deklaraci, (Kohl Wants to Complete the Declarations This Year)," Právo, 12 September 1996.

representatives would deduce from that admission the rejection of Beneš's decrees, the right of transferred Germans to return and get at least part of their property back.¹⁸⁵

On 13 September 1996, the German coalition agreed that the declaration should be signed by the end of that year and discussions with the Czech side should continue. Mr. Kinkel was chosen as German leader for these negotiations; nonetheless, different opinions from SL sources and government sources were issued about other points of the coalition negotiations. A spokesman of Mr. Stoiber said that the Czech side admitted the expulsion (vyhnání) of Germans as lawlessness¹⁸⁶ and the possibility for Sudeten Germans to live permanently in the Czech Republic. He also said Mr. Kinkel was entrusted with preparation of a discussion forum between Czechs and Sudeten Germans. A German government spokesman, Mr. Hausman, denied all of Mr. Stoiber's spokesman statements and declared they were not results of that coalition meeting.¹⁸⁷

Different representatives of German political parties had different opinions on the readiness of the declaration. CSU chairman and Finance Minister of Kohl's cabinet, Theo Waigel, proclaimed on 9 October 1996 that it was not necessary to rush with the Czech-German declaration, there would be nothing wrong, if it were signed next year. The new chairman of the opposition SPD party, Mr. Lafontaine, said that his party trusted Chancellor Kohl's word about the signing of the declaration by the end of the year.¹⁸⁸

¹⁸⁵ "Kohl promluvil, Klaus upřesňuje, (Kohl said, Klaus Makes It Precise)," *Právo*, 13 September 1996.

¹⁸⁶ German television channel ARD mentioned similar opinion at the beginning of September 1996. It said that the Czech Foreign Minister Zieleniec accepted the term expulsion long time ago. "Kohl chce letos dokončit deklaraci, (Kohl Wants to Complete the Declarations This Year)," *Právo*, 12 September 1996.

¹⁸⁷ "Němečtí mluvčí se přou o účast sudetských Němců na jednání s ČR, (German Spokesman Disputes about Sudeten German Participance in Negotiations with the Czech Republic)," *Právo*, 13 September 1996.

¹⁸⁸ "Věříme, že Kohlovo slovo platí, (We Believe That Kohl's Word Is Valid)," *Právo*, 10 October 1996.

At the beginning of October, the Chairman of German Social Democrats (SPD), Oscar Lafontaine, visited the Czech Republic stating the CSU trials to delay the declaration process could threaten the entire Czech-German reconciliation process. He also repeated SPD support for the Czech Republic to join EU and NATO. Czech parliament chairman Miloš Zeman denied the declaration contained double citizenship for Sudeten Germans and rejection of Beneš's decrees.¹⁸⁹

After the Mr. Lafontaine's visit, the chairmen of the coalition parties and the chairman of Social Democrats met with President Havel to discuss the Czech-German declaration. Some disagreements came up during that meeting. Allegedly, Mr. Klaus accused President Havel, Mr. Lux, and Mr. Kalvoda¹⁹⁰ of being too open-minded or willing to give in to all German demands. Foreign Minister Zieleniec received opinions from politicians present at that meeting on the way to continue the negotiations for the declaration with Germany.¹⁹¹

The Bavarian Prime Minister and one of the CSU leaders, Edmund Stoiber, said on 23 October 1996 there was no necessity to conclude the declaration process. According to him it did not matter if the declaration would be by the end of year or next year or in three years. It would not hurt Czech-German relations.¹⁹²

¹⁸⁹ "Lafontaine: Zdržovací pokusy CSU ohrožují sblížení s ČR, (Lafontaine: CSU Delay Attempts Threaten Reconciliation with the Czech Republic)," *Právo*, 10 October 1996.

¹⁹⁰ Mr. Lux was a chairman of the Christian Democratic Party and Mr. Kalvoda was a chairman of the Civic Democratic Alliance. Both parties were members of governing coalition.

¹⁹¹ "Koalice jednala s Václavem Havlem i o malých změnách v deklaraci, (Coalition Discussed with Václav Havel Also Small Changes in the Declaration)," *Právo*, 10 October 1996, and "Při schůzce na Hradě se strhl spor o deklaraci, (Dispute about the Declaration Occurred During the Meeting at the Prague Castle)," *Právo* 11 October 1996.

¹⁹² "Stoiber: Termín podpisu deklarace není naléhavý, (Stoiber: Date of the Declaration Signing Is Not Important)," *Mladá fronta DNES*, 24 October 1996.

Negotiations quite successfully continued, so on 5 December 1996, German Chancellor Helmut Kohl met with representatives of Sudeten Germans to observe the last version of the Czech-German declaration before its signing. The Deputy Chairperson of the Bundestag, Antje Vollmer, blamed Sudetendeutsche Landsmannschaft and Bavarian CSU for making the declaration acceptance impossible. She said the entire delay was ninety percent because of CSU and the rest was Mr. Kohl's hesitation.¹⁹³

The text of the declaration was kept secret and its content was not available, even to parliament members. It was quite surprising when a German television channel, ARD, made the declaration public. Czech Foreign Minister Zieleniec confirmed it had issued genuine content from the declaration, and, in his opinion, this was last version of the declaration and nothing would change in it.¹⁹⁴ There were two speculations of why the declaration was made public. The first one said Helmut Kohl wanted to quickly and definitively disable other Sudeten Germans attempts, especially Sudetendeutsche Landsmannschaft, to change the declaration.¹⁹⁵ The second one said the declaration was made public by the Sudetendeutsche Landsmannschaft, because it hoped the declaration would not be signed. Allegedly, they thought the content of the declaration could create negative reactions on the Czech side and therefore the declaration would not be signed.¹⁹⁶

¹⁹³ "Kancelář seznámil sudetské Němce se zněním deklarace, (Chancellor Acquired Sudeten Germans with the Text of the Declaration)," *Mladá fronta DNES*, 6 December 1996.

¹⁹⁴ Mocek, Michal and Palata, Luboš, "Deklarace je smělejší než se očekávalo, (The Declaration Is More Audacious than It Was Expected)," *Mladá fronta DNES*, 10 December 1996.

¹⁹⁵ "Znění česko-německé deklarace zřejmě uniklo z Kohlova úřadu, (The text of the Czech-German Declaration Leaked from the Kohl's Office)," *Mladá fronta DNES*, 11 December 1996.

¹⁹⁶ "Sudetští Němci deklaraci dále odmítají, (Sudeten Germans Are Still Refusing the Declaration)," *Mladá fronta DNES*, 12 December 1996.

On 11 December 1996, the leader of the Sudetendeutsche Landsmannschaft stated his organization rejected the Czech-German declaration as it was at that time. Representatives of Bavarian CSU said that the declaration was a contribution to mutual Czech-German relation, however the CSU had to support it only if other requirements for Sudeten Germans were added. For example, Bavarian Minister for Labor, Barbara Stamm, commented that CSU could back the declaration if the Czech side would start dialogue with Sudeten Germans.¹⁹⁷

The Czech side was satisfied, because in its opinion, it had enforced its idea of "a thick line after history" because both parties agreed they would not encumber their political and legal relations with questions from the past and both countries would respect the legal system of other country.¹⁹⁸ It meant for the Czech side inviolability of Beneš's decrees.

The Czech government approved the Czech-German declaration in its meeting on 17 December 1996. Prime Minister Klaus stated the government considered this document as a final one and there was no reason to change anything. The German government approved the declaration unanimously on 18 December 1996.¹⁹⁹

On 20 December 1996 German and Czech Foreign Ministers, Mr. Kinkel and Mr. Zieleniec, signed the Czech-German declaration. Mr. Kinkel said that he was satisfied with the declaration which exceeded the 1992 interstate agreement. He stated that the declaration did not mean past injustices would be forgotten and should not encumber

¹⁹⁷ "Bavorsko podmíněně podpořilo deklaraci, (Bavaria Conditionally Supported the Declaration)," Mladá fronta DNES, 17 December 1996.

¹⁹⁸ Mocek, Michal and Palata, Luboš, "Deklarace je smělejší než se doposud čekalo, (The Declaration Is More Audacious than It Was Expected)," Mladá fronta DNES, 10 December 1996.

¹⁹⁹ "Spolková vláda souhlasí, (Federal Government Agrees)," Lidové noviny, 20 December 1996.

future mutual relations. He also stated Germany would support the Czech Republic EU and NATO membership.²⁰⁰

German Chancellor Helmut Kohl and Czech Prime Minister Václav Klaus signed the Czech-German declaration on 21 January 1997. Václav Klaus said the declaration was a clear and understandable statement on how both countries saw the past and the future, and any new input would shift the declaration in a different direction. He also said that some different points of view on some questions remained. Helmut Kohl surprised the Czech side when he stated that the property issue connected to the German transfer from Czechoslovakia was not closed. He said, "the property questions remain open."²⁰¹ Later during the approving process in Bundestag, Chancellor Kohl stated Bonn respected the Czech legal system and he also said "in property questions, each party remains bound by its legal system and it respects that the other party has different legal opinions."²⁰² He also mentioned there were a lot of questions that could not be solved by the declaration and the declaration "was not a thick line in any case."²⁰³

On 30 January 1997, the German Bundestag approved the Czech-German declaration by overwhelming majority.²⁰⁴ The Bavarian CSU wanted to add some

²⁰⁰ Kinkel, Klaus, "Společné utváření evropské budoucnosti, (Common Creation of European Future)," Mladá fronta DNES, 21 December 1996, and "S deklarací je spokojen jak Kinkel tak i němečtí Židé, (Kinkel just as German Jews Are Satisfied with the Declaration)," Mladá fronta DNES, 31 December 1996.

²⁰¹ "Klaus s Kohlem podepsali deklaraci, (Klaus and Kohl Signed the Declaration)," Právo, 22 January 1997.

²⁰² Mocek, Michal, "Ve Spolkovém sněmu prošla deklarace jasnou většinou, (The Declaration Was Passed by Clear Majority in the Bundestag)," Mladá fronta DNES, 31 January 1996.

²⁰³ "Klaus s Kohlem podepsali deklaraci, (Klaus and Kohl Signed the Declaration)," Právo, 22 January 1997.

²⁰⁴ There were 578 out of 672 Bundestag members for the declaration and only twenty were against.

accompanying explanatory text to the declaration,²⁰⁵ while the Czech House of Deputies Chairman Miloš Zeman, publicly supported by German SPD, tried to enforce his version of accompanying text; however, both attempts were not successful. Politicians throughout the German political spectrum asked the Czech side to start discussion with Sudeten Germans. Minister Kinkel claimed that most Sudeten Germans had been ready for reconciliation from the beginning. Also Bundestag Deputy Chairperson Mrs. Vollmer directly asked the Czech side for negotiations with Sudeten Germans. Bavarian CSU also welcomed the declaration. CSU chairman Theo Waigel said the solution to vote for or against was not made easy. Bavarian Prime Minister Stoiber said that despite the indubitable imperfections the declaration was a building block for the future.²⁰⁶

Czech Social Democrats stated that the Czech-German declaration would be more acceptable to the Czech Social Democratic Party parliament members if the government worked out a report explicitly explaining some disputable points of the declaration and disabling interpretations that would cast doubt on post-war arrangement and its legal foundations.²⁰⁷ Social Democrats then made an effort to force the House of Deputies to approve an introductory statement to the Czech-German declaration. The discussion in the House covered this issue, but it was also full of attacks and accusations from the Republican Party side. The coalition Civic Democratic Party made a compromise, withdrew its own introductory statement, and supported the Social Democratic one. This

²⁰⁵ "Stoiber: CSU trvá na prohlášení k deklaraci, (Stoiber: CSU Insists on Pronouncement to the Declaration)," *Právo*, 23 January 1997.

²⁰⁶ Mocek, Michal, "Bonn deklaraci vítá, vyzývá však k jednání se sudetskými Němci, (Bonn Welcomes the Declaration, However It Challenges to Negotiations with Sudeten Germans)," *Mladá fronta DNES*, 31 January 1997.

