

ACTA UNIVERSITATIS CAROLINAE
STUDIA TERRITORIALIA

XXV
2025

ACTA UNIVERSITATIS CAROLINAE

STUDIA

TERRITORIALIA

XXV
2025
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CHARLES UNIVERSITY
KAROLINUM PRESS

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ISSN 1213-4449 (Print)

ISSN 2336-3231 (Online)

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EDITORIAL

Dear Friends and Colleagues,

Welcome to the first issue of the journal *Studia Territorialia* for 2025, entitled “Borders in Motion.”

Borders are dynamic constructs that consist of political, cultural, social, historical, and geographical elements. More than mere lines on a map, they are zones of the landscape where identities, sovereignties, and geopolitical interests blend and overlap. They are shaped by cultural exchanges, economic interactions, and social relationships. Throughout history and up to this day, borders and borderlands have always been grounds for negotiation, transformation, and conflict.

This special issue brings together three original research articles that explore diverse dimensions of borders. In the opening contribution, Karim Dharamsi revisits the philosophical and ethical foundations of constitutional legitimacy in Canada. He views Canadian constitutionalism as a sort of “contested borderland” and argues that Canada’s existing constitutional framework is still rooted in the traditions of settler colonialism, which as such remains conducive to the marginalization of Indigenous peoples and other minority communities.

The second article is an autoethnographic study of the Cieszyn Silesia region. Specifically, it focuses on the Friendship Bridge connecting the towns of Cieszyn and Český Těšín, which are located on opposite sides of the Polish-Czech border. Magdalena Bubík analyzes the bridge’s social and symbolic transformations over time, drawing on the Derridian concept of *hauntology* to make her case. She argues that the bridge has become an indispensable element of the local identity, as well as a place for reconciliation and remembrance.

Finally, Kateřina Vnoučková examines the entangled history of cross-border cooperation between South Moravia and Lower Austria during the 1980s and

1990s. She demonstrates how the interconnected environment and the shared rural traditions of the regions facilitated contacts across the Iron Curtain, particularly through village renewal programs.

This issue of *Studia Territorialia* concludes with a report reflecting on a special anniversary. Last year, the Institute of International Studies of Charles University, our journal's publisher, celebrated thirty years of its existence. Since its founding in 1994, the Institute has become a leading academic institution in the field of area studies in post-communist Czechia. Moreover, it has greatly influenced our profile in the disciplines we cover, as well as the way we conduct research and publishing. In his contribution, Miroslav Kunštát looks back on that moment thirty years ago, providing an overview of the Institute's origins, the debates that preceded its establishment, its subsequent development, and its achievements thus far.

More contributions on "Borders in Motion" will be published soon.

On behalf of the Editors,

Lucie Filipová, Magdalena Fiřtová, and Jan Šír
doi: 10.14712/23363231.2025.6

ARTICLES

SETTLING ON WORDS: SOVEREIGNTIES, BORDERS, AND TRANSFORMATIVE CONSTITUTIONALISM IN CANADA

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Received April 21, 2025; Revised August 14, 2025; Accepted August 26, 2025.

Abstract

This article analyzes Canada's Constitution as a contested "borderland," a site where competing claims to sovereignty, identity, and moral legitimacy intersect and often clash. While the *Charter of Rights and Freedoms* promises inclusivity and equality, I argue it remains fundamentally embedded within a settler-colonial order that persistently marginalizes Indigenous peoples. Treaties, when understood as dynamic and relational borders, challenge the Crown's assertion of absolute authority and underscore the need for constitutional transformation grounded in justice and what Dwayne Donald calls "ethical relationality," drawn from the Cree concept of *wāhkôhtowin*. At the same time, immigrant communities access the *Charter* as a gateway to rights, even as they enter a legal system built upon the dispossession of Indigenous nations – raising moral questions about legal obligation and inclusion. Drawing on Joseph Raz's "service conception" of authority, this article offers a philosophical audit of Canada's constitutional legitimacy. Through a structured application of Raz's three theses – normal justification, dependence, and pre-emptive force – I show how current legal directives frequently fail to align with the moral reasons of Indigenous and minority communities. Engaging with Indigenous legal theorists such as John Borrows and Dwayne Donald, I advocate for transformative constitutionalism, culminating in a renewed constitutional compact rooted in Willie Ermine's notion of ethical space. Such a framework, I argue, offers the conceptual and normative tools to reimagine sovereignty and legal authority in genuinely pluralistic terms.

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Keywords: Canada; Indigenous sovereignty; treaties; transformative constitutionalism; legal pluralism; immigrant belonging; settler colonialism; ethical space
DOI: 10.14712/23363231.2025.7

1 Introduction

Constitutional frameworks in settler-colonial states like Canada are not merely legal instruments; they embody moral projects shaped by contested histories, shifting social dynamics, and evolving power relations.¹ This article argues that Canada's Constitution functions as a borderland – understood here as a dynamic, contested terrain marked by overlapping and frequently competing claims to sovereignty, identity, and inclusion. Within this space, Indigenous peoples, immigrant communities, and established settler populations continuously negotiate and redefine what justice entails amidst ongoing colonial dispossession and multicultural coexistence, underscoring the urgent necessity of constitutional transformation.

Such tensions are most evident in the divergent relationships that Indigenous and immigrant communities maintain with the Canadian legal order. Indigenous peoples invoke treaty obligations as living frameworks that predate and coexist with the Crown's Constitution.² These treaties expose the limitations of Canadian laws in respecting Indigenous intellectual and discursive traditions. In contrast, newcomers often view the *Charter of Rights and Freedoms* as a beacon of inclusion, even as it exists within a constitutional framework built on the dispossession of Indigenous nations. Given this, one can challenge the presumption that there is a *prima facie* obligation to obey Canadian laws, particularly when treaties are violated, or Indigenous sovereignty is undermined. Treaties highlight a seemingly intractable dialectical conundrum: while immigrants may value the rights and freedoms entrenched in the *Charter*, their legal obligations remain inextricably entangled in a colonial legacy that undermines its moral foundation.

Drawing on Joseph Raz's "service conception" of authority,³ I contend that the legitimacy of a legal order depends on its ability to serve and strengthen the

¹ James Tully, *Strange Multiplicity: Constitutionalism in an Age of Diversity*, The Seeley Lectures, No. 1 (Cambridge: Cambridge University Press, 1995), <https://doi.org/10.1017/cbo9781139170888>.

² John Borrows, *Canada's Indigenous Constitution* (Toronto: University of Toronto Press, 2010), 31–34.

³ Joseph Raz, *The Morality of Freedom* (Oxford: Clarendon Press, 1986), 53–61; Thomas May, "On Raz and the Obligation to Obey the Law," *Law and Philosophy* 16, no. 1 (1997): 135–138, <https://doi.org/10.2307/3504817>.

moral agency of those subject to its laws. Legal and constitutional authority is therefore compromised where it systematically ignores Indigenous sovereignty or fails to address the enduring injustices of settler colonialism. Leanne Betasamosake Simpson and John Borrows demonstrate that Indigenous communities in Canada, despite the well documented assimilationist policies of the state, continue to hold and develop robust legal orders – rooted in ceremonies, storytelling⁴, kinship, and frameworks of relational governance – which challenge the foundational assumption that Crown sovereignty reigns supreme.⁵

A more just and inclusive constitutional future, I argue, lies in contemplating a form of transformative constitutionalism: a framework of legal and social transformation that aspires to rectify colonial injustice, honour multiple sovereignties, and accommodate pluralistic norms.⁶ Transformative constitutionalism has been explored in contexts such as post-apartheid South Africa and certain Latin American jurisdictions, and it offers valuable insights for Canada. It can shape constitutional conversations to explicitly recognize Indigenous legal orders, foster cross-cultural dialogue, and address environmental stewardship.

⁴ The term “storytelling” is used cautiously, since it often reflects Western assumptions of linearity, fixed authorship, and textual primacy. These risk obscuring Indigenous understandings of narrative as relational, embodied, place-based, and sustained through community, land, memory, and reciprocal responsibilities. Indigenous storytelling carries obligations and lived practices beyond conventional literary form. I am grateful to Elder Miiksika’am, Elder Hayden Melting Tallow, Elder Roy Bear Chief, John Fischer, Audra Foggin, Gabrielle Weasel Head, Victoria Bouvier, Christopher Grignard, and Linda Van der Zande for their guidance and insights that deepened my appreciation of these distinctions. Any errors are my own.

⁵ The assimilationist policies of the Canadian government have long aimed to suppress Indigenous legal orders and cultural practices. Key examples include the Indian Act (1876), which imposed Euro-Canadian governance structures and banned traditional ceremonies such as the potlatch and sun dance, the residential school system, designed to forcibly assimilate Indigenous children by eradicating their languages and traditions, and the 1969 “White Paper”, which proposed eliminating Indigenous legal distinctions and rights, prompting widespread resistance through documents like the “Red Paper” or “Citizens Plus.” See “Indian Act,” August 15, 2019, secs. 1–5, <https://laws-lois.justice.gc.ca/eng/acts/I-5/>; Truth and Reconciliation Commission of Canada, “The Final Report of the Truth and Reconciliation Commission of Canada,” vol. 1, 2015, 51–68; Jean Chretien, “Statement of the Government of Canada on Indian Policy, 1969,” Department of Indian Affairs and Northern Development, Ottawa [Ontario], 1969, <http://files.eric.ed.gov/fulltext/ED043431.pdf>; The Indian Association of Alberta, “Citizen Plus: The Red Paper” (The Indian Association of Alberta, 1970). Despite these policies, Indigenous nations have preserved and revitalized vibrant legal orders. See Leanne Betasamosake Simpson, *As We Have Always Done: Indigenous Freedom through Radical Resistance* (Minneapolis, MN: University of Minnesota Press, 2020), 48–52; Borrows, *Canada’s Indigenous Constitution*, 27–31.

⁶ Karl E. Klare, “Legal Culture and Transformative Constitutionalism,” *South African Journal on Human Rights* 14, no. 1 (January 1998): 147–152, <https://doi.org/10.1080/02587203.1998.11834974>; Borrows, *Canada’s Indigenous Constitution*, 16–17.

