

NATIONAL CLEANSING

Retribution against Nazi Collaborators
in Postwar Czechoslovakia

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INTRODUCTION

In December 1945 Czechoslovak President Edvard Beneš triumphantly accepted an honorary doctorate of law from Prague's Charles University. Nearly seven years after the Nazis had destroyed his country, Beneš publicly reflected on the principles that had guided his struggle to reestablish the Czechoslovak state and ensure its future security and prosperity. In his commencement address the President emphasized the need for his compatriots "to open the gates of change to the social and economic structure of our national society." First, however, the country had to reckon with its past: postwar Czechoslovakia's primary objectives, he explained, must include "punishment for the guilt and mistakes of the previous regime . . . [for] Nazism and fascism."¹ In linking revolutionary change to retributive justice, Beneš echoed the sentiments of political leaders across Europe. In his classic account of postwar French retribution, Peter Novick noted, "the purge was considered the necessary prerequisite for . . . the removal of impediments to the renovation and reconstruction of the nation."² Throughout the newly liberated continent governments committed themselves to punish Nazis, war criminals, and those who had collaborated with them. The French prosecuted Pétain, the Norwegians tried Quisling, and the Allied Powers established the International Military Tribunal at Nuremberg to hold Germany's leaders accountable for "crimes against peace" and "humanity." Amid a wave of popular anger, retribution was not limited to the foremost Nazis

¹ Edvard Beneš, *Světová krise, kontinuita práva a nové právo revoluční: Projev na právnické fakultě Karlovy university při slavnostní promoci na doktora práv h.c.* (Prague: V. Linhart, 1946), 33–35.

² Peter Novick, *The Resistance versus Vichy: The Purge of Collaborators in Liberated France* (New York: Columbia University Press, 1968), vii.

and the political elite of countries that had been occupied by or allied with Germany; ordinary men and women who had betrayed their acquaintances, neighbors, and relatives were put on trial, convicted, and sentenced to lengthy prison terms, even death. Thus, in the wake of the Second World War, a remarkable phenomenon occurred: As István Deák wrote, “For the first time in history, a whole continent made an attempt to settle accounts with its own political crimes and criminals.”³

When it came to punishing its own citizens few states in postwar Europe were as thorough as Czechoslovakia. Beginning in the spring of 1945 the country’s multiparty government implemented a comprehensive program of “national cleansing” [*národní očista*] designed to right past wrongs and deter future crimes. “In both Slavic and German usages, ‘cleansing’ has a dual meaning,” Norman Naimark explained, “one purges the native community of foreign bodies, and one purges one’s own people of alien elements.”⁴ In the Czech case the “foreign bodies” were the Sudeten Germans, nearly three million of whom were expelled from the country after the war. The “national cleansing,” however, also targeted “alien elements” from the Czechs’ own ranks. The regime led by Edvard Beneš banned political parties considered responsible for the German occupation, expropriated and redistributed the property of suspected traitors, and purged alleged collaborators from the civil service, the academy, and the arts. Most significantly, the country’s postwar leaders created a massive system of summary courts and administrative tribunals designed to “cleanse” society of anyone who had betrayed the Czechoslovak state or oppressed its citizens. In the wake of the Nazi occupation, Czech “People’s Courts” tried more than 32,000 alleged collaborators and war criminals. Local tribunals vetted approximately 135,000 cases of so-called “offenses against national honor.”⁵ Tens of thousands more were arrested, incarcerated for months, then summarily

³ István Deák, “Resistance, Collaboration, and Retribution during World War II and Its Aftermath,” *Hungarian Quarterly* 35:134 (1994), 74.

⁴ Norman Naimark, *Fires of Hatred: Ethnic Cleansing in Twentieth-Century Europe* (Cambridge, MA: Harvard University Press, 2001), 4–5.

⁵ Prokop Drtina, *Na soudu národa: Tři projevy ministra spravedlnosti dr. Prokopa Drtiny o činnosti Mimořádných lidových soudů a Národního soudu* (Prague: Min. spravedlnosti, 1947), 11–12; “Výsledky retribuce,” appendix to no. 142.028/48-Pres-7, *Vojenský historický archiv* (VHA), Prague, f. Čepička, sv. 23, aj. 168; *L’ud* (6 February 1949), Státní ústřední archiv (SÚA), Prague, f. MZV-VA II, k. 218; “Informace pro pana ministra vnitra: Výsledek činnosti národních výborů podle dekretu č. 138/45 sb.,” MV no. B-2220-12/8-47-1/2, SÚA, f. MV-NR (B2220), k. 2017, sv. 2.