²⁰⁷ "ČSSD požaduje upřesnění sporných bodů deklarace, (CSSD Asks for Specification Disputable Points of the Declaration)," *Právo*, 20 January 1997.

contributed to the approval of the declaration by 131 votes.²⁰⁸ Czech Senate approved the Czech-German declaration without any introductory statement.

Minister Zieleniec stated the declaration did not have, in comparison to an agreement, international-legal results, but it was a political and moral commitment for Czech and German governments. He admitted the declaration could not entirely solve property questions.²⁰⁹

The exchanges of presidential speeches in reciprocal parliaments were the last stage of the Czech-German declaration process. On 24 April 1997, Czech President Havel gave a speech in Bundestag and on 29 April 1997, German President Herzog spoke to a joint session of the House of Representatives and Senate at Prague Castle.

In February 1997, Mr. Wilfried Antusch, judge of German Supreme State Court in Munich, commented that the Czech-German declaration was not only a political statement, but also an international treaty since the declaration had been signed by representatives of two nations as a binding treaty.²¹⁰

Both sides welcomed the Czech-German declaration and appreciated its contribution for future mutual relation. At the same time, they realized there were different opinions on different issues, different legal systems to be accepted, and a thick line was not a thick line because some issues remained open. Different opinions and names for the post-war transfer of Germans remained in Czech and German versions of

²⁰⁸ "Deklarace byla přijata jasnou většinou hlasů, (The Declaration Was Passed by the Clear Majority of Votes)," *Mladá fronta DNES*, 15 February 1997.

²⁰⁹ "Deklarace byla přijata jasnou většinou hlasů, (The Declaration Was Passed by the Clear Majority of Votes)," *Mladá fronta DNES*, 15 February 1997.

²¹⁰ Kovařík, Jan, "Deklarace je i mezinárodní smlouvou, prohlásil německý soudce Antusch, (The Declaration Is also an International Agreement, German Judge Antusch Stated)," *Právo*, 26 February 1997.

the declaration. Additionally, some forces on both sides tried to add some explanatory amendments to the declaration since they thought it necessary to explain and interpret the declaration indicating that the approximate two-year work had been incomplete or wrong. For example, in March 1997, the German Ambassador in Prague, Anton Rossbach, said there were interpretations in the government report and speeches of Mr. Klaus and Mr. Zieleniec in the Czech parliament not in accord with the Czech-German declaration and this should not be repeated in the future. Social Democratic parliament member Pavel Dostál, Czech Social Democratic parliament member, immediately reacted by stating he hoped this was not an official attitude of the German side because, in this case, the Czech Social Democratic Party would have to revise its approach to the declaration.²¹¹ This little word exchange proved the declaration did not successfully overcome disputable points and almost nothing had changed.

Almost half a year after signing the Czech-German declaration, German Foreign Minister Kinkel issued an article related to the Czech-German relations in the German daily, *Frankfurter Allgemeine Zeitung*. He gave responses to questions, which either remained unanswered or were neglected during the negotiation process of the Czech-German declaration. He felt the declaration opened the possibility for compensation for Czech victims of Nazism.²¹² He also pointed out that nobody, including Sudeten

²¹¹ "Český výklad deklarace neodpovídá zcela textu, soudí velvyslanec SRN v ČR, (The Czech Explanation of the Declaration Is Not Fully in Accord with the Text, German Ambassador in the Czech Republic Said)," *Právo*, 24 March 1997.

²¹² This was not so clearly mentioned before. Attitude of the German side in past was that Czech victims were compensated by the Czech government and that financial means of the Fun for Future should be used for other activities.

Germans, could be excluded from the Discussion Forum prepared in accordance with the declaration.²¹³

Germany put 140 million German marks into the Fund for the Future which would be established according to the Czech-German declaration. The Czech side would contribute twenty or twenty-five million German marks.²¹⁴ Both sides would be equal in the decision-making process connected with this fund. This financial means could be used for the Czech-Nazi victims but above all for youth exchange actions, ecological activities, education, culture, etc.²¹⁵

In the middle of August 1997, German Foreign Minister Kinkel announced the first steps for realization of the Fund for Future and the Discussion Forum started to be form.²¹⁶ Czech Prime Minister and the German Chancellor stated, after the signing of the declaration, the declaration results would be introduced in the near future, but the practical realization process was quite slow.

Discussions about the Fund for the Future lasted almost one year because of the reluctant approach of German CSU. However the opposition SPD forced the establishment of the fund, approved within the Czech-German declaration. Moreover, the coalition FDP did not agree with postponing Nazi victim indemnification. Therefore the German side finally announced that the German Ambassador in Prague would deliver the

²¹³ Tigrid, Pavel, "Nedvojsmyslná slova pana ministra Kinkela, (Unambiguous Words of Minister Kinkel)," Mladá fronta DNES, 15 August 1997.

²¹⁴ According to negotiations between Foreign Ministers Kinkel and Zieleniec, the Czech side should contribute 440 million Czech crowns which equals roughly 23 million German marks

²¹⁵ "Zieleniec strávil víkend s Kinkelem, (Zieleniec Spent a Weekend with Kinkel)," Mladá fronta DNES, 24 February 1997, and Mocek, Michal and Palata, Luboš: "Deklarace je smělejší než se doposud čekalo, (The Declaration Is More Audacious than It Was Expected)," Mladá fronta DNES, 10 December 1996.

²¹⁶ Kovařík, Jan, "Po půl roce od deklarace, (Half a Year from the Declaration)," Právo, 13 August 1997.

appropriate diplomatic note allowing the establishing of the fund from 1 January 1998.²¹⁷

The fund started to work but only formally because the German side selected its representatives to the administrative board during January 1998.

The year 1998 was an election year in both countries. The Czech Republic held early elections in June. Social Democratic Party became the strongest party (Table III-1) and formed a minority government with support from the "opposition" the Civic Democratic Party. Social Democratic leader Miloš Zeman became Prime Minister. On 26 July 1998, he commented on the members of German delegation in Discussion Forum and said that there should be only people who supported the declaration. He stated, "Sudetendeutsche Landsmannschaft does not belong to the organizations which supported this declaration. And similarly to our side, there are neither Communists nor Republicans, I can not see any reason why Landsmannschaft should be there from German side."²¹⁸ His statement created wide criticism in Germany where the campaign for state elections and also September federal election took place.²¹⁹ Chancellor Kohl declared such statements were fully unacceptable. He said Mr. Zeman probably did not know what he was speaking about or he had used his statement for intra-political disputes; regardless of which either way was wrong. He also said that if he met with Mr. Zeman he would tell him how Germany did not envisage good relations between neighbor states. Additionally Mr. Stoiber repeated his threat to block Czech membership

²¹⁷ Štěpánková, Ivana, "Fond sice vznikne 1.ledna, ale musí take začít pracovat, (The Fund Will Be Created on 1st January, but It Has to Start Working)," Slovo, 29 December 1997.

²¹⁸ "Co vlastně řekl Zeman, (What Did Mr. Zeman Actually Say)," Právo, 5 August 1998.

²¹⁹ Mr.Zeman was criticized by German Finance Minister Theo Weigel, Saxon CDU representative Volker Schrimppff, Bavarian Prime Minister Stoiber, chairman of German liberals (FDP) Wolfgang Gerhard, and also by Foreign Minister Klaus Kinkel. "Kohl se přidal ke kritice Zemana, (Kohl Joined the Critique of Zeman)," Právo, 5 August 1998.

in the EU. Czech politicians took Stoiber's statement as not meant to be so serious, and said Mr. Stoiber wanted to indicate that Mr. Zeman, as a Prime Minister, should be more careful in his words.²²⁰

Czech Prime Minister Zeman refused to react on Kohl's criticism and the Czech government issued a statement that "the Czech Republic government would not comment any statements made by German politicians which resulted from incorrect interpretation of Mr. Zeman's statement."²²¹

Table III-1: Results of the Election to the Czech Parliament Hold 20-21 June 1998

Parliament Political Party	percent of votes	number of seats
CSSD (Social Democratic Party)	32.3	74
ODS (Civic Democratic Party)	27.7	61
KSCM (Communist Party)	11.0	24
KDU-CSL (Christian Democratic Party)	9.0	20
US (Freedom Union)	8.6	19
SPR-RSC (Republican Party)	3.9	0

Source: "Czech Election Results." Fact on File World News Digest, 6 August 1998, [Lexis-Nexis]: EUROPE/ALLEUR [10 February 2000], p.1.

The German Social Democrat Mr. Verheugen²²² backed Mr. Zeman when he said Zeman was a person willing to compromise and ensure majority during parliamentary voting for the Czech-German declaration and that he also had his share in the Czech NATO joining policy. He asked Premier Zeman to explain his statement and he

²²⁰ "Kohl se přidal ke kritice Zemana, (Kohl Joint Critique of Zeman)," *Právo*, 5 August 1998.

²²¹ "Do česko-německé bitvy se zapojil i kancléř Kohl, (Chancellor Kohl Joined the Czech-German Battle)," *Mladá fronta DNES*, 5 August 1998.

²²² Mr. Verheugen was responsible within the Bundestag fraction of the SPD for foreign affairs and was the spokesman on these affairs. In 1999, he became a member of the EU Commission, responsible for EU enlargement.

expressed belief for democratic reliability of Sudeten Germans.²²³ Czech President Václav Havel criticized the Chancellor and the Bavarian CSU for criticizing Prague to get some votes for parliamentary elections. He said, "As Czech parliamentary elections have shown, votes cannot be gotten though creating a negative picture of inhabitants of neighbor country."²²⁴

On 21 August 1998, Chancellor Helmut Kohl met with the chairman of the Expellee Union, Erika Steinbach, and ensured Germans, transferred after World War II, that negotiations with the Czech Republic and Poland regarding the European Union would facilitate the solving of disputable bilateral problems. This should include the right for a person to choose the place where he or she wants to live.²²⁵ Mrs. Steinbach asked for a solution of disputable points before the Czech Republic and Poland joined European Union. She said, "...the right for fatherland is more than only settlement freedom and how the EU ensures it."²²⁶

Arguing about the Discussion Forum, which should be used for Czech-German talks about mutual relations, was reflected in the German parliament during the discussion of the Czech membership in NATO. A German CSU parliament member, Mr. Schmidt, said that the Czech anti-German attitudes could complicate the process of

²²³ "Zeman by měl své výroky vysvětlit, říká Verheugen, (Zeman Should Explain His Statements, Verheugen says)," Mladá fronta DNES, 12 August 1998.

²²⁴ "President nepřímo odsoudil kancléřův útok na Zemana, (The President Indirectly Condemned Chancellor's Attack on Zeman)," Mladá fronta DNES, 14 August 1998, and "Havel odmítl roztržku ČR-SRN a nepřímo kritizoval i kancléře, (Havel Rejected Czech-German Dispute and also Indirectly Criticized Chancellor)," Právo, 14 October 1998.

²²⁵ "Kohl i vyhnanci varovali Prahu, (Kohl and Expellees Warned Prague)," Mladá fronta DNES, 22 August 1998.

²²⁶ "Vstup ČR a Polska do EU usnadní řešení otevřených otázek, (Czech and Poland EU Membership Will Make Solution of Open Question Easier)," Právo, 22 August 1998.

joining NATO for the Czech Republic.²²⁷ Despite this statement, most of the German parliament members supported Czech membership in NATO. Nevertheless, a really difficult time could be expected during negotiations of Czech membership in the EU because German politicians, especially members of Sudetendeutsche Landsmannschaft and Bavarian CSU, said that they would use every opportunity to enforced Sudeten Germans interests.²²⁸

Table III-2: Results of the Elections to the Bundestag Hold on 29 September 1998

Political Party	per cent of votes	Comparison with 1994 Elections
SPD (Social Democratic Party)	40.9	+ 4.5
CDU/CSU (Christian Democratic Union/	35.2	- 6.20
Green Party	6.7	- 0.60
FDP (Free Democratic Party)	6.2	- 0.70
PDS (Communist Party)	5.1	+ 0.74

Source: "German Victor yet to Show His Colours." Finance Week, 2 October 1998, [Lexis-Nexis]: EUROPE/ALLEUR [10 February 2000], p.1.

