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Coming to Terms with the Communist Regime in Slovakia

Izvleček

Prispevek obravnava zapleten proces pomiritve s komunističnim režimom na Slovaškem. Ta proces že od padca komunizma v letu 1989 budi pozornost raziskovalcev in javnosti. V mnogih pogledih se ta proces kaže kot neuspešen, saj komunistični zločini ostajajo nekaznovani in prevladuje »risanje debelih ločnic«. Nekateri predstavniki komunističnega režima so bili kljub protestom javnosti celo počaščeni s spominskimi ploščami. V zadnjih letih pa so se razmere spremenile. Sprejetih je bilo več zakonov za pomoč nekdanjim političnim zapornikom in za zmanjšanje pokojnin komunističnih funkcionarjev.

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KLJUČNE BESEDE: *Spomin, komunizem, pomiritev, politika spomina*

Abstract

The paper deals with the complicated process of coming to terms with the communist regime in Slovakia. Since the fall of the communism in 1989 the process has attracted the attention of researchers and the public. In many ways, this process is seen to have been unsuccessful – communist crimes remain unpunished and the “drawing of thick lines” prevails. Some representatives of the communist regime have even been honoured with memorial plaques, despite public protests. However, the situation has changed in recent years. Several acts have been adopted to help former political prisoners and to reduce the pensions of communist officials.

KEYWORDS: *Remembrance, communism, coming to terms, memory policy*

Introduction

In the 20th century, Slovakia was severely affected by two totalitarian regimes: the authoritarian regime of the Slovak Republic (1939–1945, in Slovak “ľudácky” from the name of the ruling Hlinkova slovenská ľudová strana, Hlinka’s Slovak People’s Party), and communism. In this paper, we will pay attention to the latter. The core of the paper will be the process of coming to terms with the communist regime in Slovakia with the focus on recent developments. In 2020 and 2021, several laws were passed/amended to improve the status of former activists of the anti-communist resistance and reduce the pensions of State Security officials and members of the highest body of the Communist Party, as well as affecting remembrance policy.

We also respect that among researchers and within the academy *niveau* many approaches existed to communism as an ideology and to the period when communist regimes ruled in the Soviet Union and various countries of Central and Eastern Europe. Some of them question the totalitarian character of those regimes. This paper is not questioning such approaches. Instead, *sine ira et studio*, it tries to explain why the process of coming to terms with the communist regime in Slovakia is still a very live topic that draws the attention of researchers, the general public and politicians. The paper also tries to find the answer as to why there is a necessity to pursue such a process as long as 30 years after the fall of communism and after what has been done in recent years.

*A short historical excursion
(with the focus on the communist crimes in Slovakia)*

As mentioned above, we will try to briefly present a history of the communist persecution in Slovakia. After World War II, the restored Czechoslovak state became strongly centralized and oriented particularly towards the communist Soviet Union. An authoritarian, yet so-called people's democratic regime was installed. In February 1948, the Communists gained full control over Czechoslovakia in a coup d'état. They gradually established a totalitarian regime based on the unlimited power of one political party.

One of the main characteristics of communist regimes in the 20th century throughout the world was that they massively violated not only human and religious rights but also their own laws. Slovakia, where the communist regime prevailed between 1948 and 1989, was no exception. It resulted in thousands of innocent people falling victim to a wide range of crimes committed by the regime itself. The years from 1948 to 1953 were a period of the worst terror against real and alleged regime enemies, when violence and unlawfulness became its Alpha and Omega, where all "inconvenient" people became its victims. According to the Soviet model, anyone who did not share their ideology was considered an enemy. There were mass persecutions of both real and alleged opponents in the form of court trials (thousands of people were tortured and imprisoned), executions (more than 200 people were killed), or labour camp internment. Hundreds of people were murdered trying to escape through tightly restricted borders, which were referred to as the Iron Curtain, a symbol of communism until today. The life of Slovak villages was negatively affected by the forced collectivization of agriculture, dissolving the traditional village structures. With great difficulty, farmers abandoned

their land and passed it to Joint Agricultural Cooperatives. The regime harshly persecuted those who refused to do so willingly. They were handed down long prison sentences, sent to labour camps, expelled from their home villages, and their children were dismissed from schools or could not study at universities. Slovakia's economic elite (businesspersons, tradesmen...) were destroyed hand-in-hand with forced collectivization by the same methods. The regime searched for and "found" internal enemies, which gradually led to major purges amongst intellectuals, such as lawyers, clerks, teachers at schools of all levels and their students. During Action B many were forcefully evicted from bigger towns (especially Bratislava) and moved out to the countryside. The mill of violence and terror also ground those who helped to first spin it as even high-level communist officials found themselves accused and labelled members of various "anti-state groups".