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released without ever being prosecuted. Prior to the Communist coup d'état of February 1948, the Czechs legally executed nearly 700 defendants – more than in the subsequent four decades of Communist rule combined.⁶

This book focuses on “retribution” in the provinces of Bohemia, Moravia, and Silesia – the territory of today’s Czech Republic. Developments in neighboring Slovakia, the eastern half of the former Czechoslovakia, are not examined in depth here for the primary reason that in 1945 Slovak resistance leaders successfully demanded the right to punish their nation’s collaborators and oppressors themselves. Consequently, Czechoslovakia came to have a dualistic system of retribution, with one set of laws and courts for Slovakia, another for the Czech provinces.⁷ Contemporary Czechs employed the foreign term “retribution” [*retribuce*] to refer specifically to the formal prosecution of Nazi war criminals and collaborators by legally sanctioned state organs. Postwar Czech retribution encompassed the institutions and processes resulting from three presidential decrees: the “Great Decree” (no. 16/1945), which established twenty-four Extraordinary People’s Courts for the prosecution of “Nazi criminals, traitors, and their accomplices”; Decree no. 17/1945, which created a National Court in Prague to try the most prominent Czech collaborators; and the “Small Decree” (no. 138/1945), which granted local authorities the power to punish Czechs for “offenses against national honor.” Vojta Beneš, the highly respected older brother of the country’s president, estimated in June 1947 that the three decrees had affected approximately 1.5 million

⁶ According to the most recent and extensive tally, the Czechoslovak state officially executed 450 convicts from the time President Edvard Beneš resigned in June 1948 until the fall of the Communist regime in November 1989. (Between February and June 1948 only a handful of defendants were put to death by reestablished retribution courts.) Karel Kaplan, “Zemřeli ve věznicích a tresty smrti 1948–1956,” in *Dokumenty o perzekuci a odporu*, sv. 1 (Prague: Ústav pro soudobé dějiny, 1992), 73–80; Hobza, *Těsnopisecké zprávy Ústavodárného národního shromáždění Republiky československé* (ÚNS) 56 (10 June 1947), 46; Otakar Liška et al., *Vykonané tresty smrti Československo 1918–1989* (Prague: Úřad dokumentace a vyšetřování zločinů komunismu, 2000), 154.

⁷ The term “Czech provinces” is a neologism in English, intended as the counterpart to “Slovakia.” The author aims thus to convey the contemporary understanding of the term *České země* as the “Czech” part of “Czechoslovakia” without provoking a fruitless (and, in the postwar period, anachronistic) debate over whether the modifier *české* should, in fact, be translated as the English word “Bohemian.” Although historically *České země* referred to the “Bohemian lands” of the Crown of St. Wenceslas, by the Second World War the term was popularly associated with the Czech nation, not the long-defunct Bohemian Kingdom.

individuals (counting suspects and their dependents) in the Czech provinces alone.⁸

In the same speech the elder Beneš told the Czechoslovak National Assembly, “For fifty years we will study retribution and all that provoked it.”⁹ The punishment of collaborators and war criminals generated more controversy than perhaps any other topic in contemporary Czechoslovakia – the parliamentary debate at which the president’s sibling uttered his prediction was the longest of the period.¹⁰ Today, however, it is clear that he was mistaken. For decades Czech retribution was not studied; in fact, despite its enormous size and scope, until recently it had been all but forgotten. The Czechoslovak Communist regime dissuaded scholars at home from investigating the postwar period.¹¹ Researchers from abroad were also unable to access the necessary archives. As a result, during the Cold War the Czechs’ prosecution of collaborators and war criminals earned at most cursory, polemical mention in general histories of the country, whether published in the West or in Czechoslovakia.¹² In the past decade Czech scholars have begun to investigate the People’s Courts, but their studies have been primarily limited to analyses of selected regions, trials, or topics.¹³ Only in the last few years has research even started on the punishment of “offenses

⁸ V. Beneš, 56 ÚNS (10 June 1947), 69.

⁹ V. Beneš, 56 ÚNS (10 June 1947), 63.

¹⁰ Prokop Drtina, *Československo můj osud* (Toronto: Sixty-Eight Publishers, 1982), II:310–11.

¹¹ Under Communist rule only one article was published in Czech about the “national cleansing,” and it was devoted solely to a recital of the retribution laws. See Radim Foustka, “Národní očista v letech 1945 až 1946,” *Československý časopis historický* 3 (1955), 626–42. Two former participants in the trial of Jozef Tiso, Slovakia’s wartime president, published studies of Slovak retribution. See Igor Daxner, *L’udactvo pred národným súdom 1945–1947* (Bratislava: SAV, 1961); Anton Rašla, *L’udové súdy v Československu po II. svetovej vojne ako forma mimoriadneho súdnictva* (Bratislava: SAV, 1969).

¹² The one notable exception is the memoirs of former Justice Minister Prokop Drtina. See Prokop Drtina, *Československo můj osud* (Toronto: Sixty-Eight Publishers, 1982).

¹³ Mečislav Borák’s in-depth analysis of the Ostrava People’s Court begins with a summary of Czech retribution as a whole. Mečislav Borák, *Spravedlnost podle dekretu: Retribuční soudnictví v ČSR a Mimořádný lidový soud v Ostravě (1945–1948)* (Ostrava: Tilia, 1998); Mečislav Borák, ed., *Retribuce v ČSR a národní podoby antisemitismu: Židovská problematika a antisemitismus ve spisech mimořádných lidových soudů a trestních komisí ONV v letech 1945–1948* (Prague: Ústav pro soudobé dějiny, 2002); Václav Jiřík, *Nedaleko od Norimberku. Z dějin Mimořádného lidového soudu v Chebu v letech 1946 až 1948* (Cheb: Svět křídel, 2000); Dušan Janák, “Činnost Mimořádného lidového soudu Opava v letech 1945–1948,” *Časopis Slezského zemského muzea* B43 (1994), 245–83; Michal Musil, “Příběh Háchova politického

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against national honor.”¹⁴ Although there is now a rich historiography on retribution in Western European countries after the Second World War,¹⁵ recent international compilations on the topic have not included chapters on the Czech “national cleansing.”¹⁶ The following pages, thus, aim to fill in one of the blankest of Czech history’s many “blank spaces.”¹⁷

The paucity of literature on postwar retribution has necessitated that this study be based primarily on archival sources. Until the Velvet Revolution of 1989, most of these materials were off limits even to those scholars approved by the Communist regime. The opening of Czech archives in the 1990s cast new light on a range of historical issues concerning retribution. Court records, including interrogation reports, witness depositions, and trial transcripts, help to reorient the study of the Nazi occupation from isolated instances of resistance to the everyday experience of collaboration. Correspondence between local officials and

sekretáře: Josef Kliment před Národním soudem roku 1947,” *Soudobé dějiny* 4 (1995), 530–44.