Transformative constitutionalism offers a pathway to resolve the dialectical impasse I have identified, particularly through Willie Ermine's concept of "ethical space"⁷ – an intercultural arena where diverse moral and legal traditions can meet on more equitable terms. By anchoring constitutional authority in a genuine commitment to reciprocity and the interconnected well-being of all living beings, Canada can transcend its entrenched colonial paradigm and reimagine its constitutional relationships on foundations of justice and mutual respect.

This paper proceeds in five parts. First, it outlines the philosophical foundations of legal obligation and authority, drawing on Joseph Raz's service conception to develop a normative test – anchored in the dependence and normal justification theses – for evaluating whether Canadian legal directives generate legitimate pre-emptive duties. Second, it applies this framework to Canadian constitutional practice, revealing legitimacy gaps in areas such as treaty federalism, multicultural arbitration, and state secularism. Third, it examines the deeper philosophical assumptions behind Raz's model, including autonomy, exclusionary reasons, and the relational dimensions of liberal authority. Fourth, it moves beyond liberal theory to engage Indigenous legal traditions, focusing on Dwayne Donald's ethical relationality and Willie Ermine's ethical space as paradigmatic alternatives that reframe legal obligation around kinship, memory, and ecological accountability. Finally, the paper concludes by proposing transformative constitutionalism – grounded in intercultural jurisprudence and relational pluralism – as a path toward a renewed constitutional compact in Canada.

By framing Canada's Constitution as a contested borderland, this paper underscores that constitutional legitimacy cannot rest on a singular liberal foundation. Instead, legitimacy must emerge from sustained, reciprocal relationships between Indigenous nations, settler institutions, and immigrant communities. The idea of the borderland – where sovereignties meet, clash, and co-create – captures the lived complexity of Canada's constitutional terrain. In engaging both Razian service and Indigenous jurisprudence, the paper offers a philosophical and practical pathway to reimagine sovereignty, law, and belonging in genuinely pluralistic terms.

⁷ Willie Ermine, "The Ethical Space of Engagement," *Indigenous Law Journal* 6, no. 1 (2007): 193–203, <https://jps.library.utoronto.ca/index.php/ilj/article/view/27669>.

2 Legal Obligations and the Liberal-Constitutional State

The question of whether individuals possess a moral duty to obey the law has long been a central concern in political philosophy.⁸ Philosophical debates on this issue range from those who argue for absolute sovereignty to those who emphasize personal autonomy and resistance to unjust laws. At one end of the spectrum, Thomas Hobbes famously posits that the sovereign's authority is essential to prevent the chaos of the state of nature, granting the law a presumption of legitimacy that individuals must respect unless survival is at stake.⁹ In contrast, John Locke grounds legal authority in consent, arguing that individuals obey laws as part of a social contract that protects natural rights to life, liberty, and property.¹⁰

This tension between authority and autonomy finds one of its starkest expressions in Robert Paul Wolff's compelling defense of philosophical anarchism, which contends that obedience to law is fundamentally incompatible with the autonomy required by moral agents,¹¹ while the champion of Enlightenment

⁸ Plato's *Crito* offers a foundational dialogue on the tension between state authority and individual autonomy. In the text, Socrates argues that citizens have a moral obligation to obey the laws of their city-state, even when those laws appear unjust in specific circumstances. This obligation, according to Socrates, stems from an implicit social contract formed through one's lifelong participation in and benefit from the state's institutions. Socrates personifies the Laws, which contend that to disobey them is to undermine the very order that makes communal life possible. However, the dialogue also highlights the limits of such authority, as Socrates frames his decision to accept the state's punishment (his death sentence) as consistent with his personal moral principles, rather than blind adherence to authority. See Plato, *The Trial and Death of Socrates: Euthyphro, Apology, Crito, Death Scene from Phaedo*, trans. G. Grube, 3rd ed. (Cambridge, MA: Hackett Publishing, 2000), pts. 49e–54e.

⁹ Hobbes argues that in the absence of a sovereign authority, human life would devolve into a “state of nature,” characterized by a perpetual “war of all against all.” In this state, life is “solitary, poor, nasty, brutish, and short.” To avoid such chaos, individuals relinquish their natural freedoms and consent to the authority of a sovereign, whose laws they are morally bound to obey for the sake of survival and social order. See Thomas Hobbes, *Hobbes: Leviathan* [1651], ed. Richard Tuck, *Cambridge Texts in the History of Political Thought* (Cambridge: Cambridge University Press, 2019), chap. 13, pp. 89–91, <https://doi.org/10.1017/cbo9780511808166>.

¹⁰ Locke's *Second Treatise of Government* contrasts Hobbesian absolutism by arguing that government derives its legitimacy from the consent of the governed. Individuals enter into a social contract to secure their natural rights – life, liberty, and property. However, when governments fail to protect these rights or become tyrannical, citizens retain the right to resist and withdraw their consent. See John Locke, *Two Treatises of Government*, in *Cambridge Texts in the History of Political Thought: Locke*, ed. Peter Laslett (Cambridge: Cambridge University Press, 1988), secs. 87–90; pp. 330–332.

¹¹ In *In Defense of Anarchism*, Wolff argues that the autonomy of moral agents is fundamentally incompatible with the concept of legal authority. Autonomy, for Wolff, requires individuals to act according to their own rational judgment and moral principles, while legal authority demands

rationality, Immanuel Kant, locates the justification for obedience in whether a law reflects universal moral principles discerned through reason.¹² Under Kant's deontological framework, moral agents must act only according to maxims that can be willed as universal law¹³ – a standard that places strict conditions on the moral validity of legal commands.¹⁴ In this way, Kant bridges the extremes of absolute sovereignty and radical autonomy by positing reason as the thoughtful mediator between the individual's moral duty and the authority of law. Taken together, such philosophical perspectives bracket the debate on legal obligation, offering sharply contrasting justifications for compliance and resistance.

The philosophical foundations outlined above are particularly relevant to Canada's constitutional framework, where the presumption of legal obligation is complicated by a colonial history and the complexities of a pluralistic society. For Indigenous peoples, the imposition of Crown sovereignty undermines pre-existing legal orders and treaty relationships, challenging the moral legitimacy of Canadian law.¹⁵ For immigrant communities, Canada's multicultural framework offers certain protections but obscures the colonial foundations of its legal architecture, raising questions about the legitimacy of laws rooted in dispossession.¹⁶

At the heart of such discussions is the liberal-constitutional tradition, which seeks to justify legal authority through concepts like the rule of law, popular consent, and social contracts.

compliance with laws irrespective of personal moral assessment. This conflict leads Wolff to conclude that no state can legitimately command absolute obedience from its citizens. See Robert Paul Wolff, *In Defense of Anarchism* (Sydney: HarperCollins, 1970), 18–21.

¹² Kant emphasizes that legal authority must align with universal moral principles discerned through practical reason. For him, laws are legitimate only when they conform to the categorical imperative, which demands that individuals act according to maxims that could be universally willed. Obedience to unjust laws violates the moral autonomy central to Kantian ethics. See Immanuel Kant and H. J. Paton, *Groundwork of the Metaphysic of Morals* (New York: HarperCollins, 2009), sec. 2: 421–427, pp. 33–45.

¹³ Pauline Kleingeld has argued that notions of “universal” reason and moral law have historically been used to rationalize colonial projects, revealing a tension between Kant's ideals and their appropriation by agents of imperial expansion. See Pauline Kleingeld, *Kant and Cosmopolitanism* (Cambridge: Cambridge University Press, 2013), 37–42.

¹⁴ Immanuel Kant, *Prolegomena to Any Future Metaphysics: With Selections from the Critique of Pure Reason* (Cambridge: Cambridge University Press, 1997), sec. 60; Immanuel Kant, Critique of Pure Reason, in *The Cambridge Edition of the Works of Immanuel Kant*, ed. Paul Guyer and Allen W. Wood (Cambridge: Cambridge University Press, 2013), sec. A800/B828–A819/B847, <https://doi.org/10.1017/cbo9780511804649>.

¹⁵ Borrows, *Canada's Indigenous Constitution*, 15–17; Simpson, *As We Have Always Done*, 23–27.

¹⁶ Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights*. 2nd ed. (Cary, NC: Oxford University Press, 1995), 123–129.

John Rawls defends the view that legitimate laws emerge from principles of justice chosen by rational individuals operating behind a “veil of ignorance.”¹⁷ According to Rawls, this hypothetical position ensures that individuals formulate principles without knowledge of their own social status, abilities, or personal circumstances, thus prioritizing fairness and equality in the resulting social arrangement. From this “original position,” Rawls derives two key principles of justice.¹⁸ The First Principle – often called the “equal basic liberties” principle – guarantees equal fundamental rights and liberties (e.g., freedom of thought, expression, association) for all citizens. The Second Principle – comprising fair equality of opportunity and the “difference principle” – permits social and economic inequalities *only if they benefit the least advantaged members of society*. Together, Rawls’s principles aim to establish a just and stable political order in which the rule of law reflects collective rationality and fairness.¹⁹

However, Rawls’s model has been criticized for presupposing equal participation and abstracting from historical injustices.²⁰ In settler-colonial contexts such as Canada, Indigenous nations were neither equal parties nor genuine consenters to the constitutional arrangements that continue to govern them. These arrangements, shaped by asymmetrical power relations and colonial imposition, fundamentally fail to meet the Rawlsian criteria of fairness and reciprocity. Indeed, one might argue that the liberal order regards its obligations to Indigenous peoples not as duties owed to political equals, but as acts of *noblesse oblige* – expressions of benevolent paternalism rather than mutual recognition. This posture implicitly treats Indigenous nations as passive recipients of justice rather than as co-creators of legal and moral order. The lack of meaningful Indigenous participation in treaty processes – which, though often framed as contracts, were underwritten by power imbalances and divergent legal worldviews – compounds this critique. As John Borrows emphasizes, treaties reflect profound differences in understandings of law, governance, and reciprocity, further challenging the adequacy of Rawlsian assumptions in pluralistic, post-colonial societies.²¹

¹⁷ John Rawls, *A Theory of Justice* (London: Harvard University Press, 1971), secs. 3–4.

¹⁸ *Ibid.*, secs. 11–13.

¹⁹ *Ibid.*, 52–55.

²⁰ See Charles W. Mills, *The Racial Contract*, 25th ed. (1997; repr., Ithaca, NY: Cornell University Press, 2022), 23–26; Tully, *Strange Multiplicity*, 28–33; Glen Sean Coulthard, *Red Skin, White Masks*, Indigenous Americas (Minneapolis, MN: University of Minnesota Press, 2014), 14–18.