The forms of communist crimes against real and alleged opponents varied on a wide scale of all possible and available suppression methods. "Light" sanctions were exclusion from public life, job loss, fines for failed quotas by farmers, and education bans for children and family members of the accused, to more harsh limitations of personal freedom, such as eviction of inconvenient people from their permanent residence. More extreme forms were imprisonment without court proceedings or based on political trials, placement in forced labour camps, assignment of recruits into auxiliary technical battalions, torture of innocent victims of state trials during investigation, long prison sentences, or even the most severe recourse: execution. Even if the regime became more moderate during the 1960s and was partially democratized, it further persisted in persecution of its potential opponents and terrorization of wide masses of citizens. The occupation of Czechoslovakia in August 1968 stopped the process of

“socialism with a human face”. The communist regime returned to the actual application of Marxist-Leninist ideology and the leading role of the Czechoslovak Communist Party within society. However, it changed its power paradigm, which was reflected in the replacement of direct physical persecution with social victimization and intimidation of broad layers of society, together with the targeted persecution of selected individuals. These methods systematically violated fundamental human rights and religious freedoms.²

After the fall of the regime (1989)

Decades of communist dictatorship left traces not only in the political, economic and social spheres, but also from the standpoint of morality. Coming to terms with that “heritage” remains an issue for Slovakia today. In fact, the process of coming to terms with the totalitarian past started immediately after the fall of the communist regime (1989) with the solving of the most urgent duties in this respect – the rehabilitation of former political prisoners, compensation for victims and property restitution.³ The Slovak National Council has adopted

- 2 For more information on the history of Slovakia during the communist period, see Matej Medvecký, Jerguš Sivoš and Peter Jašek, *Following the Footsteps of Iron Felix. State Security in Slovakia 1945–1989* (Bratislava: Ústav pamäti národa, 2012); František Mikloško et al, *Zločiny komunizmu na Slovensku [Communist Crimes in Slovakia]* (Prešov: Vydavateľstvo Michala Vaška, 2001).
- 3 Matej Medvecký, “Coming to Terms with the Totalitarian Past in Slovakia and the Mission of the Nation’s Memory Institute in that Process,” in: *Vyrovňovanie sa s totalitnou minulosťou – od trestnoprávnej roviny po vedecký výskum [Coming to Terms with the Totalitarian Past – from the Level of Criminal Law Aspects to the Scientific Research]*, ed. Matej Medvecký (Bratislava: Ústav pamäti národa 2014), 98.

several laws in that respect. It is important to emphasize that such process has several levels – especially legal, economic, and even moral.⁴

Especially in the early 1990s, attempts at “drawing a thick line” under the period of communism prevailed, which strongly affected this process. The direct aftermath of this attitude was the fact that the Communist Party was not dissolved and was permitted to transform itself into a legitimate political organization with full rights. Former Communists became members of other political parties too. As such, almost no leaders or officials of the totalitarian regime were held to account for the crimes of the communist period.

Very soon the focus of the process of coming to terms with the communist past turned to the former secret collaborators of the State Security, which was the political police force of the communist regime responsible for many crimes in the 1950s and for the surveillance of dissidents in the 1970s and 1980s. In the social atmosphere after the fall of the communist regime, where the State Security was considered the most prominent villain, suspicion about secret collaboration with the State Security immediately represented a great threat to anyone. Accusations of collaboration with the State Security easily became a “fact” that could compromise and immediately damage the professional career of an accused person. The public, in fact, did not know any details about the State Security, its organization and structure, or the process of registration of the secret collaborators themselves.