¹⁴ From the Communist coup of February 1948 until the Velvet Revolution of 1989, not a single scholarly piece, not to mention a monograph, was written on the punishment of “offenses against national honor” either in Czechoslovakia or in the West. Over the past decade several authors have briefly commented on the Small Decree, but only recently have the first articles on the topic emerged, and these only consider the prosecution of anti-Semitic acts. See the articles by Marie Crhová, Miroslav Kružík, Andrea Lněničková, and Jan Ryba in Borák, ed., *Retribuce v ČSR a národní podoby antisemitismu*.

¹⁵ For example, Martin Conway, “Justice in Postwar Belgium: Popular Passions and Political Realities,” *Cahiers d’Histoire du Temps Présent* 2 (1997), 7–34; Luc Huyse and Steven Dhondt, *La répression des collaborations 1942–1952: Un passé toujours présent* (Brussels: Crisp, 1993); Alice Kaplan, *The Collaborator: The Trial and Execution of Robert Brasillach* (Chicago: University of Chicago Press, 2000); Fred Kupferman, *Le Procès de Vichy: Pucheu, Pétain, Laval* (Brussels: Editions Complexe, 1980); Henry Lloyd Mason, *The Purge of the Dutch Quislings* (The Hague: Nijhoff, 1952); Herbert Lotman, *The People’s Anger: Justice and Revenge in Post-Liberation France* (London: Hutchinson, 1986); Peter Novick, *The Resistance versus Vichy: The Purge of Collaborators in Liberated France* (New York: Columbia University Press, 1968).

¹⁶ István Deák, Jan T. Gross, and Tony Judt, eds., *The Politics of Retribution in Europe: World War II and its Aftermath* (Princeton, NJ: Princeton University Press, 2000), includes a chapter about the Tiso trial in Slovakia (Bradley Abrams, “The Politics of Retribution: The Trial of Jozef Tiso in the Czechoslovak Environment,” pp. 252–89). See also Klaus-Dietmar Henke and Hans Wollar, eds., *Politische Säuberung in Europa* (Munich: Deutscher Taschenbuch Verlag, 1991); Claudia Kuretsidis-Haider and Winfried R. Garscha, eds., *Keine “Abrechnung.” NS-Verbrechen, Justiz und Gesellschaft in Europa nach 1945* (Leipzig: Akademische Verlagsanstalt, 1998); Neil Kritsch, ed., *Transitional Justice: How Emerging Democracies Reckon with Former Regimes*, 3 vols. (Washington, DC: United States Institute of Peace Press, 1995).

¹⁷ Jan Křen, *Bílá místa v našich dějinách?* (Prague: Lidové noviny, 1990), 48 and *passim*.

the Ministries of Interior and Justice illustrate the problems that arose in the quest to punish hundreds of thousands of alleged collaborators. Personal appeals and anonymous denunciations to the Czechoslovak president expose aspects of postwar life that did not necessarily leave a trace in official government records. The political competition that marked the period before February 1948 created considerable space for the press to criticize inconsistencies and injustices, including those caused and revealed by retribution. Together these and other archival sources illustrate the contingent nature of the postwar power struggle and the complexity of contemporary views of allegiance.

To the limited extent that historians have considered postwar retribution, they have traditionally dismissed trials of collaborators as little more than a partisan purge. This dominant frame for understanding retribution was established before the courts even tried their first defendants. In early April 1945 Klement Gottwald, the leader of the Czechoslovak Communist Party, explained the potential value of “national cleansing” to a gathering of party cadres:

[A] tool, which we have today in the fight for leadership of the nation, is the struggle against traitors and collaborators – that is, against the physical leaders of the compromised Slovak and Czech bourgeoisie. . . . [The] law for the prosecution of traitors and collaborators is a very sharp weapon, with which we can cut so many limbs away from the bourgeoisie that only its trunk will remain. This is a matter of the class struggle against the bourgeoisie – a struggle waged under the banner of the state and the nation, under the banner of the republic. Not to use this weapon is to let it rust. With this weapon we can strike our enemy directly, physically.¹⁸

Taking their cue from Gottwald, during the Cold War non-Communist scholars regularly condemned the trials as political, contentious, and, above all, unjust. When these authors mentioned retribution at all, they argued that the attempt “to eradicate . . . the Nazi and fascist evil,” to quote the Great Decree’s preamble, created the conditions for another form of totalitarianism, Stalinism, to succeed. Indiscriminate arrests contributed to an atmosphere of legal uncertainty, while the Communist Party, through its operatives in the administrative apparatus and security forces, abused the charge of collaboration for political gain.