²¹ Borrows, *Canada’s Indigenous Constitution*, 93–96.

Moreover, Rawls's later work, *The Law of Peoples*, extends his theory to the global sphere by introducing "decent hierarchical societies," which – though not strictly liberal – are still expected to uphold certain principles of justice, such as human rights and fairness in international relations.²² Yet, critics argue that Rawls's abstract formulation sidesteps the concrete realities of colonialism and racial inequality that continue to shape global power distributions. Charles W. Mills, for instance, contends that classical social contract theory systematically excludes racialized and Indigenous groups, thereby normalizing a world order rooted in their subjugation.²³ Tully adds that liberal constitutionalism, by focusing on "universal" rational agreement, overlooks culturally distinct forms of governance and relegates Indigenous constitutional claims to the periphery.²⁴ Similarly, Glen Sean Coulthard demonstrates how the politics of recognition in settler-colonial states can reinforce, rather than dismantle, colonial hierarchies by imposing conditions on Indigenous autonomy that conform to dominant liberal norms.²⁵

These critiques resonate with broader currents in postcolonial and Indigenous thought that regard colonialism and racial hierarchy not as deviations but as constitutive of Western political modernity. Frantz Fanon famously argued that the universalist ideals of liberalism were grounded in the dehumanization of colonized peoples. Sylvia Wynter extends this claim, showing how the Enlightenment figure of "Man" operates as a colonial over-representation that displaces non-European ontologies and epistemologies.²⁶ Mills, in turn, reframes the social contract as a "racial contract," one that systematically privileges white settler interests under the guise of neutrality and reciprocity.²⁷

In the Canadian context, Himani Bannerji has shown how the state's multiculturalism policy depoliticizes cultural difference, masking the deeper colonial asymmetries that structure Canadian legal and political life.²⁸ As discussed earlier, Coulthard critiques liberal recognition for reproducing these asymmetries

²² John Rawls, *The Law of Peoples* (London: Harvard University Press, 1999), 4–6, 62–65, <https://doi.org/10.2307/j.ctv1pncngc>.

²³ Mills, *The Racial Contract*, 23–28.

²⁴ Coulthard, *Red Skin, White Masks*, 14–18.

²⁵ *Ibid.*, 14–18.

²⁶ Frantz Fanon, *The Wretched of the Earth*, trans. Constance Farrington, Penguin Modern Classics (1961; repr., New York, NY: Grove Press/Atlantic Monthly Press, 2017); Sylvia Wynter, "Unsettling the Coloniality of Being/Power/Truth/Freedom: Toward the Human, After Man, Its Overrepresentation – An Argument," *CR The New Centennial Review* 3, no. 3 (2003): 257–337, <https://doi.org/10.1353/ncr.2004.0015>.

²⁷ Mills, *The Racial Contract*, 10–12.

²⁸ Himani Bannerji, *The Dark Side of the Nation* (Toronto: Canadian Scholars, 2000), 35–40.

by inviting Indigenous peoples into a reconciliatory framework that ultimately secures settler state authority. Building on this, Audra Simpson introduces the concept of *refusal* – a deliberate rejection of the presumption that Indigenous legitimacy must be affirmed through the apparatus of the settler state.²⁹ Similarly, Eve Tuck and Wayne Yang argue that settler and Indigenous political projects are often incommensurable, particularly when liberal inclusion is offered as a substitute for structural redress or sovereignty.³⁰

From this vantage, Rawls's model – premised on fair cooperation between free and equal parties – appears ill-suited to the Canadian context. The gap between the liberal promise of inclusion and the lived experience of dispossession and marginalization calls into question whether liberal egalitarianism can accommodate political relationships grounded in treaty, reciprocity, and nation-to-nation respect. Instead, it risks reinscribing a politics of *noblesse oblige*, in which gestures of justice serve to affirm the moral authority of the settler state rather than to dismantle its structural dominance.

This failure of liberal egalitarianism to account for Indigenous political and legal orders points to the need for alternative frameworks that begin not with abstract principles, but with the concrete coexistence of distinct normative traditions. One such framework is legal pluralism, which foregrounds the multiplicity of legal systems within a single political community and offers a more accurate lens through which to understand the Canadian constitutional landscape.

2.1 Legal Pluralism and the Challenge of Sovereignty

Legal pluralism postulates that more than one legal system can coexist within a single political community. This concept is particularly relevant in settler-colonial states like Canada, where the coexistence of Indigenous legal orders and state law presents both challenges and opportunities for rethinking legal authority. As Brian Tamanaha observes, legal pluralism highlights how state law is but one among many normative orders that govern social behaviour, often overlapping with religious, customary, and community-based systems.³¹ These

²⁹ Audra Simpson, "On Ethnographic Refusal: Indigeneity, 'Voice' and Colonial Citizenship," *Junctures: The Journal for Thematic Dialogue* 9 (2007): 67–80.

³⁰ Wayne Yang and Eve Tuck, "Decolonization Is Not a Metaphor," *Decolonization: Indigeneity, Education & Society* 1, no. 1 (2012): 1–40.

³¹ Brian Z. Tamanaha, "Understanding Legal Pluralism: Past to Present, Local to Global," *The Sydney Law Review* 30, no. 3 (2007): 375–411, <https://doi.org/10.4324/9781315091891-17>.

legal frameworks predate European contact and continue to function despite centuries of colonial suppression. The concept of legal pluralism reveals the resilience of Indigenous governance structures and their enduring relevance in shaping the Canadian legal landscape.

Legal pluralism also emerges from the normative systems that immigrant communities bring with them, ranging from religious-based legal traditions – such as Sharia tribunals, Halakha committees, and ecclesiastical courts – to customary dispute-resolution practices rooted in various diasporic traditions. While the Canadian state often tolerates these practices within strict boundaries, it does not typically recognize them as equal or parallel legal systems. For example, the 2005 debate over the use of Sharia law in Ontario family arbitration highlighted the tensions between multicultural accommodation and the state's insistence on a singular legal authority.³² Such tensions underscore the limits of legal pluralism in Canada, where non-state legal orders are often relegated to the margins.

Nonetheless, the concept of legal pluralism illuminates the moral dimension of obedience by showing that formal state law is not the only source of normative obligation. Tully argues that legal authority must be evaluated not merely by its formal structure but by its capacity to engage meaningfully with the diverse legal orders that exist within a political community.³³ If individuals already operate within their own legal frameworks – be they Indigenous or culturally specific – then the mere fact that the state has enacted legislation does not necessarily create a superior moral obligation to obey it. Instead, it becomes necessary to ask whether the state's legislation aligns with or disrupts existing legal orders and whether it promotes a reciprocal relationship between the state and those governed.

This is precisely the crux of Raz's argument in *The Morality of Freedom*. Raz contends that the moral authority of law cannot be assumed but must be justified by its ability to facilitate better conformity to reason and justice than

³² Natasha Bakht's analysis of the 2005 Sharia arbitration controversy shows how Ontario's eventual ban on faithbased family tribunals revealed the province's reluctance to treat nonstate forums as parallel legal orders, underscoring the practical limits of Canadian legal pluralism – particularly where gender equality concerns are invoked. See Natasha Bakht, "Family Arbitration Using Sharia Law: Examining Ontario's Arbitration Act and Its Impact on Women," *Social Science Research Network* (April 18, 2008), 1–24, <https://papers.ssrn.com/abstract=1121953>.

³³ James Tully contends that a constitution's legitimacy rests on its ongoing ability to open a dialogical space in which the varied legal and cultural orders living within a polity can participate as equals, rather than on the document's formal structure alone. Tully, *Strange Multiplicity*, chap. 2.

individuals could achieve independently. In a context like Canada, where legal pluralism highlights the coexistence of diverse normative systems, the legitimacy of state law ought to be measured by its capacity to recognize and harmonize with these systems, rather than imposing itself unilaterally. This is particularly true in relation to Indigenous sovereignty, where the state's failure to adequately acknowledge and integrate pre-existing legal orders undermines its moral authority.

In short, Raz supplies a yardstick that pluralism itself lacks. Where liberal theorists often smuggle legitimacy into the premise of a "social contract," Raz treats obedience as something that must be earned in concrete practice. Because Canadian law presides over at least three interacting normative universes – Indigenous, settler, and diasporic – it is the perfect laboratory for a service conception audit. What follows dissects Raz's framework and tests it against Canadian examples.

Settler-colonial constitutions often claim universal legitimacy while large portions of the population experience them as coercive. Raz's service conception of authority is attractive precisely because it refuses to take any claim of legitimacy at face value; it asks for evidence that legal directives actually help the governed act on the reasons that already bind them. Three cumulative theses operationalize this demand.

These philosophical and legal perspectives can be contrasted to reveal the divergent foundations of obligation and sovereignty. Table 1 provides a synthesis of these positions.

The table underscores three analytical payoffs. First, it deromanticizes universality. A rule that works brilliantly for one constituency (pathogen screening, stopsigns) can be illegitimate for another if it ignores the latter's foundational reasons, as the Potlatch Ban did. Second, it turns "consultation" from etiquette into substance. Under the dependence thesis, policymakers must know – and be guided by – the reasons their directives will supposedly serve. Mere information sessions after a bill is drafted will not do. Third, it explains selective civil disobedience. When Wet'suwet'en hereditary chiefs treat a "no-gathering" injunction as morally void, they are not lawless; they are applying Raz's logic that a directive failing dependence and normal justification lacks preemptive force.

Canadian constitutionalism now stands at a fork – either broaden the circle of dependence – embedding Indigenous and minority rationales inside the legislative process – or concede that large segments of the population have no moral duty to obey state law.