The new German Chancellor Gerhard Schröder, who took over for Helmut Kohl after the SPD victory in fall 1998 elections (results in Table III-2), stated during the meeting with Czech Prime Minister Zeman "agreement not to encumber mutual relations with the past means that the past is closed."²²⁹ He also said that requirements of expelled organizations did not have any influence on German foreign policy and that the German federal government would not require any property claims towards the Czech Republic

²²⁷ "Schmidt: Proti německé postoj by mohly ztžít ČR vstup do Aliance, (Schmidt: Anti-German Attitudes Could Make Czech Joining to Alliance Harder)," Právo, 13 February 1998.

²²⁸ Mr. Neubauer expressed this threat after the ratification of the Czech-German declaration. "Sudetští Němci potvrdili svůj nesouhlas s deklaraci, (Sudeten Germans Confirmed Their Disagreement with the Declaration)," Mladá fronta DNES, 10 February 1999.

²²⁹ Palata, Luboš, "Jistotu Schröder Praze dát nemohl, (Schröder Could Not Give the Certainty to Prague)," Mladá fronta DNES, 10 March 1999.

and the support for the Czech EU membership was without any requirements.²³⁰ The Czech Prime Minister, on behalf of the Czech Republic government, distanced himself from Beneš's decrees when he said "the virtue of some legal norms passed after 1945 had become extinct although they maintained as part of the Czech legal system."²³¹ The Bundestag faction of the CDU/CSU criticized Mr. Schröder's statement and the leader of CSU parliament members, Michael Glos, said that the Chancellor did not have a right to give up the rights of expellees. The leader of Sudetendeutsche Landsmannschaft, Mr. Neubauer, also rejected Mr. Schröder's statement and called for his resignation. It was obvious that Mr. Schröder's statement did not solve the issue of Sudeten Germans property claims because future German governments could deal with it in a totally different way than the present government did. His statements were not backed by wide majority within German Bundestag and it was clear that CDU/CSU had a different opinion on this issue. If the CDU/CSU coalition formed the next German government, the approach to this problem would be different and unsupportive to Mr. Schröder words.

The German Chancellor clearly denied requirements of transferred Sudeten Germans to get their property back.²³² In this case, if the German Constitutional Court decision was considered, the German government would compensate all Sudeten Germans transferred to Germany after World War II. Bundestag Deputy Chairperson Mrs. Antje Vollmer responded that the process of reconciliation was irrevocable.

²³⁰ Palata, Luboš, "Bonnská tečka se rodila velice těžce, (Bonn's Period Was Born in a Very Difficult Way)," Mladá fronta DNES, 9 March 1999.

²³¹ Palata, Luboš, "Zeman a Schröder udělali tečku za těžkou minulostí, (Zeman and Schröder Made a Period After Difficult Past)," Mladá fronta DNES, 9 March 1999.

²³² Kovařík, Jan, "Schröder potvrdil, že SRN nemá majetkové požadavky, (Schröder Confirmed that Germany Does Not Have Any Property Demands)," Právo, 9 March 1999.

Sudetendeutsche Landsmannschaft representatives said that after rejection of property claims towards the Czech Republic, the duty to compensate transferred Germans would be shifted to the German federal government. Mrs. Vollmer labeled SL imaginations as "entire legal and political nonsense" and felt certain that expellees would not be successful with their suits.²³³

Sudetendeutsche Landsmannschaft leader Mr. Neubauer criticized Schröder's statement and said that Sudetendeutsche Landsmannschaft insisted on property compensation.²³⁴ It is interesting to hear or to read statements of Sudetendeutsche Landsmannschaft where they present demands to be fulfilled, but saying that property claims are not the main point to consider. Contrarily, when one of their main demands was met, such as dissociation with Beneš's decrees, which not only Czech but also German politicians and newspapers confirmed, they started to focus on the property issue. This is not the way to finish this issue. Sudetendeutsche Landsmannschaft went even further and stated that it would ask the UN Commission for Human Rights to clear up the Czech-German issue according to international law.²³⁵

In March 1999, when the Czech Republic joined NATO, both sides felt that the mutual relations were as good as never before. The Czech Foreign Minister, who visited Sudeten German and Czech representatives meeting²³⁶ said, "we are now not only

²³³ "Proces smíření s Čechy je nezvratný, řekla Vollmerová, (Process of Reconciliation with Czechs Is Irreversible, Vollmer Said)," *Právo*, 12 March 1999.

²³⁴ Kovařík, Jan, "Německá média: Bonn a Praha se nyní zaměřují na budoucnost, (German Press: Bonn and Prague Focus on Future Now)," *Právo*, 10 March 1999.

²³⁵ "Odsunutí Němci si stěžují komisi OSN pro lidská práva, (Transferred Germans Complain to UN Committee for Human Rights)," *Právo*, 22 March 1999.

²³⁶ It was the 8th volume of this kind of a meeting held in the town of Jihlava in South Moravia. Mr. Kavan, the new Foreign Minister, was the first Czech government representative who visited this meeting. Previous government representatives avoided such opportunity to meet with Sudeten Germans.

neighbors and partners but also allies within the North-Atlantic Treaty Organization."²³⁷ He mentioned events where interpretations would probably never be agreed upon, but this was not an obstacle for the Czech-German dialogue.

In April 1999, the European parliament asked the Czech Republic to reject Beneš's decrees. The Czech president, as well as other Czech politicians, refused it and said that whatever part those decrees had in the Czech legal system they had become extinct; moreover, Czech-German relations were now determined by the Czech-German declaration.

Newly elected German President Johannes Rau was quite in favor of the Czech Republic when he said there was not any dread, fear, or political prejudice which could delay the joining of the Czech Republic to the European Union. He also denied conditioning the Czech membership by rejection of Beneš's decrees.²³⁸

At the end of September, German Chancellor Schröder visited the Czech Republic and met with Czech Prime Minister Zeman. In accordance with the statement, expressed by both politicians during Mr. Zeman's visit in Germany, the problems of the past would not encumber present and future relations; they did not discuss anything about compensation or the Sudeten German issue. Both politicians appreciated cooperation with the other side. Mr. Schröder said "cooperation is excellent."²³⁹ Mr. Zeman called relations between the Czech Republic and Germany as "above standard." They signed a

²³⁷ "Sudetští Němci přijeli rokovat o usmíření, (Sudeten Germans Came to Discuss about Reconciliation)," Mladá fronta DNES, 29 March 1999.

²³⁸ Palata, Luboš, "Odškodnění je v českém zájmu, řekl Rau, (Compensations Are in Czech Interest)," Mladá fronta DNES, 9 September 1999.

²³⁹ Palata, Luboš, "Zeman: Vztahy s Německem jsou nadstandardní, (Zeman: Relations with Germany Are Above Standard)," Mladá fronta DNES, 1 October 1999.

cultural agreement and they would sign an agreement for cooperation in education and social sphere in the near future.²⁴⁰

German coalition parties prepared a resolution to Czech-German relations. It was a less strong version of the confrontational suggestion made by the opposition, but it also asked for rejection of Beneš's decrees. The opposition version asked the German government to request the rejection of Beneš's decrees as a condition for Czech EU membership. The coalition version asked for rejection indirectly and said that the German parliament should express support to reform endeavors of the Czech Republic, but that it should ask to accord its legal norms with the European Union norms before joining it.²⁴¹ Mr. Schröder and Mr. Zeman criticized the opposition version of the resolution during Mr. Schröder's visit to the Czech Republic.

According to a German weekly magazine, "Der Spiegel", President Havel became a defender of Beneš's decrees. The President said the Czech-German declaration was signed saying the past will not influence future relations between both countries.²⁴²

Günter Verheugen, German European Union Commissioner, advised the Czech Republic to negotiate with Sudeten Germans. He said that he did not think the dialogue with Sudeten Germans could mean any threat or risk for the Czech Republic, but it could stop some German accusing the Czech side of not wanting to discuss or negotiate with

²⁴⁰ Agreement about cooperation in education and social sphere covers such fields as easier possibility for Czech students to study at German universities, and the same rights and conditions for Czechs working in Germany as German citizens have.

²⁴¹ "I německě vládní strany tlačí na zrušení dekretů, (Also German Government Parties Press on Decree Rejection)," Mladá fronta DNES, 2 November 1999.

²⁴² Komárek, Martin, "I Havel omlouvá bezpráví, (Also Havel Excuses Lawlessness)," Mladá fronta DNES, 9 November 1999.

Sudeten Germans.²⁴³ He said that this topic would not be part of the Czech Republic integration process.

Johann Böhm was elected a new spokesman of the Sudetendeutsche Landsmannschaft (SL). He would replace Franz Neubauer who resigned because of health problems. Mr. Böhm is a member of Trustee Board of the Czech-German Fund for the Future and chairman of the Bavarian parliament. The Sudeten German issue is still open for him and he has asked the Czech side to start official negotiations with expelled Germans. Mr. Bernd Posselt replaced Mr. Neubauer as new chairman of the SL. He is member of the Bavarian CSU and a member of the European parliament. He represents the new generation of Sudetendeutsche Landsmannschaft members who does not have any connection with the Czech Republic.²⁴⁴ Mr. Posselt will probably follow the direction determined by his predecessor. Shortly after he took office, the Sudetendeutsche Landsmannschaft issued a statement "...the European Union should deal with Prague with questions of Beneš's decrees as hard as it deals with the new Austrian government."²⁴⁵

C. CONCLUSION

During the last years after the revolution in Czechoslovakia and its consequent splitting into two countries, the Czech Republic and the Slovak Republic, the Czech

²⁴³ "Jako přítel radím Praze vést dialog se sudetskými Němci, (As a Friend, I Advise Prague to Conduct a Dialogue with Sudeten Germans)," *Právo*, 29 November 1999.

²⁴⁴ They are a new generation born and raised up in Germany. So, they do not have any feelings or sentiment toward the Czech Republic as their fatherland as Neubauer's generation had. Palata, Luboš, "Neubauer odchází, stíhá ho ještě tvrdší Posselt, (Neubauer Is Leaving, More Hard Posselt Changes for Him)," *Mladá fronta DNES*, 14 January 2000.

²⁴⁵ Palata, Luboš, "Neubauer odchází, stíhá ho ještě tvrdší Posselt, (Neubauer Is Leaving, More Hard Posselt Changes for Him)," *Mladá fronta DNES*, 14 January 2000. EU members issued embargo on

Republic went through a process of transition to democracy. The issue of the Czech-Sudeten German relations ran through the entire ten-year period. In 1990, Czechoslovak President, Václav Havel, started a reconciliation process by his apology to the expelled Sudeten Germans. However, the Czechoslovak-German Agreement from 1992 did not consider it, and later, the Czech-German declaration from 1997 did not solve anything from the Czech-Sudeten German "dispute."

In 1998, German Social Democrats won elections in Germany and similarly, Czech Social Democrats won elections in the Czech Republic. After that, the situation regarding to the Czech-Sudeten German issue improved because of common opinions on this issue on both sides. At the end of 1999, the situation in Czech-German relations was estimated as the best since World War II. Czech Prime Minister Zeman called the relations between the Czech Republic and Germany "above standard." But the opinion of Czech-German relations regarding the Sudeten German issue from the point of view of German opposition parties is different. Chancellor Schröder's statement in March 1999 did not solve this issue for the future. His statement is not legally binding and it is probable that if CDU/CSU wins future elections, the change in approach to the Sudeten German problem will be different. Also Mr. Zeman's statement concerning Beneš's decrees as distinct does not mean the Czech side rejected these decrees. They remain part of the Czech legal system. Political parties, their attitudes and approaches to the Czech-Sudeten German issue, seem to be the key players in the Czech-German reconciliation process. Their ability to make a compromise and to accept opinions from the other side will be very important in solving this issue.

political contacts with the Austrian government if the extremist right-wing Free Democratic Party of Jörgen Haider is a government member.