¹⁸ SÚA, f. I (ZÚV KSČ), sv. I, aj. I, str. 14; *Komunistická strana Slovenska: Dokumenty z konferencií a plén 1944–1948* (Bratislava: Pravda, 1971), 144.

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According to one prominent Czech émigré, after the Second World War the Communists “controlled the Revolutionary Tribunals, the People’s Courts, the Police, the Ministry of the Interior [and] the Committees for trying a citizen for offenses against the nation’s honor.”¹⁹ Even those trials that clearly had no connection to the postwar political struggle have been dismissed en masse as motivated by little more than personal vengeance and greed. In retrospect, Ladislav Feierabend, a conservative opponent of the Party, wrote that retribution “belongs among the saddest pages of Czech history.” Pavel Tigríd, one of country’s foremost liberals at home and in exile, dismissed postwar trials as “perverted justice.” Similar opinions long dominated more detached analyses of the period: For example, historian Vilém Hejl wrote, “Retribution did not strive for justice; its goal was retaliation, in other words, revenge.”²⁰

The losers of Czechoslovakia’s postwar power struggle were not the only ones dissatisfied with retribution. Despite Gottwald’s high hopes, after the war Communist leaders bitterly complained in public and private about the People’s Courts’ allegedly partisan bias and overall leniency. After the 1948 Communist coup d’état the newly installed Justice Minister, Alexej Čepička, commented,

Retribution [before 1948] was carried out according to class such that full, almost draconian penalties were handed down to minor transgressors from the weakest social classes. At the same time, thanks to sabotage by judicial officials, many members of the wealthy classes, particularly the haute-bourgeoisie, either entirely escaped punishment or the punishment meted out to them was laughably small in comparison to their guilt.²¹

Čepička’s claims were likely designed in part to justify a purge of judges and the “haute-bourgeoisie.” Nevertheless, public criticism of courts’ allegedly lenient treatment of prominent defendants – whose guilt had been trumpeted throughout their trials by the Communist press – cannot be discarded as mere propaganda. Internal documents reveal that the Communist leadership was disappointed, and ordinary cadres disoriented, by the failure of the Party to enforce its interpretation of wartime

¹⁹ Jan Stransky, *East Wind over Prague* (New York: Random House, 1951), 83.

²⁰ Ladislav Feierabend, *Politické vzpomínky*, 3 vols. (Brno: Atlantis, 1994–1996), III:349; Pavel Tigríd, *Kapesní průvodce inteligentní ženy po vlastním osudu* (Toronto: Sixty-Eight Publishers, 1988), 373–74; Vilém Hejl, *Zpráva o organizovaném násilí* (Prague: Univerzum, 1990), 21–23.

²¹ Alexej Čepička, *Zlidovění soudnictví* (Prague: Min. informací a osvěty, 1949), 21.

collaboration on the courts. Contrary to Gottwald's prediction, the documentary evidence demonstrates that prosecutors and judges prevented the more extreme forms of retribution desired by the leaders of the Communist Party. Largely independent courts helped to mitigate abuses perpetrated by the partisan police and thus proved a surprising buttress to postwar democracy.

In recent years Czech historians Mečislav Borák and Václav Jiřík have written admirable studies of individual People's Courts that have moved scholarship beyond its traditional focus on the Communist Party's manipulation of postwar justice.²² Nonetheless, the year 1948 continues to exert a hegemony over postwar Czechoslovak historiography in much the same way that 1933 has dominated scholarship on Weimar Germany. Retribution, however, was more than a derivative and determinant of the contemporary power struggle that culminated in the Communist coup d'état. The trials and the controversies they engendered were central to a national debate about the conduct and values of the Czechs both during the occupation and after liberation. The country's postwar Justice Minister, Prokop Drtina, explained,

As long as it was a matter of judging the guilt of Germans, on the whole there was not, in principle, unfavorable criticism in our press or among the public. By contrast, when it came to judging the guilt of individuals prosecuted from the Czechs' ranks, it was very often apparent that . . . there was not a unified perspective among the public or even the people's judges.²³

The Czechs' disunity was not unusual in Europe. "Everywhere, the courts struggled with a definition of collaboration," Deák wrote. "Since no consensus existed, every national assembly, in fact nearly every court, arrived at its own definition."²⁴ In the Czech provinces, political elites, the general public, and, most importantly, the courts developed various definitions of what constituted "collaboration" and what, in contrast, was justifiable accommodation necessary to survive the occupation. The answer was not merely academic – it was a matter of a defendant's liberty or even life.

²² Mečislav Borák, *Spravedlnost podle dekretu: Retribuční soudnictví v ČSR a Mimořádný lidový soud v Ostravě (1945–1948)* (Ostrava: Tilia, 1998); Václav Jiřík, *Nedaleko od Norimberku: Z dějin Mimořádného lidového soudu v Chebu v letech 1946 až 1948* (Cheb: Svět křídel, 2000).

²³ Drtina, *Na soudu národa*, 16.

²⁴ Deák, "Introduction," in Deák et al., eds., *Politics of Retribution*, 10.