Table 1: Philosophical Perspectives on Legal Obligation

Thesis	Core Claim	Canadian illustration (when it succeeds)	Illustration (when it fails)
Normal-Justification	A directive is legitimate only if, by obeying, subjects are <i>better able</i> to live according to their own moral or prudential reasons than by deciding alone.	The national blood donation protocol – uniform screening for pathogens – serves every donor’s reason to protect recipients.	The 1927 Potlatch Ban forbade a central cultural practice while purporting to “civilize” West Coast nations; it offered no service to the communities it targeted.
Dependence-Justification	The directive must be <i>grounded in</i> the very reasons that already apply to its subjects, not in alien or paternalistic goals.	The Nisga’a Final Agreement codifies fishing law within provincial regulations, aligning state oversight with Indigenous conservation norms.	The federal <i>Species at Risk Act</i> lists culturally important game animals without Indigenous consultation, thereby ignoring subsistence reasons.
Pre-Emption	Only when the first two theses are satisfied does the directive gain <i>pre-emptive</i> force: subjects ought to treat it as conclusive, suspending further private deliberation.	A stop sign at a rural four-way is obeyed even at 3 a.m. because drivers know the rule reflects their shared reason to avoid collisions.	A posted “no-gathering” injunction on unceded Wet’suwet’en land lacks pre-emptive force for hereditary chiefs whose legal order was never consulted.

Source: Author’s synthesis, drawing on Hobbes, *Leviathan*; Locke, *Two Treatises of Government*; Wolff, *In Defense of Anarchism*; Kant, *Groundwork of the Metaphysic of Morals*; Rawls, *A Theory of Justice*, and *The Law of Peoples*; Raz, *The Morality of Freedom*, 46–57; Mills, *The Racial Contract*; Tully, *Strange Multiplicity*; Coulthard, *Red Skin, White Masks*; Fanon, *The Wretched of the Earth*; Wynter, “Unsettling the Coloniality”; Borrows (various); Simpson, *As We Have Always Done*. Supplementary references: Emma Louise Knight, “The Kwakwaka’wakw Potlatch Collection and Its Many Social Contexts: Constructing a Collection’s Object Biography” (Master Thesis, University of Toronto, 2013), <https://utoronto.scholaris.ca/server/api/core/bitstreams/d2fb243c-4024-4b0f-97d9-7d527c3eb20b/content>; Nisga’a Final Agreement Act (1999); Anna V. Smith, “The Endangered Species Act’s Complicated Legacy in Indian Country,” *High Country News*, December 1, 2023, <http://www.hcn.org/issues/55-12/endangered-species-the-endangered-species-acts-complicated-legacy-in-indian-country/>; Cory Ruf, “Closing Arguments Heard in Court Case of Wet’suwet’en Land Defenders,” Amnesty International Canada, December 17, 2024, <https://amnesty.ca/human-rights-news/closing-arguments-heard-wetsuweten-court-case/>.

The limits of reciprocity are visible in recent Supreme Court jurisprudence. Table 2 highlights three landmark cases that move part way toward Raz’s dependence criterion yet fall short of full legitimacy.

Table 2: Indigenous–Settler Constitutional Frameworks and Interpretations

Landmark cases inching toward dependence	Service test score
<i>Haida Nation</i> – duty to consult on resource decisions	Partial: consultation, not co-decision making
<i>Tsilhqot’in</i> – recognition of Aboriginal title	Partial: veto possible, but Crown-override “in the national interest”
<i>Multani</i> – kirpan allowed in schools	Pass for Sikh students, but no general rule for other faiths

Source: Author’s synthesis, drawing on the Royal Proclamation (1763); *Johnson v. M’Intosh*, 21 U.S. (8 Wheat.) 543 (1823); *Calder v. British Columbia (Attorney-General)*, [1973] S.C.R. 313; Constitution Act, 1982, s. 35; *Haida Nation v. British Columbia (Minister of Forests)* – SCC Cases (2004); *Tsilhqot’in Nation v. British Columbia* – SCC Cases (2014); *Multani v. Commission scolaire Marguerite-Bourgeoys* – SCC Cases (2006); John Borrows, *Law’s Indigenous Ethics* (Toronto: University of Toronto Press, 2019); Simpson, *As We Have Always Done*; J. R. Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada* (Toronto: University of Toronto Press, 2000); Kent Roach, *Canadian Justice, Indigenous Injustice: The Gerald Stanley and Colten Boushie Case* (Montreal: McGill–Queen’s University Press 2019); Tully, *Strange Multiplicity*.

Although the Supreme Court of Canada now speaks the language of reciprocity – mandating consultation (*Haida Nation*), confirming Aboriginal title (*Tsilhqot’in*), and protecting minority expression (*Multani*) – each ruling stops at the same cliffedge: the Crown keeps a unilateral override. Whether framed as the “national interest” or enacted by blanket statute, that safetyvalve lets the state retract recognition whenever its own priorities shift.

From Raz’s vantage, this is fatal. A power that can be withdrawn at will cannot satisfy the dependence thesis (it no longer tracks the governed parties’ own reasons) or the normal justification thesis (subjects are not reliably better off obeying a revocable promise). Break those links and the chain of legitimacy snaps; no pre-emptive duty to obey survives.

This structural defect becomes stark in two arenas where Canadian legal pluralism is tested daily. The first is treaty federalism, where Indigenous and Crown sovereignties are formally meant to coexist yet, in practice, repeatedly collide whenever Ottawa asserts an overriding jurisdiction. The second is minority arbitration, where faith-based tribunals were initially permitted but then abruptly prohibited, a reversal that reveals how quickly proclaimed commitments to tolerance can give way to the imposition of uniformity.

Raz’s benchmark sharpens the stakes:

The normal way to establish that a person has authority over another person involves showing that the alleged subject is likely better to comply with reasons which apply to him (...) if he accepts the directives of the alleged authority as authoritatively binding.³⁴

In other words, the burden of proof lies with the state. Legitimacy is not earned by historic pedigree or procedural gestures; it requires demonstrable service – evidence that people really are “better able to comply with their own reasons.” Where Parliament can still extinguish Aboriginal title or revoke religious arbitration wholesale, that burden remains unmet and Raz’s service test fails. Canadian law is left, at best, directive without authority – enforceable, perhaps, but morally inert where legitimacy is most needed.³⁵

What follows traces the fallout of this legitimacy gap. I adopt the term “the Razian service test for preemptive authority” or “Raz Test” to capture Raz’s cumulative framework³⁶: a legal directive creates a genuine, pre-emptive obligation to obey only when it passes both the normal justification thesis (obedience leaves subjects better able to act on their own reasons) and the *dependence* thesis (the directive is grounded in those same reasons). If either condition fails, the chain breaks and no duty arises.³⁷

One might also consider how Raz’s service conception illuminates structural features of Canadian constitutionalism – specifically, the non-absolute nature of *Charter* and section 35 rights. Section 1 of the *Charter* permits reasonable limits on rights “as can be demonstrably justified in a free and democratic society,” while section 35 jurisprudence introduces a “justified infringement” test

³⁴ Raz, *The Morality of Freedom*, 53.

³⁵ This concern with epistemic legitimacy complements Raz’s service conception by underscoring that legitimacy requires reciprocal recognition of how communities generate and validate knowledge. Willie Ermine’s “ethical space” calls for epistemic humility, ensuring Indigenous worldviews are not subsumed under state categories of rationality. Audra Simpson’s “refusal” and Tuck and Yang’s critique of incommensurability similarly challenge the assumption that legitimacy can be secured without respecting epistemological plurality. A directive therefore fails not only when it contradicts a subject’s material reasons but also when it dismisses their way of reasoning.

³⁶ Although Raz’s service conception is well known in legal philosophy, it has rarely been used as a diagnostic tool in constitutional analysis. Webber and Dyzenhaus engage Raz in different contexts, but without developing an operational framework. This article distills his three theses – dependence, normal justification, and pre-emptive force – into a “Razian service test” and applies it systematically to Canada’s constitutional order, linking liberal jurisprudence with Indigenous relational ethics to critique state authority and envision transformative legitimacy. See David Dyzenhaus, *Hard Cases in Wicked Legal Systems: Pathologies of Legality* (Oxford: Oxford University Press, 2010); Jeremy Webber, *The Constitution of Canada*, 2nd ed. (Oxford: Hart Publishing, 2021).

³⁷ Raz, *The Morality of Freedom*, chap. 2.

under the framework of *R v. Sparrow* and its progeny. From a Razian standpoint, these justificatory mechanisms are not inherently problematic. What matters is whether the resulting limitations continue to satisfy the dependence and normal justification theses. That is: do they track the moral reasons of those they bind, and do they enhance subjects' capacity to live in accordance with those reasons?

In practice, however, many *Charter* and section 35 limitations fall short. The Crown often invokes public order, national security, or economic necessity to override Indigenous legal practices or minority rights claims – rationales that reflect the state's priorities rather than the situated reasons of affected communities. When section 35 rights are overridden on the basis of a vague "national interest," the directive ceases to reflect Indigenous normative frameworks and instead reasserts unilateral Crown authority. In Razian terms, this fails both dependence and normal justification. Thus, while these sections ostensibly allow for balancing, they do so within a framework that structurally favours majoritarian state reasoning over pluralistic responsiveness. The very architecture of justified limitation in Canadian constitutionalism remains vulnerable to legitimacy failure under Raz's test.

One might also consider how Raz's service conception applies not only to discrete legal episodes but to the broader structure of Canadian constitutionalism. Both section 35 of the *Constitution Act, 1982* and the *Charter of Rights and Freedoms* are designed to recognize and protect fundamental rights. Yet neither guarantees those rights as absolute. Section 1 of the *Charter* permits "reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society," and section 35 jurisprudence has developed a doctrine of "justified infringement" that allows the state to override Aboriginal and treaty rights under certain conditions.

From a Razian standpoint, such override mechanisms are not illegitimate in principle. What matters is whether the limitation continues to satisfy both the dependence thesis – that the directive is grounded in the moral reasons already applying to its subjects – and the normal justification thesis – that subjects are better able to comply with those reasons by obeying the directive. The empirical burden remains with the state: it must show that its infringement genuinely serves the interests and frameworks of those affected. In practice, however, many such justifications – often framed in terms of vague public interest or administrative efficiency – fail to meet either test. Where the Crown invokes national interest to limit section 35 rights or applies section 1 to constrain minority expression without regard for culturally embedded reasons, it fails to track

the moral sources of obligation. In such cases, constitutional structure itself contributes to the ongoing erosion of legitimacy.

Measured directly against Raz's test, treaty federalism exposes the structural deficit most starkly. Table 3 summarizes the result.