IV. POLITICAL PARTIES

A. INTRODUCTION

After the Communist coup in February 1948, a communist political model affected the political life in Czechoslovakia. The three branches of power, executive, legislative, and judicial, were substituted by the leading unified role of the Communist Party, backed by a consequently changed constitution and supported by oppressive institutions. Only a few other parties were allowed to exist within the so-called National Front, but they did not have any power or influence.

As a result of the revolution in 1989, the Communist regime broke down all together with its political party system. Previous Communist regime oppressed and banned almost all political parties, therefore a democratic political system with a diversity of political parties had to be established. The new Czech political parties were founded and started building a democratic political system with plurality of opinions.

After 1989, the opportunity also opened for Germany to unify. The reunification meant changes on the German political scene. West Germany political parties extended their activities into the East Germany territory, some of the East German parties were transformed, some of them coalesced with West German parties.

This chapter will describe political parties in the Czech Republic, as well as in Germany, and their role and attitudes toward the Czech-German declaration and reconciliation process. It will describe the basic principle and orientation of the parties, how their members contributed or did not contribute to the creation of the declaration, and what attitude each individual party has towards the Czech-German issue, especially

post World War II history, the transfer of Germans, and the current process of reconciliation.

B. CZECH POLITICAL PARTIES

Very soon after the velvet revolution in 1989, the variety of political parties was established providing a foundation for a new political climate. First, free elections were held in 1990 in former Czechoslovakia. Czech and Slovak political parties competed to attract voters for their programs. In 1992 elections, the coalition of ODS-KDS²⁴⁶ won the majority of votes in the Czech Republic. It created a government coalition with the Civic Democratic Alliance (ODA) and the Christian Democratic Union-Czechoslovak People's Party (KDU-CSL). ODS chairman, Václav Klaus, became the Prime Minister. This government coalition played a leading role in process of creating the Czech-German declaration.

After the split of Czechoslovakia in 1993, the Czech Republic accepted a new constitution, which explicitly defined civil rights, the relationship between the executive and legislative branches of power, and the independence of the judiciary.

Sixteen political parties and movements participated in the 1996 elections. Six of them obtained the necessary five percent or more of popular vote to become a parliamentary party. The ruling coalition from the 1992 elections received 99 seats in the Chamber of Deputies and 52 seats in the Senate. Václav Klaus became the Prime Minister again, and the government tried to finish the transformation process and complete the process of reconciliation with Germany.

²⁴⁶ ODS stands for Civic Democratic Party and KDS stands for Christian Democratic Party. Both parties later coalesced and ODS absorbed KDS.

In December 1997, the coalition was forced to resign because of a long-term disagreement, scandals with financing of the parties, and the economic worsening of performance in the Czech Republic. A new temporary government of Mr. Tošovský, the former governor of the Czech National Bank, was created in January 1998 and its task was to prepare the early elections.

In June 1998, early elections were held and the Czech Social Democratic Party (CSSD) gained the majority of votes. The following negotiations did not lead to the formation of any coalition and finally CSSD formed a minority government formally supported by a procedural agreement made with ODS. The leader of CSSD, Miloš Zeman, was appointed Prime Minister and a left-wing party ruled the country for the first time after 1989 revolution.

1. Civic Democratic Party (ODS)

The Civic Democratic Party is a right wing conservative party founded in April 1991. It promotes a liberal economy without major state interventions. In the 1996 election, it became again the leading party within the coalition, but because of financial scandal, some top party officials defected and formed a new party, the Freedom Union, in January 1998. ODS conducted a big campaign for the 1998 early elections and succeeded in stopping the decreasing trend in voters' support thus becoming the second strongest party.

ODS wants strong ties with Western Europe, and supports NATO and European Union membership. It considers European Union membership as a key task in the political and economic field. It says that Czech Republic relations with its neighbors are very important and the Czech interest includes all neighbors becoming members of the same political, economic, and security alliances as the Czech Republic. To keep good

intensive and equal relations with Germany is very important not only because it is the key country of European Union, but also because common history shows the importance of this relationship and the benefit for relations within the Central European region.

As one of the coalition parties, ODS supported the Czech - German declaration obviously because it was a government negotiated document. On the other hand, the Prime Minister and a leader of Civic Democratic Party, Václav Klaus, was not a strong supporter of the declaration because he saw Czech-German relations from an economic point of view as positive. He did not want to start solving some problems and drawing attention to any issue that could worsen these relations. In April 1996, he tried to decrease the importance of the declaration by saying that it was only a small piece in the entire mosaic of mutual relations and "the declaration does not have weightiness, which is ascribed to, for me or my colleagues."²⁴⁷ He also expressed his different opinion on the content of the declaration during a meeting of the chairmen of the coalition parties and chairman of Social Democrats with President Havel in October 1996. Allegedly, Mr. Klaus accused President Havel, Mr. Lux, and Mr. Kalvoda²⁴⁸ of being too open-minded or willing to give in to all German demands.²⁴⁹

During the entire almost two-year period, ODS denied the idea of negotiations between the Czech government and Sudeten Germans. State Minister Zieleniec said that

²⁴⁷ Pudil, Tomáš, "Deklarace je přeceňována, tvrdí Klaus, (The Declaration Is Overestimated, Klaus Claims)," Lidové noviny, 13 April 1996.

²⁴⁸ Mr. Lux was a chairman of the Christian Democratic Party and Mr. Kalvoda was a chairman of the Civic Democratic Alliance.

²⁴⁹ "Koalice jednala s Václavem Havlem i o malých změnách v deklaraci, (Coalition Discussed with Václav Havel Also Small Changes in the Declaration)," Právo, 10 October 1996, and "Při schůzce na Hradě se strhl spor o deklaraci, (Dispute about the Declaration Occurred During the Meeting at the Prague Castle)," Právo, 11 October 1996.

the declaration was a starting point for future dialogue, but Sudeten German organizations were not partners with the Czech government.²⁵⁰ Minister of Justice Novák pointed out that the importance of Mr. Neubauer was overestimated.²⁵¹

Mr. Klaus and ODS members were also against any kind of accompanying resolution to the declaration as he expressed it several times, such as, during the meeting with Senate chairman Petr Pithart.²⁵² On the other hand, Mr. Klaus was a realistic politician who knew that coalition parties had only a minority in Czech parliament and that it was necessary to seek some support among the opposition. It was obvious that he could not find support among either Republicans or Communists, so he negotiated with Mr. Zeman about Social Democrats' support of the declaration. ODS parliament members criticized Mr. Klaus and refused an agreement made by him and Mr. Zeman that ODS would support the accompanying resolution, if CSSD parliament members supported the declaration.²⁵³ However there were some other members of ODS who considered support for the resolution without any conditions. One of them was State Minister Zieleniec who started to think about it after Chancellor Kohl's speech and the signing the declaration.²⁵⁴

²⁵⁰ Korecký, Miroslav and Matoušková, Markéta, "Boj o deklaraci nečekaně začal, (The Fight for the Declaration Unexpectedly Started)," Lidové noviny, 12 February 1997.

²⁵¹ "Praha obhazuje etnickou čistku, tvrdí sudetští Němci, (Prague Defends the Ethnic Cleansing, Sudeten Germans Claim)," Mladá fronta DNES, 12 February 1996 .

²⁵² "Václav Klaus rozhodně odmítl jakékoliv dovětky k deklaraci, (Václav Klaus Strictly Refused any Amendments to the Declaration)," Právo, 18 January 1997.

²⁵³ Kubík, Jiří and Čeřovská, Kamila, "Poslanci ODS neuznali dohodu Klause a Zemana, (ODS Parliament Members Did Not Accept Klaus and Zeman Agreement)," Mladá fronta DNES, 12 February 1997.

²⁵⁴ "Zahraniční výbor doporučil sněmovně schválit deklaraci, (Foreign Affairs Committee Recommended to the Parliament to Pass the Declaration)," Mladá fronta DNES, 25 January 1997.

2. Christian Democratic Union-Czechoslovak People's Party (KDU-CSL).

The Christian Democratic Union - Czechoslovak People's Party is successor to the Catholic-oriented People's Party, which was active before World War II. It existed during the Communist regime as a powerless party within the National Front. After the 1989 revolution, the party underwent internal transformation. Today, it presents itself as a conservative party with a Christian social orientation. It supports the idea of a social market economy. The party calls for completion of privatization, a balanced budget, and gradual change from direct to indirect taxation.

The KDU-CSL, undoubtedly, supported the process of reconciliation with Germany and the Czech-German declaration itself. The Chairman of the party, Josef Lux, said that the situation was different in comparison with last century, and the Czech Republic did not have to underline its emancipation endeavors and express its resistance towards Germans. According to him, "non-supporting of this declaration means to be lost in Europe for the next century and to be prisoner of your own fear."²⁵⁵

During the 1996 election campaign, KDU-CSL similarly like ODA did not have a special paragraph about relations with Germany. They mentioned that they enforce close cooperation with neighboring countries and the principle of solidarity.²⁵⁶

After signing the declaration and Chancellor Kohl's speech stating that the property issue was still open, Senate chairman and KDU-CSL member, Petr Pithart, said that he believed the declaration wording, which the German chancellor had signed, was

²⁵⁵ Korecký, Miroslav and Matoušková Markéta, "Boj o deklaraci nečekaně začal, (The Fight for the Declaration Unexpectedly Started)," Lidové noviny, 12 February 1997.

²⁵⁶ "Vztahy k Německu formulují strany značně odlišně, (Parties Express the Relations to Germany Differently)," Mladá fronta DNES, 9 April 1996.

valid. The KDU-CSL chairman, Mr. Lux, said that it was certain that no one could doubt the rights of the individual person, but the issue was finished at the political level. He stated that any attempts to return with restitution claims before the year of 1948, or any changes in Beneš's decrees issue were impossible for the Czech side.²⁵⁷

3. Civic Democratic Alliance (ODA)

The ODA was established in 1991. It is right-wing neo-liberal party which supports the integration of the Czech Republic into NATO and the European Union. It favors a market economy. The ODA had internal problems after the coalition resignation in December 1997 and it did not participate in the 1998 early elections.

During the 1996 election campaign, the ODA did not have a special paragraph about relations with Germany as ODS did. The ODA maintained only general statements that it wanted to keep and develop the best possible relations with all neighboring countries.²⁵⁸

The ODA, as both of its coalition partners, did not support an accompanying resolution. The ODA parliament members thought that the parliament would change the character of the Czech-German declaration, if it accepted an accompanying resolution. They also criticized Mr. Zeman for not enforcing an accompanying resolution during his visit to Germany.²⁵⁹ Because they supported the equality of procedures in Germany and in the Czech Republic, they said that if the German parliament had accepted an

²⁵⁷ "Vládní strany se majetkových nároků Německa neobávají, (Government Parties Are Not Afraid of German Property Claims)," *Právo*, 23 January 1997.

²⁵⁸ "Vztahy k Německu formulují strany značně odlišně, (Parties Express the Relations to Germany Differently)," *Mladá fronta DNES*, 9 April 1996.

²⁵⁹ "Návrh na usnesení k deklaraci v zahraničním výboru neprošel, (Proposal for the Declaration Pronouncement Was Not Passed by Foreign Affairs Committee)," *Mladá fronta DNES*, 7 February 1997.

accompanying resolution, the Czech parliament could have accepted it too. Mr. Kroupa, an ODA parliament member said that an accompanying resolution was useless because it contributed nothing to the declaration. It consisted of everything that was mentioned within the declaration.²⁶⁰

The Civic Democratic Party, Christian Democratic Union-Czechoslovak People's Party, and the Civic Democratic Alliance formed a coalition after 1992 and 1996 elections. They conducted policy as one unit; nevertheless, they had small differences in opinions on some issues.