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Throughout Europe, postwar retribution failed to satisfy most everyone. As memory of wartime atrocities faded, many complained that the punishment of collaborators was merely a cover for the elimination of political opponents and personal enemies. Others claimed that war criminals and collaborators escaped unscathed or with minimal punishment. In Czechoslovakia the Communist takeover of February 1948 has tended to make all that came before seem a cause or at least a precondition of democracy's demise. Retribution's impact on Czech politics and society was, however, more complex. Trials of collaborators were a battleground between clashing forces intent on imposing their own interpretations of the past in order to determine the country's future. This book aims to restore retribution to its central place in postwar Czech history, not only as an integral part of the struggle for political mastery, but also as a genuine, though inherently flawed, attempt to come to terms with the legacy of the Nazi occupation.

ORGANIZATION OF THE BOOK

The following study is organized thematically and placed within a larger chronological framework, which begins with the origins of Czech retribution during the Second World War and concludes with the consolidation of Communist rule after the 1948 coup. The latter half of this introduction sets the context for postwar trials by reviewing critical wartime developments and briefly exploring the nature of collaboration in the occupied Czech provinces. Chapter 1, *Wild Retribution*, analyzes the causes and nature of vigilantism against suspected collaborators in the spring of 1945. Although the violence may appear to have been the inevitable result of a brutal foreign occupation, the bloody anarchy that ravaged the Czech provinces for months was the consequence of decisions taken, and not taken, by the country's leaders during the war and afterward. Chapter 2, *The Great Decree*, traces the development of the main statute that governed trials of collaborators and war criminals. The law's framers – President Edvard Beneš's followers in London, not Communists in Moscow – accepted measures that permitted, even encouraged, gross abuses to be perpetrated later. The combination of the draconian law and the failure to rein in “wild retribution” established a precarious foundation for postwar justice.

Chapters 3 and 4 focus on the twenty-four Czech People's Courts, which the Beneš regime established to try "Nazi criminals, traitors, and their accomplices." Chapter 3, *People's Courts and Popular Justice*, examines the role of the police, prosecutors, "people's judges," and professional jurists in the punishment of alleged collaborators and war criminals. Over time these "extraordinary" courts evolved from severe executors of revolutionary justice to become a bulwark against police abuse, personal vengeance, and partisan justice. Based on court records, Chapter 4, *Denunciation: "The Disease of Our Time,"* investigates the practice of denunciation during the occupation and its punishment thereafter. Through in-depth analysis of the 1947 trial of Václav Piša, the regional editor of the anti-Semitic weekly *Aryan Struggle*, this chapter reveals how ordinary Czechs contributed to the Holocaust by denouncing compatriots who failed to respect Nazi prohibitions on contacts with Jews and intermarried Gentiles.

Chapters 5 and 6 consider the role of nationality in retribution by examining two specific aspects of the postwar "national cleansing." Chapter 5, *Offenses against National Honor*, investigates the prosecution of Czechs for everyday collaboration with the occupation regime. Dissatisfied with the People's Courts' inability to convict lesser collaborators, the government empowered local authorities to punish "unbecoming behavior insulting to the national sentiment of the Czech . . . people." In punishing economic, professional, and social – especially "amorous" – relations with Germans, the postwar regime conflated civic and national allegiance and retroactively criminalized interethnic relations. Chapter 6, *Retribution and the "Transfer,"* argues that, whereas retribution trials underpinned the postwar expulsion of nearly three million Sudeten Germans from Czechoslovakia, the expulsion, in turn, undermined the prosecution of war criminals and collaborators. Trials of individual Germans served to justify the collective punishment of the Sudeten minority, but the postwar regime ultimately chose to expel thousands of suspected German criminals rather than risk that they might remain in the country after their convictions.

Chapter 7, *The National Court*, focuses on trials of prominent Czech collaborators and examines the relationship between politics and justice in the postwar republic. Although Communist leaders first pushed for the creation of the National Court, this institution rejected their and their fellow (non-Communist) exiles' stringent interpretation of wartime

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collaboration. Instead, adopting the home front's more forgiving view, the court's judges repeatedly emphasized that life under foreign occupation necessitated accommodation and that the Czech "bourgeois" elite had not betrayed its country. Finally, Chapter 8, *The Road to February and Beyond*, examines the months before and after the 1948 Communist coup d'état. The relief with which many Czechs greeted the abolition of the People's Courts and national honor tribunals in May 1947 was tempered by Communist threats that the "national cleansing" was not over. After the February coup, the new regime reinstated the retribution courts and restarted the prosecution of alleged wartime collaborators, many of whom had been previously acquitted. Though this second round of trials arguably helped the Communists to consolidate their hold on power, even in 1948 retribution proved to be a burdensome, potentially divisive, and often unpredictable task.

HISTORICAL CONTEXT

Established in 1918 on the ruins of Habsburg Austria-Hungary, the First Czechoslovak Republic was a multinational state, in which Czechs and Slovaks together amounted to barely two-thirds of the country's nearly fifteen million inhabitants. In addition to considerable numbers of Magyars (Hungarians), Ruthenians (Ukrainians), Poles, Jews, and Roma (Gypsies), the largest national minority was the 3.2 million Germans who primarily inhabited the highlands bordering on Austria and Germany (the area historically known as the Sudetenland).²⁵ Thanks to the provinces of Bohemia, Moravia, and Silesia, the industrial engine of the former Habsburg Monarchy, interwar Czechoslovakia ranked among the most economically advanced countries in the world.²⁶

²⁵ The 1930 Czechoslovak census recorded 14.7 million inhabitants. A question that asked for "mother tongue" yielded approximately 9.69 million "Czechoslovaks," 3.23 million Germans, 692,000 Magyars (Hungarians), 549,000 Ruthenians (Ukrainians), 82,000 Poles, and 187,000 speakers of Hebrew and Yiddish. When counted by religion, 357,000 persons identified with Judaism. Almost all of the Magyars and Ruthenians lived in the eastern provinces of Slovakia and Subcarpathian Rus; the Poles mainly inhabited Silesia; Jews and the uncounted Roma (Gypsies) were scattered throughout the country. Joseph Rothschild, *East Central Europe between the Two World Wars* (Seattle: University of Washington Press, 1974), 89–90.