Before turning to the Razian analysis, it is helpful to briefly outline the Ontario Sharia arbitration controversy, which exemplifies the fragility of Canada's approach to legal pluralism. From the early 1990s to 2006, Ontario permitted family law disputes to be resolved through private arbitration under the province's *Arbitration Act*, including by religious tribunals such as Jewish *beth din* and Catholic ecclesiastical courts. In the early 2000s, Muslim organizations sought to use the same legal framework to establish Sharia-based arbitration for family matters. Although the practice was legally permissible under the *Act*, it ignited a public backlash. Critics, often invoking gender equality concerns, warned that Sharia tribunals would lead to coercion and discrimination, despite similar concerns having gone largely unexamined in the case of other faith-based forums. In response to the controversy, the Ontario government amended the *Arbitration Act* in 2006 to prohibit all religious arbitration in family law – thereby eliminating what had previously been a recognized pluralist accommodation. This episode reveals the limits of state tolerance for minority normative systems and illustrates how uniform legal authority can be reasserted at the expense of culturally embedded forms of reasoning and dispute resolution.

This episode underscores a recurring feature of Canadian pluralism: that recognition can be withdrawn when minority frameworks challenge prevailing liberal assumptions or elicit majoritarian discomfort. It offers a particularly vivid case for Raz's service test, especially around the dependence thesis – whether directives reflect and respect the moral reasons of those subject to them.

Taken together, the next three tables apply the Raz Test to Canada's pluralism in practice. Table 4 examines Ontario's reversal on faith-based family arbitration; Table 5 turns to Quebec's visible-secularism statute (*Loi 21*); and Table 6 contrasts these failures with a partial success in *Multani*. Read as a sequence, they move from withdrawal of accommodation (Ontario), to statutory prohibition (Quebec), to a case-specific accommodation (Sikh kirpan) that passes Raz's criteria but remains narrow.

The first case shows recognition withdrawn: Ontario's decade of tolerating religious family-law arbitration ended with a blanket ban once Muslim groups sought parallel use. Table 4 assesses that episode under Raz's dependence and normal-justification theses.

Table 3: Application I of the “Raz Test”: Indigenous Nations and Treaty Federalism

Raz Criterion	Assessment (Pass/Fail)	Rationale
Dependence Thesis	Fails	Numbered Treaties 1–11 were negotiated on the premise that First Nations would continue to govern their own internal affairs; the Crown promised “no interference with Indian modes of life.” Subsequent federal policy recast those agreements as land cession instruments and imposed the Indian Act’s band council system. Section 74 still empowers the Minister to dissolve hereditary governments and order new elections. Such unilateral authority tracks Crown convenience, not Indigenous rationales of kinship, stewardship, and nation-to-nation reciprocity – thereby failing Raz’s dependence thesis.
Normal Justification Thesis	Fails	Because federal directives ignore Indigenous reasons, they rarely improve communities’ ability to realize them. A stark example is the collapse of Fraser River wild salmon stocks: despite a century of federal regulation, commercial overharvest licensed by Ottawa undercut Sto:ló and Coast Salish conservation practices and eroded a core subsistence economy. When the law’s outcomes frustrate the very reasons it purports to serve, normal justification evaporates.
Pre-emptive Duty	No Duty Arises	With both dependence and normal justification missing, Raz’s chain of authority breaks. Indigenous nations are under no moral obligation to obey federal directives that contradict their own legal orders. Restoring legitimacy therefore requires treaty federalism: shared decision-making entrenched in both constitutional and Indigenous law, not mere consultation or delegated authority.

Source: Author’s synthesis, drawing on Raz, *The Morality of Freedom*; “Indian Act,” sec. cl–5, s74; Michael Asch, *On Being Here to Stay* (Toronto: University of Toronto Press, 2014), 83–87, <https://utppublishing.com/doi/book/10.3138/9781442610026>; Numbered Treaties 1–11; Stó:ló and Coast Salish conservation practices as discussed in Borrows, *Law’s Indigenous Ethics*; Bruce I. Cohen, ed., *The Uncertain Future of Fraser River Sockeye* (Ottawa, ON: Commission of Inquiry into the Decline of Sockeye Salmon in the Fraser River, 2012), <https://archive.org/details/31761116514654>; and Simpson, *As We Have Always Done*.

Table 4: Application II of the “Raz Test”: Sharia Law in Ontario

Raz Criterion	Assessment (Pass/Fail)	Rationale
Dependence Thesis	Fails	Ontario’s Sharia arbitration episode (2004–06). For a decade, Jewish beth din and Catholic tribunals operated under Ontario’s Arbitration Act. When Muslim groups sought similar recognition, public outcry prompted the province to abolish all faith-based family arbitration. What looks like neutral uniformity actually fails dependence: it sacrifices Muslim litigants’ religious reasons while leaving litigants in wealthier cultural groups free to pursue costly private arbitration overseas. The blanket ban ignores Muslim litigants’ reason for choosing faith-based adjudication (religious validity and community acceptance). Because the directive no longer tracks that reason – while still permitting the same parties to arbitrate overseas at far higher cost – it breaks the dependence link.
Normal Justification Thesis	Fails	Obedience does not leave Muslim families better able to realize their own aims. They must either litigate in secular courts (contrary to their religious rationale) or incur extra expense abroad. Net conformity to their preexisting reasons is therefore worse, not better.
Pre-emptive Duty	No Duty Arises	With both links severed, no pre-emptive duty arises: Muslim litigants have no Raz-grounded moral obligation to accept the province’s ban, and Ontario’s claim to neutral authority in this domain is merely coercive, not legitimate.

Source: Author’s synthesis, drawing on Ontario *Arbitration Act*, S.O. 1991, c. 17; Marion Boyd, *Dispute Resolution in Family Law* (Toronto: Ontario Ministry of the Attorney General, 2004); Natasha Bakht, “Family Arbitration Using Sharia Law: Examining Ontario’s Arbitration Act and Its Impact on Women,” *Muslim World Journal of Human Rights* 1, no. 1 (2004), <https://doi.org/10.2202/1554-4419.1022>; and Raz, *The Morality of Freedom*.

If Ontario illustrates revocation by policy shift, Quebec demonstrates pre-emptive restriction by statute. The move from ad hoc rollback to legislated uniformity sharpens the failure on dependence: the law elevates a majoritarian rationale that minorities do not share.

Table 5: Application III of the “Raz Test”: Immigrant Communities and Conditional Pluralism

Raz Criterion	Assessment (Pass/Fail)	Rationale
Dependence Thesis	Fails	The statute elevates a majoritarian ideal of visible secularism, a reason that does not arise from the religious minorities it constrains. Because the directive is grounded in an external rationale rather than in the hijab wearer’s or turban wearer’s own reasons, the dependence link is broken.
Normal Justification Thesis	Fails	Compliance makes observant Muslims, Sikhs, and Jews worse at fulfilling their religious obligations (modesty, covenant, discipline) and narrows their employment opportunities. They are therefore not “better able to act on their own reasons” by obeying the ban.
Pre-emptive Duty	No Duty Arises	With both dependence and normal justification links severed, Raz’s chain collapses; the province’s directive is legally enforceable but lacks moral authority. Minority civil servants have no Raz-grounded obligation to obey the ban.

Source: Author’s synthesis, drawing on *Loi 21: An Act Respecting the Laicity of the State*, S.Q. 2019, c. 12 (Quebec); Natasha Bakht, “Religious Arbitration in Canada: Protecting Women by Protecting Diversity?” *Canadian Journal of Women and the Law* 19, no. 1 (2007); Lori G. Beaman, *Deep Equality in an Era of Religious Diversity* (Oxford: Oxford University Press, 2017); Benjamin Berger, “Law’s Religion: Rendering Culture,” *Osgoode Hall Law Journal* 45, no. 2 (2007), <https://doi.org/10.60082/2817-5069.1243>; and Raz, *The Morality of Freedom*.

Table 5 applies the Raz Test to *Loi 21*³⁸, showing how a visibility rule grounded in an external ideal of laïcité breaks both dependence and normal justification for observant minorities.

These cases illustrate Raz’s warning: Uniform rules can defeat autonomy when they neglect the diversity of reasons people have.

While most Canadian rulings stall before meeting Raz’s full-service ideal, *Multani v. Commission scolaire Marguerite-Bourgeoys* (2006), mentioned earlier, is a standout.

³⁸ *Loi 21* (2019), Quebec’s Act respecting the laicity of the State, bars many public employees – including teachers, police, and judges – from wearing religious symbols at work, and requires that public services be given and received with uncovered faces; framed as entrenching secularism, it has been widely criticized for disproportionately burdening religious minorities.

Table 6: Application IV of the Raz Test: *Multani v. Commission scolaire Marguerite-Bourgeoys* (2006)

Raz Criterion	Assessment (Pass/Fail)	Why Multani passes the test (but only for Sikhs)
Dependence Thesis	Passes	The directive rests on the very reason invoked by observant Sikhs: carrying the kirpan is a mandatory article of faith. Allowing it – sealed, stitched, and concealed – tracks that religious rationale. Other faith practices (e.g., visible hijabs or turbans) were not before the Court, so their reasons remain unaddressed.
Normal Justification Thesis	Passes	Compliance lets Sikh students realize their religious duty and satisfies the school’s safety goal; empirical evidence showed no greater risk than ordinary classroom objects. Students of other faiths receive no parallel benefit unless they litigate afresh.
Pre-emptive Duty	Generated	With dependence and normal justification satisfied, the judgment creates a legitimate pre-emptive duty: Sikh students must follow the safety conditions; the school board lacks moral authority to reimpose a blanket ban. Because the reasoning is case specific, no equivalent duty arises for other minorities whose symbols remain prohibited elsewhere.

Source: Author’s synthesis, drawing on *Multani v. Commission scolaire Marguerite-Bourgeoys*, 2006 SCC 6, [2006] 1 S.C.R. 256; Bakht, “Religious Arbitration in Canada”; Lori G. Beaman, *Defining Harm: Religious Freedom and the Limits of the Law* (Vancouver: UBC Press, 2008); Benjamin Berger, “The Cultural Limits of Legal Tolerance,” *Canadian Journal of Law and Jurisprudence* 21, no. 2 (2008); and Raz, *The Morality of Freedom*.

The Court accommodated the Sikh kirpan in schools under specific safety conditions, thereby passing both the dependence and normal justification theses. Yet the victory is narrow: the reasoning is tailored to Sikh obligations and does not automatically extend to other faith symbols or minority practices. The table shows how *Multani* clears Raz’s bar – *and* why its protective circle remains exclusive.