4. Czech Social Democratic Party (CSSD)

The current Czech Social Democratic Party was reestablished in November 1989 as a successor to a party disbanded by the Communists in 1948. It supports a socially and environmentally oriented and state-regulated economy. Although the party gained 26.4 percent of the votes in the 1996 election, it stayed in opposition. After the following elections in 1998, it became the strongest party and formed a minority government.

The tasks of the party are to start up economic growth, to play an active role in the fight against corruption and economic crime, to create a financial policy, to introduce property admission, and to ensure independent courts.

It welcomes negotiations about the membership of the Czech Republic in the European Union and considers it as one of the most important events in Czech history. It also agrees with Czech NATO membership, which is a guarantee of security. It stresses the importance of good relations with all neighboring countries. Social Democrats consider the Agreement about a Good Neighborhood as a strong foundation for mutual

²⁶⁰ "Návrh na usnesení k deklaraci v zahraničním výboru neprošel, (Proposal for the Declaration Pronouncement Was Not Passed by Foreign Affairs Committee)," Mladá fronta DNES, 7 February 1997.

relations and any kind of activities with Germany. They are clearly against any discussions about World War II results, the results of the Potsdam Agreement, and renewing disputes of the past.

At the beginning of the declaration creation period, Mr. Zeman thought that negotiations would be held on the parliamentary level, so he and his party could be more involved in it, but ODS pushed to move negotiations to the government level. In fact, it was only one opposition party that was invited indirectly to take part in negotiations about the Czech-German declaration. Its top representatives got acquainted with drafts of the declaration, and party leader Miloš Zeman was invited to the meeting of the coalition party leaders with Czech President Václav Havel at the Prague Castle in fall 1996.²⁶¹

In January and February 1996 during the Potsdam Agreement discussions, Social Democratic leader Zeman wanted to pass a parliamentary resolution against any questioning of the Potsdam Agreement's validity. When coalition parties refused his effort, he accused them of being financially supported by Germany²⁶² and stated that the present coalition was not able to defend Czech national interests.²⁶³ It was obvious that Social Democrats wanted to use this topic within the election campaign. This led to some statements by coalition politicians in which they had considered Social Democrats as constructive opposition, but felt it probably was not true.²⁶⁴

²⁶¹ "Koalice jednala s Václavem Havlem i o malých změnách v deklaraci, (Coalition Discussed with Václav Havel Also Small Changes in the Declaration)," *Právo*, 10 October 1996.

²⁶² "Koaliční strany odmítly Zemanovu úvahu o tom, že je podporují Němci, (Coalition Parties Refused Zeman's Idea That Germans Support Them)," *Mladá fronta DNES*, 9 February 1996.

²⁶³ "Zájmy ČSSD, (ČSSD Interests)," *Lidové noviny*, 7 February 1996.

²⁶⁴ For example, the leader of the ODS parliamentary caucus Mr. Honajzer stated that on 9 February 1996. "Koaliční strany odmítly Zemanovu úvahu o tom, že je podporují Němci, (Coalition Parties Refused Zeman's Idea That Germans Support Them)," *Mladá fronta DNES*, 9 February 1996.

The CSSD had a more restrained attitude towards Germany, and its leader, Miloš Zeman, criticized the government for not being strong enough towards Germany. He said that Mr. Neubauer statements were more aggressive since he was stimulated by the hesitation of the Czech coalition.²⁶⁵

When the declaration was released in December 1996, the desire to support the declaration was not very strong among Social Democrats, so they asked for an accompanying resolution, explaining some points to prevent other interpretations of the declaration. Mr. Zeman and the Social Democrats were threaten by President Havel's reaction to their weak support for the declaration fearing that it would effect his relationship to the Social Democratic Party.²⁶⁶ Members of CSSD did not appear as one decided unit in opinion and were divided into three groups in the support of the declaration.²⁶⁷ The first group supported the declaration without any accompanying resolution. Within this group was Petra Buzková, Deputy Chairperson of Parliament, and parliament members Pavel Dostál and Zdeněk Jičínský.²⁶⁸ The second group supported the declaration, but only if the accompanying resolution would be approved. The third group consisted of Social Democrats who were against the declaration in all cases. The individual opinions of the Social Democrats on the declaration changed over time. For example, Stanislav Gross, leader of parliament Social democratic club, was one of the

²⁶⁵ "Praha obhajuje etnickou čistku, tvrdí sudetští Němci, (Prague Defends the Ethnic Cleansing, Sudeten Germans Claim)," Mladá fronta DNES, 12 February 1996.

²⁶⁶ "Šéfa ODS stihla sprcha z vlastních řad, (ODS Chair Was Criticized by His Own Party)," Právo, 12 February 1997.

²⁶⁷ "ČSSD k deklaraci nejednotná, (Social Democrats Are Not United in the Declaration Issue)," Právo, 21 December 1996.

²⁶⁸ "Také Buzková chce hlasovat pro deklaraci bez doprovodného textu, (Also Mrs. Buzková Wants to Vote for the Declaration without Accompanying Pronouncement)," Právo, 23 January 1997.

declaration critics after its release in December 1996, but then agreed that the declaration would be acceptable with accompanying resolution.²⁶⁹ This split of opinion within the Social Democratic Party led Mr. Zeman to state that the decision how to vote depended on individual members.²⁷⁰ Some of the parliamentary members would not vote for the declaration because it did not have support of the Czech public.²⁷¹ Chancellor Kohl's statement, during the signing of the declaration, that the property issue remained open strengthened the Social Democrats belief in an accompanying resolution.

During talks about participants in the Discussion Forum in summer 1998, Mr. Zeman, leader of the Social Democrats and newly elected Prime Minister, said that he did not see any reason why representatives of Sudetendeutsche Landsmannschaft should participate in the Forum. According to German sources, he compared them with Czech Communist and Republicans.²⁷² His statement was later used in the German election campaign focusing only on internal German matters until that time.²⁷³

In March 1999, Mr. Zeman as Czech Prime Minister, on behalf of the Czech Republic government, distanced himself from the Beneš's decrees when he said that with the maintaining of the Czech legal system continuity, the virtue of some legal norms,

²⁶⁹ Mocek, Michal, "Deklarace uvrhla ČSSD do nepřekonaných sporů, (The Declaration Put Social Democrats into Unovercoming Troubles)," *Mladá fronta DNES*, 14 February 1997.

²⁷⁰ Uhl, Petr, "Bude Zeman hlasovat pro deklaraci?, (Will Zeman Vote for the Declaration)," *Právo*, 23 January 1997.

²⁷¹ "Mnozí zákonodárci ČSSD trvají na úvodním usnesení k deklaraci, (Many of the Social Democratic Parliament Members Insist on the Accompanying Pronouncement)," *Mladá fronta DNES*, 6 February 1997.

²⁷² "Co vlastně řekl Zeman, (What Did Mr. Zeman Exactly Say)," *Právo*, 5 August 1998.

²⁷³ "Kohl se přidal ke kritice Zemana, (Kohl joined Zeman Critiques)," *Právo*, 5 August 1998.

passed after 1945, had become extinct.²⁷⁴ It was a very diplomatic statement because he did not use the term of Beneš's decrees directly. He used the term legal norms passed after 1945, which was understood as a rejection of these decrees.

5. The Communist Party of Bohemia and Moravia (KSCM)

The Communist Party distanced itself from the 1948 - 1989 period, but it has continued to advocate a state-regulated economy and higher taxation for the rich. It also calls for free education, free health care, a 35-hour work-week, and measures against the "Americanization" of Czech culture. The Communist party wants to review controversial privatization, stop privatization, and reverse the deregulation of rents and utility costs. It did not support the process of joining NATO.²⁷⁵

Because the declaration was kept secret, even after a meeting of CSSD and coalition party leaders with the Czech president in fall 1996, the Communists threatened people that there was probably something wrong with the declaration if the government did not want to tell people what it was about. They admitted that they would not be against the declaration if there was condemnation of the so-called "wild transfer", but they would be against it if post-war transfer was generally condemned.²⁷⁶

Czech Communists had a strongly nationalized and anti-German attitude. They expressed Palacky's view of history "... which found in Palacky's emphasis on the Czech-German struggle a convenient ideological validation for its presentation of German

²⁷⁴ Palata, Luboš, "Zeman a Schröder udělali tečku za těžkou minulostí, (Zeman and Schröder Made a Period After the Difficult Past)," *Mladá fronta DNES*, 9 March 1999.

²⁷⁵ "Přehled politických stran a hnutí, které budou usilovat o hlasy voličů, (List of the Political Parties and Movements which Will Try to Get Voters' Votes)," *Mladá fronta DNES*, 24 May 1996.

²⁷⁶ "Při schůzce na Hradě se strhl spor o deklaraci, (Dispute about the Declaration Occurred During the Meeting at the Prague Castle)," *Právo*, 11 October 1996.

revanchism and the international imperialism of NATO (in which Germany played a prominent role) as perpetual threat to the socialist order."²⁷⁷

One of the points of the Communist program for 1996 elections was the denial of demands of Sudetendeutsche Landsmannschaft and similar pressures made by the German government to reject Beneš's decrees, the Potsdam Agreement, and other results of World War II.²⁷⁸ The Communist program mentioned a refusal to apologize to Germany for the transfer, a refusal of any negotiations with Sudeten Germans, and a request for compensation from Germany.²⁷⁹

The Communists played to national sentiment in their opposition to the declaration. Because they met with ordinary people during their meetings in different towns and villages they knew about the fear of Sudeten Germans, and loss of property. Additionally, Communist supporters include people with a lower level of education, a tendency to totalitarian conceptions with stress on the strong role of state and only small importance on freedom of individuals, and a dissatisfaction with government policy,²⁸⁰ therefore Communists could easily spread their anti-declaration ideas and threats. Resulting from the Communist Party policy and an endeavor to attract more supporters, Communists opposed the declaration process. They considered the transfer of Germans as an act of justice, saying that the declaration facilitated Sudeten Germans demands, and

²⁷⁷ Holý, Ladislav, *The little Czech and the great Czech nation*, (Cambridge, Cambridge University Press, 1996), p.81.

²⁷⁸ "Vztahy k Německu formulují strany značně odlišně, (Parties Express the Relations in Germany Differently)," *Mladá fronta DNES*, 9 April 1996.

²⁷⁹ "Jenom zlomek lidí je pro omluvu Německu za odsun, (Only a Portion of People Supports an Apology to Germany for the Transfer)," *Mladá fronta DNES*, 9 April 1996.

²⁸⁰ Gallo, Roman, "Extrémisté už zakotvili na politické scéně, (Extremists Have Already Anchor on Political Scene)," *Mladá fronta DNES*, 19 February 1997.

threatened sovereignty of the Czech Republic.²⁸¹ They also criticized the government coalition for wanting to approve the declaration and not foreseeing the consequences. Communists were clearly against the declaration and started to gather signatures on a petition against the declaration. They wanted to finish the signature collecting with a demonstration on 30 January 1997, and ask the parliament to disapprove the declaration.²⁸² They stated that Sudetendeutsche Landsmannschaft used good clever tactics to confuse people in the Czech Republic, when it expressed disappointment with the declaration. They also accused coalition parties and Social Democrats of collaboration politics.²⁸³ Communist parliament members proposed postponing the declaration ratification. They were supported by demonstration against the Czech-German declaration outside the parliament,²⁸⁴ but the parliament refused their proposal.

President Havel denied meeting with representatives of the Communist Party and accused the Communist Party together with the Republican Party of consciously and with purposely harming the Czech Republic because of their behavior in connection with the Czech-German declaration.²⁸⁵

²⁸¹ Grebeníček Miroslav, "Proč KSČM deklaraci nepodpoří, (Why Communist Will Not Support the Declaration)," *Právo*, 16 December 1996.

²⁸² "Petice proti podpisu, (Petition Against the Signing)," *Lidové noviny*, 22 January 1997.

²⁸³ "KSČM chystá protestní akce k návštěvě Kohla, (Communist Party Prepares Demonstrations During Kohl's Visit)," *Právo*, 17 January 1997.