This fact was also the reason why (real or alleged) collaboration with the State Security could be politically misused. The most visible cases of such misuse were so-

4 See for instance Ivan A. Petranský, *10 Years of the Nation's Memory Institute* (Bratislava: Ústav pamäti národa 2012), 10–12.

called lustration affairs (in Slovak “lustračná aféra”), related to the first free elections after the fall of communism in June 1990. In Slovakia, the best-known such lustration affair is that of Jan Budaj, one of the most prominent leaders and spokesmen of the Gentle Revolution in Slovakia, a prominent Slovak dissident and chairman of the Coordination Centre of Public against Violence, at that time the most popular Slovak political party. Days before the elections, all political parties asked (under pressure from public opinion and some politicians from the Federal Ministry of the Interior) for the lustration of their candidates concerning collaboration with the State Security. The results of this lustration, published hours before the official election polls, caused real shock. Several prominent politicians and personalities were outed as State Security secret collaborators. Lustrations were based on the registration protocols (records) of the State Security – if there was evidence identifying someone as an agent or candidate for secret collaboration, etc., lustration was positive; if not, it was negative. Nobody called for the opening of the files and the checking of the real substance of the cooperation – whether someone had had meetings with State Security officials, made denunciations, provided information, or how the State Security obtained the signatures of secret collaborators, etc. What was scandalous – but at the time unbeknown to most people – is that the lustration of several candidates was blocked by the Federal Ministry of Interior.⁵ The results of the affairs were shocking and several candidates had to withdraw their candidatures. Budaj’s case was a particularly extraordinary one. At that time, he was a popular and respected figure among

5 See Pavel Žáček, “‘Sachergate’: První lustrační aféra. Nesnáze postkomunistické elity (nejen) se svazky Státní bezpečnosti” [‘Sachergate’: The first record affair. Difficulties of the post-communist elites (not only) concerning the State Security files]. *Paměť a dějiny* 1, no. 1 (2007), 50–81.

society and was in fact one of the leading members of Slovak (especially environmental) dissent.⁶ Nobody believed that he had secretly collaborated with the State Security, but under pressure, he withdrew his candidature for Public Against Violence. Budaj's case drew great attention and the media hyped it.⁷ In fact, it opened the debate about State Security documents in Slovakia, which in those days were the number one topic in public discussions. Budaj's case was followed by other similar cases of people who as a result had to retire from public life. At the time, the statement of the Board of the Public Against Violence called the lustration process the "*poisonous smell of the dead man of the State Security*."⁸ In general, such affairs were the main reason why, in October 1991, the Federal Assembly of the Czech and Slovak Federal Republic adopted Act no. 451/1991 Coll., the so-called Vetting Act⁹ restricting

- 6 During the 1970s, he published samizdats and organized several exhibitions of non-conformist artists in Bratislava. In 1987, he was an editor of the publication *Bratislava/nahlas*, which was considered a "Slovak Charter 77" and criticized the communist regime for the bad environmental and cultural conditions in the Slovak capital Bratislava.
- 7 See several articles in the magazine of the political party Public against Violence entitled *Verejnosť* [Public] in June and July 1990, such as: Oneskorené vyhlásenie k "prípadu Budaj". Už teraz konečne pohasnú vášne [The late statement on the "Causa Budaj". Did the passions finally fade], *Verejnosť*, 27 July 1990; Viliam Ciklamini pracovníkom ministersva vnútra [Viliam Ciklamini as an operative at the Ministry of the Interior], *Verejnosť*, 28 July 1990. For reconstruction of Budaj's case see: Ladislav Švihran, *Aféry po novembri* [Affairs after November] (Bratislava: Nezávislosť, 1990).
- 8 Fedor Gál, "1989/23 – Lustrácie (časť piata)", accessed on 30 November 2015. URL: <http://www.fedorgal.cz/blog/index.php?itemid=172>.
- 9 This Act was not applied in Slovakia after 1993 and became ineffective at the end of 1996.

former secret collaborators and members of State Security from securing positions in the state bodies.

Other acts and laws also reflected a negative attitude towards the communist regime. On 27 March 1996, the National Council of the Slovak Republic adopted Act no. 125/1996 Coll. on the Immorality and Lawlessness of the Communist Regime. Later on, in 2006, the National council adopted a law on the anti-communist resistance, which recognized the fight against communism as a continuation of the fight for national liberation, and people who had fought against communism were recognized as fighters for freedom and democracy.

Establishment of the Nation's Memory Institute

At the same time, some called for the creation of an institution in Slovakia to come to terms with the communist past, as happened in other post-communist countries such Germany and Poland at that time. Finally, in September 2002, the Nation's Memory Institute was established when Act no. 553/2002 Coll. *On Disclosure of Documents Regarding the Activity of Security Authorities of the State During the Period 1939–1989 and on Founding the Nation's Memory Institute and on Amending Certain Acts* (The Nation's Memory Act), was adopted by the National Council of the Slovak Republic.¹⁰ By establishing the Nation's Memory Institute, Slovakia became one of those countries where separate and independent institutions were in charge of the administration of secret police files, documenting the crimes and providing the research work on the period defined by law. The Nation's Memory Act defined the beginning

¹⁰ The Nation's Memory Act has been amended several times in the ten years since it was enacted. See Petranský, *10 years*, 22–23.

of the period under scrutiny by the Nation's Memory Institute as 18 April 1939, when anti-Jewish Governmental Decree no. 63/1939 was issued in the Slovak state. The end of the decisive period was defined as 31 December 1989.