²⁶ Scholars of the First Czechoslovak Republic have traditionally noted that the country's production ranked among the top ten advanced industrial economies. E. Kubû and J. Pátek have argued, to the contrary, that weighted indices place interwar Czechoslovakia in the second dozen of "medium advanced" countries like Austria, Finland, and

Under the guidance of its founder, liberal philosopher Tomáš G. Masaryk, and his protégé, renowned diplomat Edvard Beneš, for two decades the country remained a parliamentary democracy, which guaranteed individual rights to its citizens.²⁷ Nonetheless, throughout the interwar period Czechoslovakia was in thought and deed a “nationalizing state,” committed to promoting the interest of its titular nation(s).²⁸ “The Czech landlord was friendly and tolerant,” Igor Lukes commented, “but he made sure his Sudeten [German] tenants knew who owned the house.”²⁹

Although German representatives initially rejected the new state, in the 1925 elections the vast majority of Sudeten Germans voted for parties that had resolved to work within the system. Afterward these parties even assumed control over powerful ministries in the government. Amid the economic distress of the Great Depression, however, the 1933 Nazi takeover of neighboring Germany fueled a radical nationalist movement, the Sudeten German Party [Sudetendeutsche Partei (SdP)], headed by Konrad Henlein. With a popular demand for regional autonomy (and clandestine financial support from Berlin), the SdP gained more than 60 percent of the German vote in 1935, a result that Henlein’s party markedly bettered in 1938 communal elections, when it received eighty-five percent.³⁰ By then the SdP had forcibly absorbed most other ethnic

Norway. If one were to leave aside relatively unindustrialized Slovakia and fully agrarian Subcarpathian Rus, the interwar Czech provinces, which alone accounted for more than 90 percent of the country’s industrial production and 75 percent of its agricultural production, surely ranked near the top in world economic indicators per capita. Zora P. Pryor, “Czechoslovak Economic Development in the Interwar Period,” in Victor S. Mamatey and Radomír Luža, eds., *A History of the Czechoslovak Republic, 1918–1948* (Princeton: Princeton University Press, 1973), 190; E. Kubů and J. Pátek, *Mýtus a realita hospodářské vyspělosti Československa mezi světovými válkami* (Prague: Karolinum, 2000), 16, 279, 369–67.

²⁷ For more on these giants of Czechoslovak history, see Roman Szporluk, *The Political Thought of Thomas G. Masaryk* (Boulder, CO: East European Monographs, 1981); Zbyněk Zeman and Antonín Klimek, *The Life of Edvard Beneš: Czechoslovakia in Peace and War* (Oxford: Clarendon Press, 1997).

²⁸ The interwar republic officially recognized a “Czechoslovak nation.” This language was reflected in the constitution and censuses, but was eventually rejected by most Slovaks and discarded after the war even by Czechs in favor of two separate but theoretically equal nations. Regarding interwar “nationalizing states,” see Rogers Brubaker, *Nationalism Reframed: Nationhood and the National Question in the New Europe* (New York: Cambridge University Press, 1996), 83–84.

²⁹ Igor Lukes, *Czechoslovakia between Stalin and Hitler: The Diplomacy of Edvard Beneš in the 1930s* (New York: Oxford University Press, 1996), 51.

³⁰ Rothschild, *East Central Europe*, 129.

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German parties and Henlein openly espoused the tenets of Nazism. In the wake of Germany's annexation of Austria in March 1938, the SdP ratcheted up its demands for autonomy and Hitler called for an end to supposed Czech oppression of the Sudeten minority. When, under international pressure, Czechoslovak President Edvard Beneš belatedly offered autonomy to the Sudeten Germans, Berlin demanded the complete transfer of sovereignty over the borderlands to Nazi Germany. British Prime Minister Neville Chamberlain's ill-fated attempts to satisfy the Fuehrer's appetite through appeasement ended in the Munich Pact of 30 September 1938. Without consulting Beneš, the leaders of the United Kingdom, France, Germany, and Italy collectively ordered Czechoslovakia to surrender its borderlands. Over the next weeks, as Nazi Germany occupied the Sudetenland, more than 200,000 persons, mainly Czechs, but also German antifascists and German-speaking Jews, fled to the interior of Czechoslovakia – the first of many forced migrations that tragically marked the Second World War and its aftermath.³¹

In the months after Germany annexed the Sudetenland, the Axis Powers granted Hungary southern Slovakia, and Poland claimed the Teschen (Těšín) region, thereby depriving Czechoslovakia of nearly one-third of its territory and population.³² Under German pressure Beneš resigned and left for uncertain exile abroad. In his place the Czechoslovak parliament elected the sixty-six-year-old chief justice of the country's supreme court, Emil Hácha, an avuncular but indecisive and increasingly feeble figurehead. Guided by Agrarian Party chief Rudolf Beran, who became Prime Minister of the so-called Second Republic at the beginning of December 1938, Czech conservatives purged followers of Beneš, introduced censorship, banned the Communists, and reduced the political system to only two legal parties.³³ In the meantime, Slovak nationalists, led by the Catholic priest Jozef Tiso, successfully pressed Prague to grant Bratislava wide-ranging autonomy, which they promptly

³¹ Tomáš Staněk, "Vyhnání a vysídlení Němců," in Ivona Řezanková and Václav Kural, eds., *Cesta do katastrofy: Československo-německé vztahy 1938–1947* (Vrútky, Czech Republic: NADAS – AFGH, c. 1992), 126.