²⁸⁴ "Demonstranti nachladili poslance, (Demonstrators Made Parliament Members Cold)," *Mladá fronta DNES*, 5 February 1997.

²⁸⁵ "Havel nazval republikány a komunisty škůdci státu, (Havel Named Republicans and Communists as State Pests)," *Mladá fronta DNES*, 20 February 1997.

Communist parliament members also showed their attitudes towards the declaration, when they boycotted a speech by German President Herzog at the Prague Castle, saying that the declaration is only a governmental matter.

A Communist parliament member in the Foreign Committee, Miroslav Ransdorf, voted against the decision to approve the declaration in parliament, because he said that the declaration should remain only at the governmental level and the parliament should not approve it.²⁸⁶

6. The Association for the Republic-Republican Party of Czechoslovakia (SRP-RSC)

The Republican Party was founded in December 1989. It is an extremely nationalistic right-wing party, which has huge support among young skinhead groups. It calls for radical restriction on state intervention in the economy as well as on foreign business in the Czech Republic, lowering taxes, declaration of the neutrality and refusal to join NATO. The Republican Party is also against joining the European Union.²⁸⁷ It is against any negotiation with Germany about compensation for Sudeten Germans transferred from Czechoslovakia after World War II. The SRP-RSC also wants free education and social benefits, reintroduction of the death penalty, restriction of immigration, absolute prohibition of production, distribution, and use of drugs.

The Republicans were disseminating false information about the declaration during the entire negotiation period. For example, they created and distributed the paper with allegedly secret information from negotiations where Czech coalition parties

²⁸⁶ Matoušková, Markéta, "Poslanci doporučili přijetí deklarace, (Parliamentarians Recommended Approving of the Declaration)," Lidové noviny, 25 January 1997.

²⁸⁷ "SPR-RSČ, (Association for Republic)," Lidové noviny, 13 April 1996.

prepared an agreement with Sudetendeutsche Landsmannschaft about the Sudeten German return.²⁸⁸

The Republican Party stated in its program for 1996 elections that every politician who would be negotiating Sudeten Germans return or rejecting Beneš's decrees should be condemned as a traitor.²⁸⁹ It unambiguously refused the Czech-German declaration. Republicans tried postponing the discussion about the declaration when they suggested taking a break in the parliamentary meeting for 120 and then for 115 days.²⁹⁰ During the discussion about the Czech-German declaration, they said that the declaration was the first step for coalescence with "the Great German Reich" and for the end of the Czech nation.²⁹¹

Supporters of the SRP-RSC are typically egocentric people and only a few supporters have university education. These people could be easily manipulated, so Republicans could spread their views and opinions among them and get their support.²⁹² When the declaration became public, Republicans condemned it and Mr. Vik, a Republican parliament member, labeled it as "the great national tragedy."²⁹³

²⁸⁸ Kostlán, František, "Bijte cizáky a papežence. (Beat the Foreigners and Papists...)," Lidové noviny, 14 February 1997.

²⁸⁹ "Vztahy k Německu formulují strany značně odlišně, (Parties Express the Relations to Germany Differently)," Mladá fronta DNES, 9 April 1996.

²⁹⁰ Korecký, Miroslav and Markéta Matoušková, "Boj o deklaraci nečekaně začal, (The Fight for the Declaration Unexpectedly Started)," Lidové noviny, 12 February 1997.

²⁹¹ Kostlán, František, "Bijte cizáky a papežence... , (Beat the Foreigners and Papists...)," Lidové noviny, 14 February 1997.

²⁹² Gallo, Roman, "Extrémisté už zakotvili na politické scéně, (Extremists Have Already Anchor on Political Scene)," Mladá fronta DNES, 19 February 1997.

²⁹³ Klekner, Radim, "Deklarace a vypořádání s minulostí, (The Declaration and Settling with the Past)," Lidové noviny, 11 December 1996.

During German Chancellor Kohl's visit in the Czech Republic where he was supposed to sign the declaration together with Czech Prime Minister Klaus, Republicans organized a meeting outside the Liechtenstein Palace in Prague where the declaration signing was taking place. After the Sladek's speech, in which he said that this was a new Munich, demonstrators burned a German flag.

After 1998 elections, the Republican Party did not receive the needed five percent to get into the Czech parliament. The Czech people expressed their disagreement with the policy of this party.

All political parties used the fear of Sudeten Germans during the 1996 election campaign, but they used it for different purposes and in a different way. The reason why they used such fear was public opinion only showed only seven percent of the people were willing to vote for a party, which would support an idea of apology to Sudeten Germans. Contrary to this, eighty-six percent of people would not vote for such a party.²⁹⁴ Republicans and Communist used their fear against the declaration to threaten people with the danger of loosing their property. ODS argued the opposite way. It said that if the declaration was not signed history would not be solved, and Sudeten Germans might return. In April 1996, research was issued on how great the fear of Germany was among Czech citizens. The results in table IV-1 show what percent of voters of individual parliamentary parties felt political, economical, and military threat from Germany.

²⁹⁴ "Jenom zlomek lidí je pro omluvu Německu za odsun, (Only a Portion of People Supports an Apology to German for Transfer)," Mladá fronta DNES, 9 April 1996.

Table IV-1: Percentage of Individual Parties' Voters who Felt Dread or Fear from Germany

Political party	Threat of Germany		
	Political	Economic	Military
ODS (Civic Democratic Party)	31.3	24.0	14.7
ODA (Civic Democratic Alliance)	40.0	25.9	17.4
KDU-CSL (Christian Democrats)	51.9	39.8	24.7
ČSSD (Social Democrats)	63.1	33.4	25.8
KSČM (Communist Party)	75.9	71.2	43.6
SPR-RPČ (Republican Party)	66.4	60.0	34.3

Source: "Podíl voličů jednotlivých stran, kteří pociťují obavy z Německa, (Percentage of voters of Individual parties who fear of Germany)," Mladá fronta DNES, 9 April 1996, p.2.

C. GERMAN POLITICAL PARTIES AND MOVEMENTS

German political parties, in general, have a long history. Some of them resumed their previous history from the middle of the last century, such as Social Democratic Party. Some of them were created as a reaction to the "old parties' system" and are relatively new on the political stage. After World War II, the German government and party system were in disarray. German citizens feared concentration of power in one or two parties in the system, similar to the American one; therefore, political power in Germany was divided into a diversity of political parties.²⁹⁵

After the fall of the Berlin Wall in 1989 and the successful completion of the unification of Germany on 3 October 1990, political parties also established their regional organization in the new eastern part of Germany extending their activities to that region. Parties of the German Democratic Republic transformed themselves, like the former

²⁹⁵ "Politics and Post-War Germany," Available [Online]: <<http://www.duke.edu/~hhayes/politics.html>>, Internet Explorer, [20 January 2000], p.1.

Communist Party (SED), which transformed itself into the Party of Democratic Socialism (PDS), or created one common party with its West Germany counterpart; for instance, the East German Alliance 90 and the Green Party from West Germany.

1. Christian Democratic Union/Christian Social Union (CDU/CSU)

The Christian Democratic Union was founded as a people's party after the cruelties of World War II. The party did not want to represent a narrow interest of a special limited group of people but wanted to gain wide support of a society. The CDU was developed as a conservative-oriented party. The CDU operates in all German states except Bavaria where its sister organization, the Christian Social Union, operates. The CSU has similar political opinions with CDU and they have always formed a parliamentary faction in the German Federal Parliament, the Bundestag.

The CDU/CSU was a long-time running governmental party. First, from 1949 until 1966 in coalition with the Free Democratic Party (FDP), and in 1966-69 forming a "Great Coalition" with the Social Democrats (SPD). After years in opposition, it again formed the Helmut Kohl led government coalition with the FDP from 1982 until 1998. The CDU is a member of the European Peoples' Party (EPP). It says that now, after the end of the Cold War, there is a chance for the whole of Europe to unite and to live in freedom and democracy.²⁹⁶

The CDU/CSU preserves and strengthens the Christian-based values and conservative economic principles. The CDU/CSU states that the basic guiding principle for its political actions is the Christian view of man and the basic values of freedom, solidarity and justice derived from this. They believe in the right of the individual to free

²⁹⁶ "Successful policies for over 50 years." 3 May 1999. Available [Online]: <<http://www.cdu.de/>>, Internet Explorer, [12 January 2000], p.1.

development of his or her personality. In their point of view, solidarity means being there for each other, because individuals and the community depend on this, and the basis for justice is the principle of equality of all mankind in the dignity and freedom granted by God.²⁹⁷ CDU stresses explicitly the virtues of a free, democratic state based on the rule of law and an ecological and social market economy.

The tasks of the CDU/CSU are further development of the European Union, ensuring lasting freedom in Europe, and strengthening the new democracies, which offers an opportunity for creating a common European future. They want a strong Europe ensuring the future of the nations. Europe must be able to take action where the individual nation states are no longer able to solve the basic problems of their people. The CDU sees as the most important task, achieving inner unity. Additionally, the economic, social and ecological reconstruction of Eastern Germany is a priority.

The CSU claims itself - inter alia - as a representative of Sudeten Germans and as a defender of their interests within the German parliament and government.²⁹⁸ It tries to enforce the interests of expelled Sudeten Germans in Bundestag. For example, in 1992 after signing the Agreement between Germany and Czechoslovakia, CSU enforced the resolution in Bundestag in which Kohl's government would be tied on enforcing Sudeten German interests towards Czechoslovakia.

The CDU/CSU says that Germans expelled from their homelands and German minorities abroad fulfil an important function as bridges between nations. Germans who

²⁹⁷ "Principles and Programme of the Christian Democratic Union of Germany." 3 May 1999. Available [Online]: <<http://www.cdu.de/>>, Internet Explorer, [15 January 2000], p.1.

²⁹⁸ Buchert, Viliam and Mocek, Michal, "Česko-německá deklarace je připravena k podpisu, (The Czech-German Declaration Is Ready for Signing)," Mladá fronta DNES, 28 November 1996.

remained in their homelands can help to create friendly relations with people in that region.²⁹⁹

2. Social Democratic Party (SPD)

The Social Democratic Party is the party with a long history. It was founded in 1863. After National Socialists seized power in 1933, members of the SPD were arrested, forced to exile, tortured, or even killed. In 1945, under the leadership of Kurt Schumacher, who was categorically opposed to a merger with the communists, the SPD began to rebuild its organization in the Western zones. It also opposed Adenauer's Western-oriented foreign policy after the World War II. The party represents interests of the working class and wants to attract support from the middle class.

In 1966, the SPD participated in the Great Coalition created together with CDU/CSU. After the 1969 elections, the Chairman of SPD, Willy Brandt, was elected as the first Social Democratic Chancellor in post-war history. The SPD formed a government coalition with FDP. In 1982, FDP left the social-liberal coalition and provided the CDU/CSU with a majority in Bundestag, starting with the successful "constructive vote of non-confidence" on 8 October of 1982. The SPD had to return to the role of an opposition party. On 7 October 1990, the Social Democratic Party (SDP) was founded in the GDR as an independent sister party to the SPD. Later, SPD adopted SDP at all to form an united Social Democratic Party of Germany (SPD). The same year, the SPD adopted its new Party Platform (Partei programm) in Berlin.³⁰⁰

²⁹⁹ "Principles and Programme of the Christian Democratic Union of Germany: Freedom and peace in the world." 3 May 1999. Available [Online]: <<http://www.cdu.de/>>, Internet Explorer, [15 January 2000], p.9.

³⁰⁰ "SPD History." 17 February 2000. Available [Online]: <<http://www.spd.de/english/history.htm>> Internet Explorer, [17 February 2000], pp.1-2.