Soon after the establishment of the Institute, the materials of the former State Security became available for research and to the public. In particular, the disclosing of the registration protocols of the Regional State Security Directorates in Slovakia drew much attention from the Slovak public, mainly because many major names in public life were discovered to have been secret collaborators with the communist State Security. The media response was vocal and "The Lists of State Security People", as the registration protocols were referred to by the public, became a long-standing symbol of the work of the Institute.¹¹ In fact, disclosing the former State Security files is a way to gain knowledge about the dark part of our history. In accordance with the Nation's Memory Act, the article also anticipates registers to be disclosed and the Nation's Memory Institute fulfilled this task.

Publication of the registration protocols was a two-sided coin. On the one hand, the possibility to obtain information included in the files created public pressure, which in some cases resulted in resignations from public office of persons who were registered as State Security collaborators. Disclosures also stopped speculation, pressure and other kinds of (intelligence) games played in those days that traumatized Slovak society. Among the positive results, we should mention that discussion of the "List of Secret Collaborators of the State Security" became clear and spreading of the several non-authorized lists ended. Also, the spreading of allegations of cooperation with

11 Available at: <http://www.upn.gov.sk/sk/zvazkova-agenda-stb/>, accessed on 7 May 2017; see also Petranský, *10 Years*, 27.

the State Security finally stopped. One of the researchers at the Nation's Memory Institute summarized the discussion about the registration records with the words: "Records located at the Nation's Memory Institute are not complete, but are veritable and truthful."¹²

On the other hand, dozens of people were hurt by the disclosure of information about their being registered as secret collaborators with the State Security despite their having steadfastly refused to collaborate. Some of them sued the Nation's Memory Institute and several long-lasting trials took place in Slovakia with various results. The attention of the general public focused especially on cases when the suitor was a well-known personality, such as Czech businessman and politician Andrej Babiš. The Nation's Memory Institute later provided the opportunity for those named in the registration records to write a statement about the character of their cooperation, which became part of the personal file located in the Archive of the Nation's Memory Institute. Another question unanswered by the publishing of these records is why, when publishing the records before solidifying the internal structures of the State Security itself and making the names of persons the main task of its public activities, the Nation's Memory Institute revealed the names of both State Security agents and the persecuted persons.¹³ The personal reconstruction of the State Security units (and also the Border Guard), including the publication of the names of State Security officers and members, took place later and is still a work in progress.¹⁴

12 Ján Maco, "Evidencie bývalej Štátnej bezpečnosti" [*Records of the former State Security*], in: *Interpretácia dokumentov Štátnej bezpečnosti*. [*Interpretation of the State Security documents*], ed. Peter Jašek (Bratislava: Ústav pamäti národa, 2011), 147.

13 Petranský, *10 Years*, 28.

14 For the result, see the web page of the Nation's Memory Institute: <http://>

We must also say that even since the adoption of the aforementioned laws and the establishment of the Nation's Memory Institute, nothing has changed regarding the judicial sanctions for the crimes of the communist regime. Several efforts in this field were lost due to the reluctance of the courts and prosecutors. For example, the Nation's Memory Institute submitted several motions to the General Prosecutor's Office of the Slovak Republic, but none of those motions resulted in a court trial. Prosecution either did not commence or was stopped.

Disputes within the remembrance policy

The process of coming to terms with the communist regime also finds its reflection within the remembrance policy. I will avoid the disputes among historians, which could be divided into two groups. One is more traditionalist, focusing on the communist crimes and totalitarian character of the communist regime. The second group has a moderate attitude to the character of the regime and focuses more on the social policy and phenomenon of collaboration and cooperation of society, especially in the 1970s and 1980s. Instead, I will focus on the phenomenon of the late 2010s – the unveiling of the memorials of the representatives of the communist regime, even the highest officials of the Communist Party.