³² Theodore Procházka, Sr., *The Second Republic: The Disintegration of Post-Munich Czechoslovakia* (Boulder, CO: East European Monographs, 1981), 53.

³³ Procházka, *Second Republic*, 36–37, 107–10; Tigris, *Kapesní průvodce*, 171–80; Vojtech Mastny, *The Czechs under Nazi Rule: The Failure of National Resistance* (New York: Columbia University Press, 1971), 20–23; Vilém Hejzl, *Rozvrat: Mnichov a náš osud* (Toronto: Sixty-Eight Publishers, 1989), 53–63.

exploited to institute a one-party regime in Slovakia. Despite the Beran government's best attempts to meet Nazi demands, the Second Republic survived less than six months.³⁴ In March 1939 the Germans used a manufactured crisis in Bratislava to offer Tiso the choice between occupation by Hungary or independence under Nazi tutelage. On 14 March the Slovak parliament voted to secede from what remained of Czechoslovakia. That evening, Hácha traveled to Berlin to ascertain Hitler's plans, but by the time he arrived there German troops had already begun their occupation of Czech Silesia. When Hermann Goering threatened to unleash the Luftwaffe on Prague, Hácha succumbed to the Nazis' demands. Early in the morning of 15 March 1939 the Czech President signed a declaration that "he confidently placed the fate of the Czech people and country in the hands of the Fuehrer of the German Reich."³⁵

On 16 March 1939, a day after completing their occupation of the Czech provinces, the Germans announced the creation of a "Protectorate of Bohemia and Moravia." Although the Protectorate ostensibly permitted the Czechs the autonomy to run their internal affairs, the Germans viewed the arrangement as a temporary means to exploit the region for the economic and military needs of the Third Reich.³⁶ Thanks to Hácha's Berlin capitulation, which allowed the Germans to claim that the takeover was legal, the elderly jurist stayed on as State-President of the Protectorate. His government also remained in office, although the occupiers demanded some changes in top personnel and eliminated the now useless Ministries of Defense and Foreign Affairs. In April respected General Alois Eliáš became prime minister, replacing Beran, who went into permanent retirement (only to be later arrested by the Nazis). Above this Czech administration stood the so-called Protector, Konstantin von Neurath, a conservative German nobleman who had served as Foreign Minister in Weimar Germany and under Hitler. Karl Hermann Frank, a prominent member of the Sudeten German Party,

³⁴ The new regime agreed to cut its army in half and to permit transfer of German troops across its soil and even amended the Law for the Protection of the Republic, previously used against German separatists, to outlaw slander of foreign heads of state and their representatives. Procházka, *Second Republic*, 107–10.

³⁵ Mastny, *Czechs under Nazi Rule*, 41.

³⁶ Detlef Brandes, *Die Tschechen unter deutschem Protektorat*, 2 vols. (Munich: R. Oldenbourg, 1969 and 1975), I:38.

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became Neurath's deputy. Frank's former party boss, Konrad Henlein, found himself sidelined in the Sudetenland, which remained administratively separate from the Protectorate throughout the war. As State-Secretary, Frank directed the Schutzstaffeln (SS) in the Protectorate and quickly became infamous as a proponent of harsh repression of Czech opposition. Although the Czech bureaucracy remained more or less intact, the Germans claimed jurisdiction over matters pertaining to Jews, the investigation and adjudication of political crimes, and the direction of the economy.

In the first few months the Germans established an occupation policy that remained remarkably consistent (and frighteningly effective) throughout the following years irrespective of the fortunes of war and changes in the local Nazi leadership. First and foremost, the occupiers sought to exploit the Protectorate economically. In particular, they placed great value on the region's arms factories and steel foundries, which had made Czechoslovakia a major industrial force before the war and now were harnessed to the Nazi war machine.³⁷ To promote compliance, the Germans offered Czech workers the old dictatorial standard of "bread and circuses," including free lunches in factories, vocational classes, organized sporting events, concerts, films, theater, and vacations in local resorts. In time, the occupiers even extended existing insurance programs for personal injury, health, and old age.³⁸ Though the Germans demanded that their subjects perform compulsory labor (mainly at home, but, for a minority, in Germany), they spared Czechs the burden of serving in the Reich's armed forces. In 1942 Frank summed up Nazi policy in the Protectorate: "He who works for the Reich – and the great majority of the population does so – has nothing to fear; his material existence and future are assured. He who stands aside, holds back or secretly sabotages, belongs to the camp of the enemy and will be cut down according to the law of war."³⁹

Hitler explained in late 1939 that, in contrast to the approach favored in occupied Poland, in the Protectorate "the German authorities are to

³⁷ Miroslav Kárný, "*Konečné řešení*": *Genocida českých Židů v německé protektorátní politice* (Prague: Academia, 1991), 10; Mastny, *Czechs under Nazi Rule*, 68.