Basic ideas of the SPD program are to settle conflicts without violence, to build a society in which income is more justly distributed, to build an ecologically and socially renewed economy that makes sparing use of nature energy forms, and to provide a society of equality and solidarity for women and men, young and old, Germans and foreigners ensuring a society in which citizens, wherever they feel affected, have an equal say in making and implementing decisions.³⁰¹

The SPD, as a government party in 1966-1982, showed "understanding" for the demands of Sudeten Germans, but in contrast to CDU/CSU, its support was not so strong and it was not willing to threaten its "Ost-Politik" of Chancellor Willy Brandt because of Sudeten German interests.

During the Czech-German declaration negotiation process, it criticized coalition parties for trying to delay the process of reconciliation between both nations. These attempts, especially made by CSU, threatened the creation of good relations with the Czech Republic.³⁰² This party is close to Czech Social Democrats in opinions, so it was willing to introduce the Czech Social Democrats accompanying resolution in Bundestag. Nonetheless, this resolution was rejected.

Following the sixteen years as opposition in the Bundestag, as a result of the 1998 elections, the SPD formed the government coalition with the Alliance 90/Green Party and changed its approach to the implementation of the Czech-German declaration. The SPD member and German Chancellor Gerhard Schröder said that the declaration statement, not to encumber mutual relations with the past, meant that the past was

³⁰¹ "SPD Basics." 17 February 2000. Available [Online]: <<http://www.spd.de/english/basis.htm>>, Internet Explorer, [17 February 2000], p.1.

closed.³⁰³ He also said that the German federal government would not require any property claims towards the Czech Republic.³⁰⁴

3. Free Democratic Party (FDP)

In December 1948, delegates from liberal parties in the American, British, and French occupation zones formed the Free Democratic Party (FDP), which advocates at most individualism and free economic competition. Although it gained relatively small voter support, it made and broke governments by forming coalitions with larger parties. In the early 1950s, the FDP took part in the coalition government of the CDU/CSU. It left the coalition in 1956 to join with the Social Democratic Party as an opposition party. After the national elections in 1961, when the CDU/CSU lost their absolute majority, the FDP executed the promise of Chancellor Konrad Adenauer's resignation as the price of its cooperation in a new coalition. The party's second withdrawal from government with the Christian Democrats occurred in November 1966 when CDU/CSU and SPD formed a "Great Coalition" leaving FDP the opposition role. After national elections in 1969, the FDP joined a coalition with the SPD to form the government of SPD leader, Willy Brandt. The FDP remained in coalition with the SPD until 1982, when it again formed a coalition government with the CDU/CSU. The FDP played a leading role in German foreign policy because its members, Walter Scheel (he later became German President), Hans Dietrich Genscher, and Klaus Kinkel, executed the post of the German Foreign Minister from 1969 to 1998.

³⁰² "Lafontaine: Zdržovací pokusy CSU ohrožují sblížení s ČR, (Lafontaine: Delay CSU Tactics Threatens Reconciliation with the Czech Republic)," *Právo*, 10 October 1996.

³⁰³ Palata, Luboš, "Jistotu Schröder Praze dát nemohl, (Schröder Could Not Give the Certainty to Prague)," *Mladá fronta DNES*, 10 March 1999.

The Free Democrats, as the Christian Democrats, see themselves in the center of the political spectrum. They support what Germans call the social market economy--a system of free enterprise combined with social welfare programs, such as national health insurance, family allowances, pension, and support for unemployed and handicap workers. These programs account for almost half the government's budget. They also advocate close relations with the United States and supports membership in NATO and the European Union.

4. Alliance '90/Green Party

The Green party is the major voice of Germany's environmentalist movement. It was represented in the Bundestag from 1983 to 1990. It failed to win any seats in the 1990 elections, however it was in a coalition government with the SPD in a number of the states.

After the unification of Germany, the West-German Green Party (Die Grünen), a grassroots party formed in West Germany before unification, joined with the East-German Alliance '90 (Bündnis 90), built from the various opposition groups which had existed in the East German GDR.

The Alliance 90/Green Party joined the SPD and formed a government coalition after 1998 elections. Its main program tasks are to enable a right for double citizenship, to ensure equality of rights for women, and to fight against atomic power supply. The Green Party has pacifistic attitudes in general, specifically towards the German Armed Forces, and in general, does not support military participation abroad. Although Foreign Minister and the Green Party member, Joschka Fischer, was, from the beginning, a strong

³⁰⁴ Palata, Luboš, "Zeman a Schröder udělali tečku za těžkou minulostí, (Zeman and Schröder Made a Period After the Difficult Past)," Mladá fronta DNES, 9 March 1999.

supporter of the humanitarian mission in Kosovo, great discussions were held within the party about German participation there.³⁰⁵

The Green Party has some internal problems because it lost positions during the last regional elections in 1999. It did not even reach the necessary limit to get in the parliaments of four federal lands. Its members refused a reform of the party suggested by the most influential member of the Green Party and Foreign Minister Joschka Fischer.³⁰⁶

Antje Vollmer, Deputy Chairperson of the Bundestag and Green Party member, commented several times on CDU/CSU. She blamed Sudetendeutsche Landsmannschaft and Bavarian CSU for making negotiation with the Czech Republic more difficult because of their continuous new demands, and, therefore making the declaration acceptance impossible.³⁰⁷ After the declaration ratification by the Czech Prime Minister and the German Chancellor, she joined the group of politicians who asked the Czech side for negotiations with Sudeten Germans.³⁰⁸

During the Czech-German declaration process, the Green Party was an opposition party and its representatives did not speak a lot about the Sudeten German issue. After the party joined a coalition with the SPD in 1998, it focused on enforcing its program and on its own internal problems. The Czech-Sudeten German issue does not seem to be its main issue of concern.

³⁰⁵ Ströbinger, Rudolf, "Kancelář Schröder se stal silným mužem Německa, (Chancellor Schröder Became a Strong Man of Germany)," Mladá fronta DNES, 13 March 1999.

³⁰⁶ Ströbinger, Rudolf, "Německá strana Zelených prochází hlubokou krizí, (German Green Party Undergoes Deep Crises)," Mladá fronta DNES, 8 March 1999.

³⁰⁷ "Kancelář seznámil sudetské Němce se zněním deklarace, (Chancellor Acquired Sudeten Germans with the Text of the Declaration)," Mladá fronta DNES, 6 December 1996.

³⁰⁸ Mocek, Michal, "Bonn deklaraci vítá, vyzývá však k jednání se sudetskými Němci, (Bonn Welcomes the Declaration; however, It Challenges Negotiations with Sudeten Germans)," Mladá fronta DNES, 31 January 1997.

5. Party of Democratic Socialism (PDS)

The history of the Communist party defers to West and East Germany. The Communist Party (KPD) in West Germany was banned by the Constitutional Court in 1956, and as a reconstructed party, labeled the DKP began its activity in 1969. However it did not attract great vote support. In East Germany, the Communist Party was reorganized in 1945, and in 1946, Soviets forced unification of the Communist Party (KPD) and the Social Democratic Party (SPD) into the Socialist Unity Party of Germany (SED). It became the ruling party and controlled the state.³⁰⁹

In 1989 after the collapse of the Communist regime, the SED party membership shrank from 2.3 million to 105,000 members, and many local organizations disbanded themselves. The party changed its name to PDS in February 1990, and new moderate leaders took over. In the 1990 parliamentary election, the party received about sixteen percent of the vote in the former East German territories, and a temporary change in electoral law enabled PDS to obtain representation in Bundestag, although it gained less than three percent nationwide.

The PDS gained about twenty percent of the votes in the eastern part of Germany in federal elections in 1994 as well as in state elections. As a result of this, some SPD representatives started to think about cooperation with the PDS and the so-called "Magdeburg model" was created.³¹⁰ This model was confirmed after 1998 elections when

³⁰⁹ Dalton, Russell J., "Politics in Germany" in Almond, Gabriel A., Dalton, Russell J. and Powell, Bingham G. Jr., ed., *European Politics Today*, (New York: Longman, 1999), p.236.

³¹⁰ Magdeburg is capital of Saxony-Anhalt. SPD created coalition with the Green Party and with the silent support of PDS in this state. CDU/CSU was excluded from state government and decision-making process.

cooperation between the SPD and the PDS continued in Saxony-Anhalt. The PDS members are members of the state government in Mecklenburg-West Pomerania.³¹¹

In its program, the PDS asks for shortening of working hours, ensuring the right to work, establishing democratic control for the bank system, financing of public beneficial labor, abolishing of conscript service, and the abolishing of NATO.

The PDS was and is an opposition party, which did not speak a lot about the Sudeten German issue. This party did not even stress the suffering of expelled people from the Eastern Europe based on Potsdam victorious power decision as other opposition parties did during the Czech-German declaration creation process.

6. Sudetendeutsche Landsmannschaft (SL)

Sudetendeutsche Landsmannschaft is not a political party. It is an organization, whose members are people transferred or expelled from Czechoslovakia in 1945-1946. According to the polls from 1996, less than 100,000 Sudeten Germans, more than eight percent of all Sudeten Germans in Bavaria, are members of the Sudetendeutsche Landsmannschaft.³¹² In the beginning of 1960s, German political parties issued statements in which they recognized Sudetendeutsche Landsmannschaft as a legitimate organization representing expelled Sudeten Germans.³¹³

Sudetendeutsche Landsmannschaft gains its power from strong cooperation with the Bavarian CSU due to the fact that many CSU representatives are, at the same time,

³¹¹ Kaiser, Daniel, "Kdy skončí politická karanténa, (When Does Political Quarantine Finish)," Lidove noviny, 22 June 1998, and Palata, Luboš, "Němečtí komunisté nabývají na síle, (German Communists Intensify Their Power)," Mladá fronta DNES, 4 November 1999.

³¹² "Sudetendeutsche Landsmannschaft (SL)/Sudeten German Heritage Union." 19 May 1999. Available [Online]: <<http://www.sudeten.de/site/se/f0.htm>>, Internet Explorer, [19 December 1999], pp.1-2.

³¹³ CSU issued its statement in June 1961, CDU and FDP in October 1964.

Sudetendeutsche Landsmannschaft members. The SL as well as CSU members are; for example: Hans Klein, Deputy Chairman of Bundestag in 1994-1998; the present SL Chairman Bernd Posselt is a member of the European parliament; the present SL speaker, Johann Böhm, is chairman of the Bavarian parliament.

Goals of the SL concerning the Czech Republic (CR) are:

1. The CR should declare the expulsion of the Sudeten German to be an international crime.
2. The Sudeten Germans should be given the right to their homeland. This includes the right to return and the right to live there as Germans.
3. The Benes decrees and some other post-war law, as far as they concern the expulsion of Germans and Hungarians should be abolished.
4. Direct negotiations between Czech officials and the leadership of the Landsmannschaft should be started. During these negotiations all problems concerning the future coexistence of Czechs and Germans in the Bohemian Lands/Czech Republic should be discussed and settled.

This organization criticized the 1992 German-Czechoslovakian Treaty on good neighborhood and friendly cooperation, because it did not provide any kind of compensation for expulsion, expropriation, forced labor, and mass killings. It criticized also the Czech-German declaration signed in 1997 for the same reasons.

Sudetendeutsche Landsmannschaft required the above mentioned demands and, together with the Bavarian CSU, wanted the Czech side to admit that the German transfer, approved by victorious powers in Potsdam, was basically expulsion.³¹⁴ The

³¹⁴ "Kohl promluvil, Klaus upřesňuje, (Kohl said, Klaus Makes It Precise)," *Právo*, 13 September 1996.

leader of Sudetendeutsche Landsmannschaft, Mr. Franz Neubauer criticized the Czech side, during the entire period of negotiations on the declaration saying that it was not willing to compromise.³¹⁵

After the declaration was ratified, Sudetendeutsche Landsmannschaft representatives, with support from members of the Bavarian CSU, said that in connection with Czech membership in the European Union, they would use every opportunity to enforce Sudeten Germans' interests.³¹⁶

German Chancellor Gerhard Schröder, during the meeting with Czech Prime Minister Zeman in March 1999, stated that "agreement not to encumber mutual relations with the past means that the past is closed."³¹⁷ The leader of Sudetendeutsche Landsmannschaft, Mr. Neubauer, rejected this statement and called for Schröder's resignation. According to Neubauer, Chancellor Schröder gave up Germany's and Sudeten German's interests.