A clear example of such attitude, which stands for all, is the case of the Communist official Vasil Biľak. During the 1990s, he was accused of treason for signing the so-called invitation letter prior to the 1968 occupation of Czechoslovakia, but the long-last trial ended in 2011 without conviction. The trial

started in March 1991 and lasted 20 years. The process file from has more than 23,000 pages. The formal reasons for Biľak's acquittal were the impossibility of hearing witnesses (most of them were dead), and the fact that the original of the so-called invitation letter was missing. We can symbolically consider this (non)judgment as the peak of the inconsistency of the process of coming to terms with totalitarian history in Slovakia, especially at the level of punishment for the crimes of communism in Slovakia. In the people's narrative, Vasil Biľak was also considered a traitor and one of the main culprits of the communist totalitarianism.

The acquittal at the trial later became a springboard for his rehabilitation, which peaked with the unveiling of his memorial plaque in his native village Krajné Bystré in February 2015. The memorial consists of a commemorative plaque with text and a bust. Representatives of the regional self-government and Slovak Communist Party officials ceremonially unveiled the memorial on 22 February 2015, in front of the local cultural centre. Visitors can read the following text on the commemorative plaque: *"Dr. Vasil Biľak was born in the village Krajná Bystrá on 11 August 1917. A prominent official of the Communist Party of Czechoslovakia, Deputy of Federal Assembly of the Czechoslovak Socialistic Republic. In the years 1950–1988, he was dedicated to the development of Eastern Slovakia."* Under the bust is the legend: *"Truth remains truth."* The unveiling ceremony took place on 22 February, the date that commemorates the anniversary of "Victorious February" (in fact a communist coup d'état in February 1948, celebrated in communist Czechoslovakia on 25 February) more than it does Biľak's death (6 February).

The texts on the memorial can hardly go without comment. Even if we strip away the mistake in the name (Biľak is written almost everywhere as Vasil, not Vasil'), the information that

Vasil Biľak was a Deputy of the Federal Assembly is very doubtful for Biľak's life. His mandate is of a very dubious nature, because he was never elected in free and democratic elections. We also need to check the real merits of Vasil Biľak for Eastern Slovakia. In the second half of the 1950s, Biľak served as secretary of the Regional Committee of the CPS in Prešov. Among his main responsibilities were the forced collectivization of agriculture, that brought (among others) the break-up of traditional structures as well as the wave of cruel violence affecting those who had to give up their land, machinery and cattle for the benefit of newly established Joint Agricultural Cooperatives.

The inscription *Truth remains truth* under Biľak's bust must present an open provocation to democratic and free-thinking persons. For clarification, it paraphrases the headline of the publication containing Biľak's speeches from October 1967 to December 1970. During this period Biľak, as a signatory of the "letter of invitation" and leading collaborator, actively launched the regime of "normalization" and systematically brought the exclusion of the democratization process in 1960s, including freedom of speech (to which the initiators of Biľak's memorial refer). As a leading official he also managed the purge within the Communist Party. The main evaluation criterion of the purge was the attitude towards the Warsaw Pact troop invasion in August 1968. Those who did not agree with the (Biľak's) interpretation that it was "international help" were excluded from the party, sacked from their job or demoted. Last but not least, during this period Biľak closely cooperated with the Soviets (in fact the occupying power) and nominated himself to leading positions within the Communist Party, where he stayed until 1988.

Immediately after the unveiling of the memorial, the broad public discussion condemned it. Artists Ľuboš Lorenc and

Peter Kalmus from Košice painted the memorial with red paint and wrote the word “hog” on it.¹⁵ The leader of 1989’s Gentle Revolution, Ján Budaj, commented on the memorial by saying: “*If someone builds a statue dedicated to murder, it is awkward and embarrassing*”.¹⁶ Shortly after, a group of activists led by former members of parliament Peter Osuský and Ondrej Dostál initiated the criminal investigation on the crime of support and propagation of groups violating basic rights and freedoms. At the beginning of March, an unknown offender stole the bust which was part of the memorial.

Several Slovak remembrance institutions published official protest statements. The Nation’s Memory Institute considered the unveiling of the memorial “*derision of the victims of the communist regime and a provocation to all democratic-minded citizens*”. The statement argued that Biľak was responsible for the victims of the 1968 occupation as well as for the thousands of persecuted people during the subsequent normalization: “*In terms of dealing with the period of non-freedom I am considering this initiative as the same kind of danger as the attempts of neo-Nazis to excuse the crimes of Nazism*”.¹⁷ The Nation’s Memory Institute’s protest was also joined by the associations of former political prisoners.¹⁸ The directors of

15 See “Útok na pamätník Vasiľa Biľaka: Aktivisti ho pomalovali červenou”, accessed on 7 May 2022. URL: <http://www.aktuality.sk/clanok/271026/utok-na-pamatnik-vasila-bilaka-aktivisti-ho-pomalovali-cervenou/>.