Together, these applications underscore the article’s claim: absent laws that track and improve people’s own reasons across communities, Canadian constitutional directives are enforceable yet lack Razian legitimacy; where courts do track those reasons, legitimacy emerges but remains fragile and case-bound.

3 Raz's Theory of Legal Obligation and Its Implications for Canadian Constitutionalism

I have tried to show how Raz's legal philosophy offers a sophisticated theoretical lens for evaluating the legitimacy and moral authority of laws, especially within pluralistic and colonial contexts such as Canada. Building upon the analysis in the previous section, the following discussion explores Raz's fundamental conceptual commitments, particularly his notion of autonomy and his central innovation of "exclusionary reasons." These concepts provide robust philosophical underpinnings for the empirical tests of legitimacy detailed earlier, extending their application into broader debates around justice, reciprocity, and political morality. This theoretical depth underscores why Raz's approach uniquely illuminates the persistent legitimacy gap faced by Canadian constitutionalism.

3.1 Autonomy, Authority, and Exclusionary Reasons: Raz's Philosophical Framework

Raz's conception of legal authority revolves around an explicitly normative account of autonomy. He presents autonomy not merely as negative liberty – the absence of coercion – but as an active capacity for self-authorship and meaningful choice within social relationships.³⁹ Unlike classical liberal individualism, Razian autonomy is inherently relational and socially embedded, reflecting the reality that individuals' autonomous projects inevitably intersect and often conflict.⁴⁰ Raz argues that well-designed legal authorities enhance autonomy precisely by helping individuals manage conflicts and reduce errors in moral and practical reasoning.

Central to Raz's philosophical innovation is the idea of an exclusionary reason – a special kind of second-order reason that instructs an individual not to act upon certain first-order reasons.⁴¹ A valid authoritative directive, for Raz, is thus an exclusionary reason; it functions not by overriding underlying moral or prudential reasons but by pre-empting them, replacing individual deliberation in contexts where collective, structured decision-making reliably leads to better conformity with these underlying reasons.⁴² Consider again the example of

³⁹ Raz, *The Morality of Freedom*, 369–371.

⁴⁰ *Ibid.*, 372.

⁴¹ Joseph Raz, *Practical Reason and Norms* (London: Oxford University Press, 1999), 39–40, <https://doi.org/10.1093/acprof:oso/9780198268345.001.0001>.

⁴² Raz, *The Morality of Freedom*, 46–47.

traffic signals: a red light does not invalidate the driver's reason to cross quickly but provides an exclusionary reason not to act upon it directly, enhancing safety more reliably than individual assessments could.

3.2 Raz's Two Normative Pillars: Dependence and Normal Justification Revisited in Depth

Building upon the empirical use of Raz's test introduced earlier, this deeper philosophical account clarifies why Raz's normative framework rests upon two essential theses. The first, the dependence thesis, holds that an authoritative directive gains legitimacy only when it directly reflects and respects the reasons that already apply independently to those who are governed.⁴³ The second, the normal justification thesis, maintains that authority is legitimate when adherence to its directives enables subjects to act more consistently and effectively on their valid underlying reasons than they would if left to act on their own.⁴⁴

As we have seen, only if these two conditions hold does Raz grant directives pre-emptive force, meaning they can legitimately supplant individual reasoning in specific contexts. Significantly, Raz's approach thus places legitimacy in an explicitly empirical and consequentialist light: legitimacy hinges on the practical outcomes for subjects, rather than abstract notions of sovereign authority or historical continuity.

A further conceptual issue arises: can Raz's service conception be meaningfully applied to collective entities such as "Indigenous nations" or "minority communities"? While Raz's framework centres on the moral reasons of individuals, it is not limited to purely atomistic accounts of agency. In *Ethics in the Public Domain*, Raz concedes that autonomy and freedom are dependent on "options that presuppose a culture" – that is, shared norms, practices, and forms of life that confer meaning on individual choices.⁴⁵ Legal directives, then, must engage not only isolated agents but the shared frameworks within which agents' reason and act.

Accordingly, it is coherent – within Raz's theory – to speak of group-level rationalities and normative systems, especially where law purports to regulate collective life. Indigenous legal orders, for example, often articulate obligations and responsibilities that are communal, intergenerational, and relational. These

⁴³ Ibid., 47–48.

⁴⁴ Ibid., 53–54.

⁴⁵ Joseph Raz, *Ethics in the Public Domain: Essays in the Morality of Law and Politics* (Oxford: Clarendon Press, 1995), 157–158, <https://doi.org/10.1093/acprof:oso/9780198260691.001.0001>.

shape what count as “reasons” for individuals within those communities. When the state fails to engage these collective sources of moral reasoning, it undermines both individual autonomy and communal legitimacy. Thus, the application of the Razian test to nations or cultural communities is not a category error – it reflects the embedded, relational nature of practical reasoning in pluralist societies.

This insight supports the application of Raz’s framework to group-level reasoning, especially in contexts where individuals’ moral reasons are constitutively shaped by communal norms, historical narratives, and collective identities. Indigenous legal traditions, for instance, ground obligation not in abstract principle but in relational and place-based responsibilities. If the state imposes legal directives that ignore or contradict these frameworks, it disrupts the very sources of moral reasoning that underwrite autonomy. In such cases, the Razian test can and should assess legitimacy at the level of the collective, insofar as the law claims authority over those who reason – and live – within shared normative worlds.

3.3 Implications for Canadian Constitutional Legitimacy: Philosophical Insights

When viewed philosophically, Raz’s conception reveals profound tensions within Canada’s constitutional architecture, particularly concerning Indigenous sovereignty and multicultural recognition. Raz’s emphasis on the relational nature of autonomy aligns closely with Indigenous perspectives that frame sovereignty as grounded in reciprocal responsibilities and kinship obligations.⁴⁶ Indeed, Indigenous legal traditions emphasize interdependence and relational autonomy, often contrasting sharply with Western individualistic frameworks imposed through colonial law.⁴⁷ Razian theory helps expose how Canadian constitutional norms frequently fail the dependence thesis precisely because colonial directives rarely reflect the reciprocal reasons central to Indigenous governance – reasons that centre on collective stewardship, ecological sustainability, and spiritual obligations to the land.⁴⁸

⁴⁶ Borrows, *Canada’s Indigenous Constitution*; Simpson, *As We Have Always Done*.

⁴⁷ Val Napoleon and Hadley Friedland, “An Inside Job: Engaging with Indigenous Legal Traditions through Stories,” *McGill Law Journal. Revue de Droit de McGill* 61, no. 4 (June 1, 2016): 739–740, <https://lawjournal.mcgill.ca/article/an-inside-job-engaging-with-indigenous-legal-traditions-through-stories/>.

⁴⁸ John Borrows, *Freedom and Indigenous Constitutionalism* (Toronto: University of Toronto Press, 2016), 112–141, <https://utppublishing.com/doi/book/10.3138/9781442629233>.

Raz's account also challenges Canada's multicultural constitutional paradigm. Canadian multiculturalism formally endorses diversity yet maintains a fundamentally unitary legal structure that often overrides minority communities' distinct moral rationales.⁴⁹ For instance, Ontario's blanket abolition of religious arbitration in family law cases demonstrates an absence of real commitment to minority reasons, as previously analyzed.⁵⁰ This not only violates Raz's dependence criterion but erodes the conditions for legitimate authority by systematically discounting minority autonomy. Raz clarifies this ethical failure by underscoring the necessity of treating minority reasons seriously, even within overarching legal frameworks, to genuinely respect autonomy and foster genuine multicultural coexistence.⁵¹

3.4 Critical Engagements with Raz: Postcolonial and Liberal Objections

Raz's service conception is not without challenges. Postcolonial theorists like Coulthard and Tully argue that the Canadian state's primary intention was never genuinely to serve Indigenous or minority communities but to perpetuate colonial dominance and assimilation.⁵² Raz acknowledges but strategically sidesteps the intentionality critique. His response is pragmatic: by defining legitimacy in terms of service rather than sovereign assertion, Raz provides a diagnostic tool that legitimates principled disobedience when conditions of legitimacy demonstrably fail.⁵³ Thus, even if colonial legal orders were historically coercive by design, Raz's theory nevertheless offers oppressed communities powerful philosophical leverage to demand structural changes grounded in reciprocal recognition.

Furthermore, some liberal perfectionists criticize Raz for placing excessive trust in institutional authority and underestimating the risk of paternalism inherent in exclusionary reasons.⁵⁴ Raz replies by emphasizing that his test for legiti-

⁴⁹ Coulthard, *Red Skin, White Masks*, 3–4, 6–15; Tully, *Strange Multiplicity*, 33–40.

⁵⁰ Bakht, "Family Arbitration Using Sharia Law."

⁵¹ Raz, *Ethics in the Public Domain*, 174–176.

⁵² Coulthard argues that contemporary recognition-based politics in Canada reproduce rather than dismantle colonial relationships, maintaining settler access to Indigenous lands under the guise of reconciliation. See Coulthard, *Red Skin, White Masks*, 3–4, 6–15. Tully contends that constitutional recognition often masks assimilationist aims and fails to engage with Indigenous legal traditions on equal footing. See Tully, *Strange Multiplicity*, 33–40.

⁵³ Joseph Raz, *The Authority of Law*, 2nd ed. (London: Oxford University Press, 2009), 144–146.

⁵⁴ Steven Wall, *Liberalism, Perfectionism and Restraint* (Cambridge: Cambridge University Press, 2007), 83–87, <https://doi.org/10.1017/cbo9780511583339>.

macy is rigorously conditional and empirically grounded: if institutional directives fail genuinely to enhance conformity to valid reasons, they automatically lose their authority and pre-emptive force.⁵⁵ Far from inviting paternalism, Raz provides stringent conditions that authority must satisfy to maintain legitimacy.