³⁸ Mastny, *Czechs under Nazi Rule*, 195; Brandes, *Die Tschechen*, I:231.

³⁹ Brandes, *Die Tschechen*, II:19.

avoid anything that is likely to provoke . . . mass actions.”⁴⁰ During the first years of the occupation, when Czechs signaled their opposition to foreign rule through mass pilgrimages, public displays of national symbols, and boycotts of public transportation and the press, the Nazi authorities reacted with targeted repression. In response to antioccupation demonstrations in October and November 1939, the Germans summarily shot 9 student leaders, sent more than 1,000 of their classmates to concentration camps, and shut down all Czech universities.⁴¹ Historians have traditionally viewed Hitler’s September 1941 decision to replace Neurath with Reinhard Heydrich as a radical change of course.⁴² Although the SS leader immediately implemented a crackdown, he actually intensified and refined the approach laid down over the previous two years. To break the Czechs’ will to oppose Nazi rule, Heydrich declared martial law and ordered the arrest of Protectorate Prime Minister Alois Eliáš, who had unsuccessfully hidden his contacts with the Czechoslovak government-in-exile in London. By the end of November special courts had sentenced 400 Czechs to death. Having instilled terror, Heydrich then offered concessions designed to encourage compliance: The Germans suspended martial law after two months and granted workers larger rations.⁴³ In January 1942 Heydrich also signaled an end to the Hácha government’s limited autonomy by appointing a trusted German to the post of Protectorate Labor Minister and the most zealous Czech collaborator, Emanuel Moravec, to head the Education Ministry.

Targeted repression and limited economic concessions were merely short-term policies and, moreover, applied only to Gentiles. From the outset the Nazis anticipated the long-term Germanization of the region; hence the decisions to annex the Protectorate to the Reich and to shut Czech institutions of higher education.⁴⁴ Remarkably, Nazi authorities

⁴⁰ Mastny, *Czechs under Nazi Rule*, 121.

⁴¹ In theory the closure of the universities was for three years, but Czech institutions of higher education were not reopened until after the war. Mastny, *Czechs under Nazi Rule*, 115–17.

⁴² Technically, Neurath was recalled for health reasons and only temporarily replaced by Heydrich, who thus functioned as “acting Protector.” Gotthold Rhode, “The Protectorate of Bohemia and Moravia, 1939–1945,” in Victor S. Mamatey and Radomír Luža, eds., *A History of the Czechoslovak Republic, 1918–1948* (Princeton, NJ: Princeton University Press, 1973), 311.

⁴³ Rhode, “The Protectorate,” 312.

⁴⁴ Brandes, *Die Tschechen*, I:250; Kárný, “Konečné řešení”, 10.

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considered many Protectorate subjects suitable for Germanization, though the percentage of “Aryan” types within the Czech nation was continually a matter of dispute among the so-called experts. Frank once claimed, for example, that one-half of all Czechs could be assimilated into the German nation.⁴⁵ For those deemed unsuitable for Germanization, Hitler recommended “special treatment,” while Heydrich ominously commented, “Those people I must get rid of. There’s plenty of space [for them] in the East.”⁴⁶ Until victory was achieved, however, the economic mobilization of Czech workers remained the occupiers’ first priority. By contrast, the Protectorate’s 118,000 Jews did not have to await the end of the war to learn their fate in the new Europe. After the March 1939 invasion the Hácha government immediately issued anti-Semitic professional measures, but the German occupiers soon took the persecution of Jews out of Czech hands. Over the next two years the Nazis applied the Nuremberg Laws to the Protectorate, expropriated Jews’ property, and forced them to obey curfews, wear yellow stars, and perform mandatory labor. In 1941 the Nazis created a ghetto in the eighteenth-century military town of Theresienstadt (Terezín) to concentrate the Protectorate’s Jews (along with elderly and “privileged” Jews from other countries) before deporting them east to the death camps. More than 73,000 Protectorate Jews passed through Theresienstadt’s gates on their way to Nazi killing centers in occupied Poland; fewer than 10,000 of them survived the war.⁴⁷

Although the liquidation of Czech nationhood was relegated to the postwar period, the Nazis did promote limited Germanization during the occupation, especially for intermarried Czech–German families and the remaining Czech minority in the Sudetenland. Individual Czechs could apply for German citizenship and the advantages that such a designation entailed, but the Nazis were not always willing to accept converts, many of whom were determined to be little more than ordinary criminals or rank opportunists whose knowledge of the German language was

⁴⁵ Under the guise of tuberculosis exams, the German authorities even sent around teams to examine the racial fitness of Czech youths. Brandes, *Die Tschechen*, I:133, 238; Mastny, *Czechs under Nazi Rule*, 129; John Connelly, “Nazis and Slavs: From Racial Theory to Racist Practice,” *Central European History* 32:1 (1999), 14.

⁴⁶ Mastny, *Czechs under Nazi Rule*, 128; Brandes, *Die Tschechen*, I:210.

⁴⁷ Kárný, “Konečné řešení”, 9; Miroslav Kárný, “Genocida českých Židů,” in Miroslav Kárný, ed., *Terezínská pamětní kniha: Židovské oběti nacistických deportací z Čech a Moravy, 1941–1945*, 2 vols. (Prague: Melantrich, 1995), I:23–33.