16 See “Pamätník Biľaka rozdelil spoločnosť, Budaj je zhrozený“, accessed on 7 May 2022. URL: <http://www.noviny.sk/c/slovensko/pamatnik-bilaka-budaj>.

17 See “Kauza pomník Vasilovi Biľakovi – protest ÚPN” [Causa Memorial Vasil Biľak – protest of the Nation’s Memory Institute], *Pamäť národa* [Memory of Nation] 11, No. 1 (2015): 106.

18 In Slovakia there are several such associations, but the most known are the Confederation of Political Prisoners and the Association of Anti-Communist Resistance – Political Prisoners.

other key remembrance institutions published their mutual protests against the memorial as well. The statement of the Historical Institute of the Slovak Academy of Sciences claims: *“We are opposed to the celebration and hero-worship of a man, who through all his political activities cynically violated the right to freely express opinion and was co-responsible for the persecution of thousands of people and their families who wanted to use the right to freedom of expression.”* The statement called Biľak a *“really dark person of our history”* and, referring to his personal responsibility, described it as *“open and intentional collaboration with the occupying powers, the organization of discrimination and persecutions for thousands of people in the name of a false ideological chimera.”*¹⁹

Mainstream media reflected this *causa* as well. Several TV channels broadcasted information about the memorial and condemned it, as did journals, newspapers and magazines. The journal SME presented an interview with the director of the Museum of the Crimes and Victims of Communism, who in principle rejected the memorial. He used the example that, in such a context, nobody would build a memorial dedicated to Adolf Hitler in his hometown.²⁰ In his column on the website jetotak.sk, the influential leftist journalist Michal Havran Jr. dubbed Biľak *“the most incompetent and odious representative*

19 Statement of the directors of four institutions, see “Stanovisko Historického ústavu SAV k odhaleniu pamätníka Vasilovi Biľakovi”, accessed on 7 May 2022. URL: <http://www.history.sav.sk/bilak.htm> The statement was also signed by the directors of the Military Historical Institute, Museum of the Slovak National Uprising and the Institute of Political Sciences of the Slovak Academy of Sciences.

20 See Iris Kopcsayová, “Historik: Hitlerovi by sme sochu v rodisku nepostavili, tak treba vnímať aj Biľaka”, accessed on 7 May 2022. URL: <http://www.sme.sk/c/7671220/historik-hitlerovi-by-sme-sochu-v-rodisku-nepostavili-tak-treba-vnimat-aj-bilaka.html>.

of the former regime” and concluded: “Vasil Bilak came to in history on the Russian tanks, not as a general, but as a traitor who, through his letter, created his own memorial for the whole country. He built it himself in 1968, turned the country into marble and wrote on it the names of our parents. He sacrificed them all, and with each destroyed story, he fixed his place in history. His legacy is still alive.”²¹

The case of Vasil Bilak's memorial shows the consequences suffered at the level of the remembrance policy due to the current concept of coming to terms with the totalitarian history. In fact, this concept was based on the broadly declared policy of so-called thick lines on history. However, especially in the 1990s, public discourse talked openly about the need to punish some communist crimes. The responsibility of the traitors from 1968 was at the forefront. The name of Vasil Bilak was most frequently mentioned, he found himself in court and it was barely possible that his rehabilitation was even being considered. What could hardly have been imagined a few years ago is a reality today. There is no need to conceal the fact that with unveiling of Bilak's memorial he was de facto rehabilitated, albeit against the wishes of the vast majority of society. This happened almost four years after the court finally freed him after a protracted trial from charges of treason and his share of the responsibility for the events of the 1968 occupation due to a lack of evidence.