3.5 Raz's Influence in Contemporary Canadian Debates: A Path Forward

Joseph Raz's service conception has, though rarely named, underpinned the Supreme Court's evolving jurisprudence on Indigenous and pluralist questions. In *R v Sparrow*⁵⁶, the Court introduced a duty to consult and accommodate Indigenous fishing rights, implicitly applying Raz's dependence thesis by requiring that state measures align with preexisting Indigenous reasons. In *Delgamuukw v British Columbia*⁵⁷, the Court's approach to treaty interpretation as a living instrument reflects Raz's normal justification test – treating Indigenous laws as a legitimate normative source.⁵⁸ *Tsilhqot'in Nation v British Columbia*⁵⁹ went further by recognizing Aboriginal title as requiring consent for resource development, moving toward Raz's preemption criteria by limiting unilateral Crown override.⁶⁰

If Canadian courts were to adopt Raz's framework explicitly, they would move away from preserving unilateral state authority and toward fostering genuine shared jurisdiction grounded in reciprocal legitimacy. Concrete proposals already under discussion illustrate what such a shift might entail. John Borrows, for example, has suggested treaty-first legislation, under which Parliament would be required to obtain a treaty-compatibility certificate – issued by Indigenous nations themselves – before legislating in Indigenous territories.⁶¹ Similarly, Will Kymlicka has advanced the idea of pluralistic arbitration frameworks, recommending the reinstatement of faith- and culture-based arbitration, subject

⁵⁵ Raz, *The Authority of Law*, 146–148.

⁵⁶ *R. v. Sparrow* – SCC cases, 1 SCR 1075 (Supreme Court of Canada 1990).

⁵⁷ “*Delgamuukw v. British Columbia* – SCC Cases,” <https://decisions.scc-csc.ca/scc-csc/scc-csc/en/item/1569/index.do>.

⁵⁸ Webber, *The Constitution of Canada*, 117.

⁵⁹ “*Tsilhqot'in Nation v. British Columbia* – SCC Cases,” 2014, <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/14246/index.do>.

⁶⁰ Although Webber does not invoke Raz explicitly, his analysis of *Sparrow*, *Delgamuukw*, and *Tsilhqot'in* demonstrates how Canadian courts have begun to approximate Razian legitimacy tests, especially when rulings respect Indigenous rationales and acknowledge the limitations of state law as the sole normative authority. See Webber, *The Constitution of Canada*, 131–132.

⁶¹ Borrows, *Freedom and Indigenous Constitutionalism*, 89.

to mandatory judicial review and the maintenance of public registries.⁶² These mechanisms, he argues, would ensure substantive equality while still deferring to the reasons and commitments of the litigants.

By aligning state directives with the moral reasons of Indigenous and immigrant communities, these institutional changes instantiate Raz's service conception – transforming abstract moral insights into practicable reforms and pointing the way to a constitutional order that is truly responsive to Canada's pluralist reality.

4 Transformative Constitutionalism: From Raz's Service Conception to Ethical Space and Relational Accountability

The limitations of the liberal-constitutional model, even when filtered through Raz's evaluative test, become most apparent when confronting the relational foundations of Indigenous law. While Raz offers a powerful diagnostic grounded in practical reason and the capacity of law to serve individuals' pre-existing moral reasons, his framework remains tethered to a liberal ontology of the self – autonomous, self-legislating, and detachable from its context. What Raz presumes is a reasoning agent who evaluates authority from a position of relative independence, guided by instrumental or moral rationality. But this image of the subject, compelling as it is within Western frameworks, does not capture the relational and ontological⁶³ commitments that animate Indigenous legal traditions. In these traditions, obligation is not merely a matter of consent or reflective endorsement but of being constituted by, and responsive to, a web of kinship, land, memory, and spirit.

This ontological divergence necessitates a more capacious framework – one that can accommodate not only diverse normative systems but also different conceptions of what it means to be a subject of law. Dwayne Donald's theory of

⁶² Will Kymlicka, *Politics in the Vernacular: Nationalism, Multiculturalism, and Citizenship* (London: Oxford University Press, 2001), 45–50, <https://doi.org/10.1093/0199240981.001.0001>.

⁶³ By ontology, I mean the underlying account of what exists and what kinds of relations are primary in constituting reality and personhood. In liberal frameworks, the legal subject is typically conceived as an autonomous individual, prior to and separable from the relationships and institutions that govern them. In contrast, many Indigenous legal traditions begin from a relational ontology – where persons are constituted through their relationships with others, including ancestors, land, and more-than-human beings. This *ontological divergence* is not merely a difference in moral values or legal form, but a deeper disagreement about the nature of law, responsibility, and the self.

*ethical relationality*⁶⁴, grounded in the Cree concept of *wâhkôhtowin*⁶⁵, provides that alternative. It is not a supplement to Raz, nor a minoritarian correction; it is a paradigmatic reframing of what “reasons” and “authority” mean. In liberal theory, including Raz’s, reasons tend to be individuated and detachable conditions for rational action that can be weighed and ranked. For Donald, reasons are not external criteria but embodied, place-based, and enacted within relationships. Law, in this view, is not imposed from above or deliberated in abstraction; it is lived through responsibilities that are genealogical, ceremonial, and ecological. Donald writes:

Ethical relationality is an ecological understanding of organic connectivity that becomes readily apparent to us as human beings when we honour the sacred ecology that supports life and living. Thus, ethical relationality describes an enactment of ecological imagination wherein our thoughts and actions are guided by the wisdom of sacred ecology insights. Ethical relationality does not deny difference nor does it promote assimilation of it. Rather, ethical relationality supports the conceptualization of difference in ecological terms as necessary for life and living to continue. It guides us to seek deeper understandings of how our different histories, memories and experiences position us in relation to one another. It puts those differences at the forefront as necessary for *wicîhitowin* and *wâhkôhtowin* to be enacted. So, ethical relationality is tied to a desire to acknowledge and honour the significance of the relationships we have with others, how our histories and experiences position us in relation to one another, and how our futures as people in the world are similarly tied together. It is an ethical imperative to remember that we as human beings live in the world together and also alongside our more-than-human relatives; we are called to constantly think and act with reference to those relationships.⁶⁶

⁶⁴ Dwayne Donald, “Forts, Curriculum, and Ethical Relationality,” in *Reconsidering Canadian Curriculum Studies* (New York: Palgrave Macmillan US, 2012), 45, https://doi.org/10.1057/9781137008978_3; Dwayne Donald, “From What Does Ethical Relationality Flow? An ‘Indian’ Act in Three Artifacts,” *Counterpoints* 478 (2016): 11, <https://www.jstor.org/stable/45157205>.

⁶⁵ Darcy Lindberg, “Nêhiyaw Âskiy Wiyasiwêwina: Plains Cree Earth Law and Constitutional/Ecological Reconciliation” (Ph.D. dissertation, University of Victoria, 2020), 138–139, <http://hdl.handle.net/1828/11985>. In his dissertation, Lindberg explores how *wâhkôhtowin* embodies the interconnectedness of relationships among people, the land, and all living beings, forming the foundation of Cree legal and ethical systems. He emphasizes that this principle is not merely about familial ties but extends to a broader ecological and spiritual kinship, guiding responsibilities and conduct within the community.

⁶⁶ Donald, “From What Does Ethical Relationality Flow?,” 11. See also Lindberg, “Nêhiyaw Âskiy Wiyasiwêwina,” 139–140. Lindberg presents a gloss: In Plains Cree (*nêhiyawêwin*), *wicîhitowin*

Donald's vision radically displaces the liberal notion of legal obligation as something formalized through consent or justified through functional service. Instead, legal legitimacy becomes a question of *right relationship* – of how law participates in sustaining a world of relations, including with ancestors, the land, and more-than-human beings. In this sense, Donald offers not only an alternative theory of obligation but a different metaphysics of law: a law grounded in *nêhiyaw* (Plains Cree) cosmology, where law is not created but remembered, not abstracted but storied.⁶⁷

What Donald articulates here is not merely a moral vision but a different way of knowing – what he calls an “ecological imagination.” This imagination does not reduce legal norms to codified rules or discrete interests but instead sees law as a living expression of interdependence. It is an epistemology of memory, land, and more-than-human relationships – one that views difference not as a threat to coherence but as a condition for relational vitality. In contrast to the liberal emphasis on mutual non-interference, ethical relationality foregrounds mutual responsibility as the foundational legal principle.

This has profound implications for how treaties are understood. They are not contracts, nor even just mutual recognitions of sovereignty. They are, as Donald and others have emphasized, *covenantal* in the deepest ethical sense: living relationships that bind parties through memory, responsibility, and co-existence. As Borrows and Coyle point out, Canadian law continues to treat treaties largely as transactional and finite – historical documents rather than ongoing frameworks of shared life. This “frozen rights” approach, which strips treaties of their relational logic, stands in stark contrast to Indigenous understandings where treaties are narrated, renewed, and reinterpreted through ceremony, language, and oral tradition.⁶⁸

While Raz's framework emerges from a tradition of epistemic distance – one in which subjects assess legal directives from a position of relative independence – its evaluative logic remains useful. When adapted with care, it offers a second-order test for when authority claims fail to track the living obligations embedded in Indigenous legal traditions. When the Crown imposes legislation or asserts unilateral override powers, it fails not simply because it overreaches but

carries connotations not only of assistance but of reciprocal responsibility – especially in kinship, community, and ethical relationships. It emphasizes cooperative, mutual care and is often mentioned alongside *wâhkôhtowin* (kinship) as a key value in Indigenous legal and ethical systems.

⁶⁷ Lindberg, “Nêhiyaw Âskiy Wiyasiwêwina,” x.

⁶⁸ John Borrows and Michael Coyle, *The Right Relationship* (Toronto: University of Toronto Press, 2017), 5–9.

because it disregards the *relational premises* of its obligations. In Donald's terms, such disregard constitutes a breach of *wâhkôhtowin* – a betrayal of the ethical space created by treaties and shared histories.

Thus, Donald's ethical relationality does more than offer a moral vision; it sharpens and deepens Raz's service conception by demanding that we ask *whose reasons, whose relationships, and whose world* the law is meant to serve. The convergence of these frameworks is not in method but in critique: both reject the legitimacy of authority grounded in abstraction, coercion, or convenience. Together, they push Canadian constitutionalism toward a model in which legitimacy is not a matter of procedural form but of ontological fidelity – of honouring the living relationships that make law possible in the first place.

It is important to acknowledge that Indigenous legal orders, like all normative systems, are internally diverse and subject to their own histories of contestation, marginalization, and reform. While this paper emphasizes the legitimacy deficits of the settler constitutional framework, it does not presume that Indigenous legal traditions are immune to critique or that they always meet Raz's tests of dependence and normal justification for all their members. As some liberal theorists have noted, hierarchical dynamics or gender-based exclusions may persist within communal norms, raising legitimate questions about internal accountability and dissent.