D. CONCLUSION

Almost all of the Czech political parties support the idea of the EU membership of the Czech Republic. To reach this goal, Czech political parties should not only focus their effort on domestic economic and political reforms to fulfill EU requirements, but also try to solve issues which could be obstacles in the effort to join the EU.

³¹⁵ "Kinkel po Praze žádá, aby odsoudila dekrety, (Kinkel Asks for Prague to Reject the Decrees)," Mladá fronta DNES, 19 January 1996.

³¹⁶ Mr. Neubauer presented this threat after the ratification of the Czech-German declaration. "Sudetští Němci potvrdili svůj nesouhlas s deklarací, (Sudeten Germans Confirmed Their Disagreement with the Declaration)," Mladá fronta DNES, 5 February 1999.

³¹⁷ Palata, Luboš, "Jistotu Schröder Praze dát nemohl, (Schröder Could Not Give the Certainty to Prague)," Mladá fronta DNES, 10 March 1999.

Czech Social Democrats stated in their program that they would not discuss the Potsdam Agreement issue, but want to create good relations with Czech neighbors and are open to all other areas of concern. Also Czech former government coalition parties, the ODS, the ODA, and the KDU-CSL, want to develop friendly relations with other nations, especially with neighbors. As programs and policies of individual Czech parties showed, only Communists and Republicans have not been willing to negotiate with Germany and Sudeten Germans to contribute to the solving of Czech-German issue.

German Social Democrats contributed to the present stage of Czech-German relations by a statement made by German Chancellor Schröder in March 1999. They are willing to negotiate with the Czech Republic to shift mutual relations further towards better cooperation and final solution of the Czech-German issue. Negotiations with the CDU/CSU are also possible, but this party is limited because of its ties with and obligations to Sudetendeutsche Landsmannschaft.

V. CONCLUSION

The Czech Republic went through a ten-year long process of transition to democracy. It succeeded in creating a democratic political system, adopting a new constitution, and changing the state central controlled economy into a market economy. It successfully established good political and economic relations with Western democracies. The Czech Republic finally became a NATO member in March 1999 after accomplishing the needs and prerequisites as set in the NATO accession talks. After achieving its goal to become part of the Western political and military defense structure, the Czech Republic, furthermore, wishes to be integrated into the political and economic structures of the European Union and to become its member.

The issue of the Czech-Sudeten German relations ran through the entire ten-year period of Czech post-communist history. Czech president Václav Havel initiated a very difficult path towards the final Czech-German reconciliation by his apology to the expelled Sudeten Germans in 1990. However, the Czechoslovak-German Agreement in 1992 did not consider or solve anything in the Czech-Sudeten German "dispute"; therefore, the creation of the Czech-German common declaration was initialized in 1995. The Czech side thought the declaration would solve the entire issue and complete or close all problems of the German transfer from Czechoslovakia in 1945-46. However, during the negotiations of the declaration text, different opinions; for example, on the Potsdam Agreement, endured. Unfortunately, even the declaration itself did not help very much to improve mutual relations. It did not mention the problems of the Potsdam Agreement or the Allies' support for the transfer, so different opinions remained. All negotiations were

conducted secretly without informing the public or even parliament members. This helped such forces as the Czech Republican Party and the Communist Party, and the German Sudetendeutsche Landsmannschaft (SL) respectively, to spread rumors. The SL claimed that the German government wanted to give up the right of compensation for the Sudeten Germans. On the Czech side, Republicans and Communists spread rumors that the Czech government wanted to sell the country and enable the Sudeten Germans to return with the possibility of getting their property back. This only enhanced fear in the Czech population causing the level of support for the declaration difficult to increase. Additionally, no one could reach any agreement on the term "displacement" of Germans from Czechoslovakia in 1945-46. The Czech and German versions of the declaration used different words for that event, so in an extreme position of interpretation, someone could say that there were two different documents. A statement made by German Chancellor Helmut Kohl, after the procedure of signing the declaration that Sudeten German claims were still open, returned all process of reconciliation "two years back" and froze Czech optimism.

After early elections held in the Czech Republic in June 1998, the Social Democratic Party, the strongest party according to election results, formed a minority government. The German Social Democratic Party also won elections in Germany in September 1998 and, consequently, formed a government coalition with the Green Party/Alliance 90. A March 1999 meeting of Social Democratic leaders and at the same time German Chancellor Gerhard Schröder and Czech Prime Minister Miloš Zeman confirmed close attitudes of both Social Democratic parties towards the Czech-Sudeten German issue. The German Chancellor stated that the agreement not to encumber mutual

relations with the past, reached by signing the declaration in 1997, meant the past is definitively closed.³¹⁸ He also said that claims of expellee organizations did not have any influence on German foreign policy. He added that the support for the Czech EU membership was without any prerequisites and the German federal government would not claim any property rights towards the Czech Republic. The Czech Prime Minister, on behalf of the Czech Republic government, said that some legal norms passed after 1945, which were maintained within the Czech legal system, had become extinct.³¹⁹ By this statement, he indirectly distanced himself from the Beneš's decrees.

Leaders of both CSU Bundestag members and of the Sudetendeutsche Landsmannschaft representatives criticized the German Chancellor for not having any right to give up the rights of expellees. It was obvious that Mr. Schröder's statement alone did not solve the issue of the Sudeten German property claims because future German governments can deal with it in a totally different way than the present government does. His statements were not backed by a parliamentary decision. It was clear that the CDU/CSU had different opinions on this issue. If the CDU/CSU coalition formed the next German government, the approach to this problem would be different, and what Mr. Schröder said would not hold.

The actual situation of winter 1999/2000 has been quite calm because of current attitudes shared by both Social Democratic Parties presently in government. But there are still requirements of the Sudetendeutsche Landsmannschaft, and its demands are

³¹⁸ Palata, Luboš, "Jistotu Schröder Praze dát nemohl, (Schröder Could Not Give the Certainty to Prague)," Mladá fronta DNES, 10 March 1999.

³¹⁹ Palata, Luboš, "Zeman a Schröder udělali tečku za těžkou minulostí, (Zeman and Schröder Made a Period After the Difficult Past)," Mladá fronta DNES, 9 March 1999.

conditioned on allowing the Czech Republic to join the EU. Even the EU itself asked the Czech Republic to accommodate its legal documents to current EU norms and standards. Additionally, these parties did not have to be government parties at the time of the European Union enlargement. This is very probable in the case of Czech Social Democrats who presently get only between ten and fifteen percent of vote support.³²⁰ It means that the Sudeten German issue has to be solved rather sooner than later, if the Czech Republic wants to become an EU member and live without disputes with its western neighbor.

A. WHAT THE CZECH REPUBLIC SHOULD DO TO SOLVE THE SUDETEN GERMAN ISSUE

The Czech Republic has to show it is a consolidated democracy. The Czech Republic wants to solve all its old disputes and quarrels, and it is not constrained by the old communist regime opinions, assumptions, and myths. The main areas of concern are mentioned below. These areas should cover the entire scale of possible topics which are related to the Sudeten German question while finding a solution which would contribute to the overall reconciliation process. So, the Czech Republic should address these areas to solve the Czech-Sudeten German issue and to be closer to a European Union membership:

- 1) To conclude the Czech-German declaration as an international agreement.**

The Czech side should try to create and to sign a new declaration or agreement about the Czech-Sudeten German relations which would be concluded as an international

³²⁰ Preferences of Social Democrats went down through last months. It received 12.1 percent in October, 11.8 percent in November, and according to Sofres-Factum agency only 9.8 percent in December. In last polls, it received 12.4 percent. Lipold, Jan, "Na změně volebního zákona nemusí její autoři vydělat, (The

treaty. After the signing of the Czech-German declaration in 1997, there were voices against the declaration saying that it was not a binding document, because it was only a parliamentary declaration and not an international treaty. Therefore an international treaty would be a legal document without any ambiguity as long as one or another side followed it, otherwise, it would be only a gesture without any legal consequences. Mr. Michael Steiner, chief advisor on foreign affairs within the German Chancellor's office, expressed the German side's willingness to sign some kind of a new declaration. He said that he thought about "the declaration number two" which should shift the Czech-German relations from war, transfer, and property claims to the present questions.

2) To inform the Parliament and public about the current stage of negotiation.

Discussions and negotiations about the declaration process have to be made openly, and both sides have to inform politicians and the public about the current level or stage of negotiations. It helps to disable opponents of the declaration by preventing the spread of rumors. If the negotiations are secret and their results are available only to a limited number of people it contributes to people or political parties which want to distract every process and turn the public opinion eventually against any kind of a new document.

3) To avoid a different interpretation of history or term disaccord.

The Czech side has to finish with its stubbornness not to accept the term expulsion and agree on a term which describes the process of expulsion, transfer, displacement, or forced resettlement of German people from Czechoslovak territory after World War II. Both versions of the declaration, German and Czech, must be identical in

change of the electoral system does not have to be beneficial for its creators)," Mladá fronta DNES, 20 January 2000.

wording and meaning, and be agreed on by both sides with no other "single sided" interpretation made possible due to different language meaning.

4) To settle president Beneš's decrees issue.

President Beneš's decrees can be divided into two categories or groups. The first group consists of decrees that should be abolished. Decree 115/1946, "Unlawful behavior connected to the fight of Czechs and Slovaks for retrieval of freedom" from 8 May 1946, belongs to this group. This decree covers the period of the so-called "wild transfer" after the end of World War II, and, therefore, unlawful actions committed during that period. It is not a good mark for a democratic country to have a valid law, which apologizes for crimes. Decree 33/1945 addressing Czechoslovak citizenship for people of German or Hungarian nationality can be another decree in this first group. If they did not ask for Czech or Slovak nationality, it deprived Germans and Hungarians of their Czechoslovak citizenship without any difference, only because of their nationality. At least these two decrees should be abolished in any case.

Decrees with the main purpose of punishing active members of fascist organizations, members of SS units, and traitors, specifically mentioning period of time, a circumstances, and persons considered to be eligible for that decree, belong to the second group. These decrees were legally issued and were a legitimate act at that time. Because these decrees fulfilled their purpose and were not in use for more than forty years, and as Czech Prime Minister Miloš Zeman said they are "legally extinct", there is no need to keep them within the Czech legal system. Their abatement will not mean threatening of the legal certainty for the Czech people.

On the other hand, it has to be cleared to the German side that none of the Beneš's decrees consists of any statement or deals for expulsion of German people from Czechoslovakia. Therefore, making any connection between Beneš's decrees and the German transfer is misleading.

5) To start dialogue with Sudeten German representatives.

The Czech Republic should start direct negotiations or talks with the Sudeten Germans. First, it should forget about the old prejudice of the Sudeten Germans being equal with the Sudetendeutsche Landsmannschaft. It is only one of the many organizations representing rights and demands of transferred or expelled Sudeten Germans. Dialogue between the Czech government and representatives of the Sudeten Germans would not mean discussion only with representatives of the Sudetendeutsche Landsmannschaft. There are other organizations which represent interests of Sudeten Germans, such as Seliger Society, Ackermann Society, and Collegium Carolinum (which is not strictly a Sudeten German organization, but many Sudeten Germans have close ties with it). Discussion would not bring any risk to the Czech Republic, but this would result in loss of one of the argument from the Sudeten German side about the Czech Republic being non-cooperative and unwilling to talk about unfavorable topics.

It is not possible to change the past. If the past is seen from a purposely-focused point of view, or from the nationalistic perspective, then the accord or agreement is very hard to reach. Unfortunate historical events should not be reasons for new injustice. If both sides are willing to discuss and to compromise, a solution could be completed. Nevertheless, they have to make clear and non-ambiguous statements, which could not be misused. Cooperation between the Czech Republic and the Federative Republic of

Germany should be based on mutual positive facts from history and positive present relations, and not on the lawlessness committed in the past.

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