Later, several other causes drew the attention of the public – for example, the unveiling of the memorial plaque dedicated to Ján Pješčák, the former prosecutor general in the 1970s and 1980s, in his native village Veľký Lipník in Eastern Slovakia. The scenario was similar to what happened with the memorial

21 See <http://www.jetotak.sk/editorial/bilak-uz-pamatnik-ma>

plaque for Biľak – the activists tried to destroy the plaque and remembrance institutions issued statements in protest.²²

For that reason, in 2020, the National Council of the Slovak Republic passed Act no. 338/2020 which amended sections of the Act no. 125/1996 Coll. on the Immorality and Lawlessness of the Communist Regime. The key change in the law is the prohibition to install texts and symbols which celebrate and promote or defend the regime based on communist ideology or its representatives. If the initiators had any doubts regarding the memorial, they should have asked the Nation's Memory Institute to review and report on it. For example, several days ago, the City of Prešov named a park after Alexander Dubček, leader of the 1968 “socialism with a human face” after consultations with the Nation's Memory Institute. To date, the Nation's Memory Institute has had a total of five such requests from cities and villages across Slovakia. We should point out that only two of them were focused on officials of the Communist Party. Three concerned people active during the period 1939–1945.

*Changes in the process of coming to terms
with communism after 2020*

The first and most important signal of the fundamental changes in the process of coming to terms with the communist regime came in 2019. The Slovak government (a coalition of SMER – Social Democracy, the Slovak National Party and the party Most (Bridge)) recognized the 30th anniversary of the fall of communism as an important milestone in modern

22 See “Otvorený protest ÚPN voči odhaleniu pamätnej tabule Jánovi Pješčakovi”, accessed on 8 May 2022. URL: <https://www.upn.gov.sk/sk/otvoreny-protest-upn-voci-odhaleniu-pamaetnej-tabule-janovi-pjescakovi/>.

Slovak history and provided financial support to several commemorative or scientific events which took place in the country. Never before has the government supported this important anniversary in this way.

Other, even more important changes came in 2020, under the guidance of the new Slovak government, created by the more conservative and right-leaning political parties. More than 30 years after the fall of communism, the highest Slovak political representatives changed the laws that affected not only the remembrance policy, but also the economic status of the former activists of the anti-communist resistance as well as former representatives of the Communist Party, state officials and officials of the former State Security.

Finally, we must also mention the remembrance policy regarding the communist regime. In 2021, the act governing public holidays and Remembrance Day was amended and several remembrance days added to the calendar. The majority of them were related to the communist regime. I would mention 21 June as the day of the departure from Slovakia of the Soviet occupying troops; 24 June as the day of the commemoration of the victims of communism; 21 August as the day of the commemoration of the victims of the 1968 invasion; and 12 October as the day of the samizdat.

*Increase for the former anti-communist activists,
reduction for the former regime officials*

The National Council of the Slovak Republic made amendments to the two laws that have already been mentioned. The first to be amended was the above-mentioned Act on the Immorality and Lawlessness of the Communist Regime. Later, the law relating to anti-communist resistance was amended

as well and former political prisoners of the communist regime granted a one-off financial contribution (symbolically €1989, as a nod to the year when the communist regime in the former Czechoslovakia fell). These changes caused a substantial increase in the number of requests addressed to the Nation's Memory Institute, which is responsible for granting the status of the veteran or member of the anti-communist resistance. During the three months after the adoption of the law, the number people applying for the granting of status than was more than the total number of applications since 2006! As a result, the Nation's Memory Institute must tighten up the assessment of such applications. However, many of the applications were considered inappropriate according to the law and the NMI rejected them, which invoked the negative reaction of applicants.

Finally, on 16 July 2021, Act no. 283/2021 on the Cutting of Undeserved Benefits was adopted by the National Council of the Slovak Republic. Prime Minister Eduard Heger said the aim of the law was to correct "a terrible contrast" between the unjustifiably high pensions received by those who persecuted people, and the low pensions of those who were persecuted. According to the law, the pensions of former State Security officials and member of the communist government, as well as members of the Central Committee of the Communist party was reduced by the period when they were in office or were members of the State Security. The law was adopted because of the difference between the pensions of those responsible for terror during communism and the pensions of their victims, who have low pensions due to imprisonment or working in low-paid jobs. The law considers as undeserved benefits that part of the pension resulting from employment in certain jobs or positions during the communist regime. These positions were defined in the law as:

- members of parliament (Czechoslovak, and also the Slovak National Council);
- members of the government,
- members and employees of the Central Committee of the Communist Party,
- members of the secret police force the State Security and other intelligence services (military intelligence, border guard intelligence),
- leaders of the police and the army, who were in charge of the intelligence services in question.

The law also provides the time scale relevant for reducing the pensions. For example, for State Security officials it is a period from February 1948 (after the communist coup d'état) until 9 December 1989 (when the last communist government resigned).

In practice, the implementation of this law has several steps. First, the Nation's Memory Institute prepares an overview of the representatives of the communist regime. In the second step, the social authorities determine which of the representatives receive a pension. The Nation's Memory Institute then determines the period of service of the identified persons. In the fourth step, the social authorities reduce the pension of these persons according to the years worked in the roles mentioned. Thus, the persons concerned will be looked upon as if they had not worked during those years. The law sets a certain limit on the reduction of pensions. That limit is the minimum pension the Slovak Republic guarantees to every pensioner. The law also provides for the possibility of review of the pension reduction, first at the social welfare office concerned and then in court. We have no experience with the application of this law yet. The law has only been effective

since 5 August 2021, and the Nation's Memory Institute has subsequently identified the representatives of the communist regime. In the following months, the social authorities checked the identified names and collated a list of people who receive a pension. By the end of 2021, Nations Memory Institute had issued more than five hundred confirmations on the period of service. However, in March 2022, Constitutional Court of the Slovak Republic suspended the Act. The near future will see whether the Act will be changed or the representatives of the communist regime remain unpunished.

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Summary

The goal of the paper is to analyze the process of coming to terms with the communist regime in Slovakia. To understand the process, it is also necessary to briefly outline the history of the communist regime in Slovakia with the focus on the persecutions. The paper goes on to analyze the adoption of acts and laws in Slovakia intended to deal with the communist legacy. Such laws were adopted in the 1990s and also in the early 2000s. During those times, the “drawing of thick lines” prevails in the process of coming to terms with the communist regime, which has caused various societal problems. The communist crimes remain unpunished. Public attention was also drawn to the cases where commemorative plaques were unveiled, dedicated to controversial communist officials in various villages in Slovakia. In another section, there is an analysis of the changes in the approach to the communist regime in recent years, when new acts were adopted with the aim to help former anti-communist fighters and to reduce the pensions of former communist officials.

The paper also analyzes the establishment of the Nation’s Memory Institute as a unique remembrance institute. The NMI plays a huge role in the process of coming to terms with the communist regime. It makes the documents of the former State Security available for research, deepens and summarizes the historical research of this period and also fulfils other task (such as granting the status of veteran of the anti-communist resistance; preparing the list of State Security members and officials of the communist regime; submitting a review to the local self-government on the representatives of the non-democratic regime, etc.). The paper also describes concrete cases when the remembrance policy has dealt with communism, as well as showing how the acts are translated into praxis.

Pomiritev s komunističnim režimom na Slovaškem

Povzetek

Cilj prispevka je analizirati proces pomiritve s komunističnim režimom na Slovaškem. Za razumevanje procesa je treba na kratko orisati tudi zgodovino komunističnega režima na Slovaškem s poudarkom na pregonih. Drugi del prispevka analizira sprejem aktov in zakonov na Slovaškem, ki naj bi obravnavali komunizem. Tovrstni zakoni so bili sprejeti v devetdesetih letih prejšnjega stoletja in tudi v prvih letih novega tisočletja. V tistem času je v procesu pomiritve s komunističnim režimom prevladovalo »risanje debelih ločnic«. To je povzročilo razne težave v družbi. Komunistični zločini ostajajo nekaznovani. Pozornost javnosti so med drugim pritegnili primeri, ko so v različnih vaseh na Slovaškem odkrili spominske plošče, posvečene spornim komunističnim funkcionarjem. Drugi del raziskave analizira spremembe v obravnavanju komunističnega režima v zadnjih letih, ko so bili sprejeti novi zakoni za pomoč nekdanjim protikomunističnim borcem in za zmanjšanje pokojnin nekdanjih komunističnih funkcionarjev.

Prispevek analizira tudi ustanovitev Inštituta za nacionalni spomin kot edinstvenega spominskega inštituta. Inštitut za nacionalni spomin igra pomembno vlogo v procesu pomiritve s komunističnim režimom. Za raziskovanje, poglobljanje in preciziranje zgodovinskih raziskav tega obdobja je omogočil vpogled v dokumente nekdanje državne varnostne službe, izpolnjuje pa tudi druge naloge (npr. podelitev statusa veterana protikomunističnega odpora, priprava seznama pripadnikov

državne varnostne službe in funkcionarjev komunističnega režima, podajanje ocene o predstavniku nedemokratskega režima samoupravi itd.). Prispevek predstavi tudi konkretne primere tega, kako se politika spomina ukvarja s komunizmom, in pokaže, kako se dejanja spremenijo v prakso.