However, many Indigenous legal scholars and communities have long grappled with such issues through their own practices of ethical renewal and deliberative tradition. The frameworks of *wâhkôhtowin* and ethical relationality, for instance, do not prescribe static hierarchies but call for ongoing attention to the quality of relationships – human and more-than-human, intergenerational and horizontal. In this respect, Indigenous traditions often possess their own mechanisms for evaluating legitimacy and sustaining moral responsiveness. The aim here is not to idealize any legal order, but to recognize the plurality of sources from which valid legal reasons can emerge – and the necessity of treating them with the same philosophical seriousness we afford to state-based authority.

4.1 Ethical Space: Creating Conditions for Genuine Dialogue

While ethical relationality outlines the moral vision needed to reshape Canada's constitutional relationships, Willie Ermine's concept of ethical space provides a practical methodological framework for engaging across difference. Ermine, a Cree ethicist, defines ethical space as a structured, intercultural

environment explicitly designed for meaningful dialogue between divergent worldviews, moral systems, and normative orders.⁶⁹ Ethical space does not require parties to abandon or dilute their cultural or ethical commitments; rather, it offers a structured context where these distinct frameworks can genuinely encounter one another on equitable terms.

For Ermine, ethical space emerges at the boundary between two or more contrasting knowledge and legal systems. He emphasizes that genuine engagement is not merely a conversation between individual interests but a deeper intercultural negotiation between entire normative frameworks.⁷⁰ In this respect, ethical space is not a neutral arena but a carefully facilitated dialogue acknowledging power imbalances and historical injustices, explicitly designed to correct systemic asymmetries.⁷¹

Connecting this insight back to Raz, ethical space operationalizes his theoretical demand for legitimacy through dependence and normal justification. Ethical space ensures that directives and agreements emerging from constitutional dialogue genuinely track and serve the reasons of all communities involved – thereby satisfying Raz’s empirical criteria for legitimacy. Indeed, ethical space addresses Raz’s challenge head-on: it provides a structured normative space to test continuously whether constitutional norms meet his stringent conditions for authority.

4.2 Ethical Space in Constitutional Practice: Treaty Federalism and Intercultural Arbitration

Applied concretely, ethical space offers promising avenues for constitutional reform in Canada. Consider first treaty federalism: rather than unilateral Crown interpretation, ethical space requires active, sustained intercultural dialogue and co-decision processes informed by Indigenous epistemologies and governance structures. Treaty-making could thus become an ongoing intercultural process rather than a concluded historical event, precisely in line with Donald’s relational perspective.⁷²

⁶⁹ Ermine, “The Ethical Space of Engagement,” 194–196.

⁷⁰ Ibid., 200.

⁷¹ Ibid., 202–203.

⁷² Michael Asch, John Borrows, and James Tully, eds., *Resurgence and Reconciliation* (Toronto: University of Toronto Press, 2018), 55–61.

Similarly, ethical space could guide a renewed pluralist arbitration framework, moving beyond procedural accommodation toward robust intercultural jurisprudence. Rather than blanket prohibitions or mere toleration, intercultural arbitration processes could explicitly integrate community norms through structured ethical spaces that actively mediate between state and minority legal orders, meeting Raz's tests of both dependence and normal justification.⁷³

4.3 Ethical Space as Transformative Constitutionalism: Examples and Possibilities

Ethical space aligns both philosophically and practically with the model of transformative constitutionalism successfully applied in post-apartheid South Africa, where reconciliation and intercultural dialogue underpinned institutional reforms.⁷⁴ In the Canadian context, transformative constitutionalism guided by ethical space would require explicit legislative and judicial recognition of Indigenous and minority normative systems. This recognition could take several institutional forms. One possibility is treaty compatibility certification, an Indigenous-led process that ensures legislation aligns substantively with treaty obligations and Indigenous normative frameworks. Another is the creation of intercultural judicial review panels, composed of members with expertise in Indigenous and minority legal systems and embedded within Canada's constitutional courts; such panels would enhance Razian legitimacy through reciprocal oversight. A third mechanism would be legislative autonomy impact assessments, mandatory analyses of how new legislation affects communities' capacity to live in accordance with their deeply held normative commitments.

One may reasonably ask whether ethical space, as envisioned by Ermine, functions as a genuinely intercultural framework or whether it merely displaces liberal norms with Indigenous ones. This concern is particularly acute when irreconcilable differences arise – not merely over outcomes, but over the ontological and epistemic grounds on which legal claims are made. Can ethical space serve as a neutral arbiter, or must it resolve such conflicts by privileging one tradition over another?

Ethical space does not promise a fixed meta-framework that adjudicates all conflict with finality. Instead, it offers a structured methodology for sustained, good-faith engagement across difference – one that explicitly recognizes

⁷³ Bakht, "Family Arbitration Using Sharia Law"; Boyd, *Dispute Resolution in Family Law*.

⁷⁴ Klare, "Legal Culture and Transformative Constitutionalism."

asymmetries of power and the histories of epistemic erasure that shape legal pluralism. It is not an alternative form of sovereignty, but a normative process for generating mutual intelligibility and reciprocal accountability. In this sense, ethical space is not a replacement for law but a condition for its legitimacy in pluralist societies.

To address the risk of perpetual indeterminacy, ethical space must be supplemented by institutional safeguards that ensure dialogue is not merely procedural but substantively inclusive. Mechanisms such as rotating intercultural panels, sunset clauses that require periodic review of shared norms, and impact assessments grounded in community-defined values can help balance the need for legal stability with the reality of ontological diversity. Ethical space, then, is neither utopian nor relativist – it is a constitutional orientation premised on humility, responsiveness, and the acknowledgment that no legal system can claim universal priority in a world of many worlds.

4.4 Ethical Space, *Relationality*, and Raz: Toward a New Constitutional Compact

One might ask whether ethical space, as envisioned by Ermine, truly offers an intercultural framework, or whether it risks simply substituting Indigenous epistemologies for liberal ones. This concern becomes particularly acute when legal or ontological conflicts appear irreconcilable – when traditions diverge not just in values, but in what they take law, obligation, or authority to be. Can ethical space mediate such foundational differences, or must it resolve them by privileging one worldview?

Ethical space does not offer a final arbitration mechanism. Rather, it deliberately avoids the premise of neutral universality that underpins much of liberal constitutional thought. Its value lies in creating a structured, reflexive zone of encounter – a space in which power asymmetries are acknowledged, ontologies made visible, and shared norms negotiated without subsumption. In that sense, ethical space is not a fixed legal forum but a jurisgenerative posture: a normative commitment to building legal legitimacy through sustained intercultural dialogue.

To guard against indeterminacy, ethical space must be institutionally scaffolded: through treaty compatibility assessments, pluralist review panels, and other mechanisms that preserve accountability without collapsing difference. Its promise is not in solving all disputes, but in enabling the constitutional order to live with normative tension – to treat conflict not as a threat to coherence, but as the very condition of pluralism.

Integrating Raz's philosophical rigour with ethical relationality and ethical space transforms Canada's constitutional project from colonial governance toward genuine pluralistic democracy. Raz provides the normative clarity and philosophical depth required to critique existing structures rigorously; Donald and Ermine offer the conceptual tools and practical methodologies for achieving the reciprocal relationships necessary to rectify those structural flaws.

Ultimately, transformative constitutionalism, understood through ethical relationality and ethical space, goes beyond mere procedural accommodation. It embraces constitutionalism as an active relational process: continuously negotiating, revisiting, and revising shared responsibilities, norms, and legal orders. This demands a deeper commitment from all parties – one built on mutual respect, sustained dialogue, and relational accountability. Through such commitments, Canada's constitutional framework can genuinely embody the reciprocity and pluralism required by both Razian legitimacy criteria and Indigenous relational ethics.

What is at stake, then, is not simply a more inclusive constitutionalism, but a different political imagination – one grounded in shared vulnerability, relational trust, and an ethics of place. Raz offers a framework for testing whether the law helps us live well with others; Donald and Ermine remind us that “others” includes the land, the ancestors, and those yet to come. This is not merely a new compact, but a renewed commitment to the ongoing work of being treaty people.

5 Conclusion: Toward a Relational Constitutional Borderland

I have argued that Canada's constitutional order, despite its liberal aspirations to justice and inclusion, remains normatively compromised. At its core, it continues to operate within a settler-colonial framework that privileges Crown sovereignty and procedural equality over relational responsibility and legal pluralism. Using Joseph Raz's service conception of authority, I have proposed a diagnostic lens to assess whether Canadian legal directives generate legitimate obligations for those they govern. Raz's framework – anchored in the dependence thesis, the normal justification thesis, and the concept of exclusionary reasons – insists that authority must be earned through demonstrable service to the governed. It is a test not of pedigree but of performance.

Applied to Canada's constitutional practices, however, this test exposes a legitimacy gap. In both treaty relationships with Indigenous nations and pluralist accommodations for immigrant communities, Canadian law frequently fails

to track the reasons of its subjects or improve their capacity to live in accordance with those reasons. As such, many legal directives fall short of generating pre-emptive moral duties. Whether through the Indian Act's persistent unilateralism, the state's transactional treatment of treaties, or the retraction of faith-based arbitration under the guise of neutrality, the Crown's authority is often directive without being genuinely authoritative. Its power is exercised, but its legitimacy is unearned.

At the same time, this paper has sought to move beyond critique. While Raz offers a compelling internal standard for liberal legitimacy, the deeper challenge comes from Indigenous thinkers such as Dwayne Donald and John Borrows, whose work calls for a reorientation of constitutional thinking altogether. Donald's theory of ethical relationality, grounded in the Cree concept of *wâhkôhtowin*, reframes obligation not as consent to a social contract but as responsibility within a living network of human and more-than-human relations. Treaties, on this view, are not instruments of delegated sovereignty but ceremonies of shared stewardship – ethical compacts grounded in memory, land, and intergenerational reciprocity.

This Indigenous relational paradigm deepens and recontextualizes Raz's service conception. Where Raz begins from a vision of self-authoring agents capable of moral error, Donald begins from a vision of interdependence and ecological accountability. Yet the two converge in their insistence that legitimacy must be earned through reason-giving and relational fidelity. Both frameworks reject the view that authority inheres in the state as such. Instead, they ask: does the law serve those it claims to bind? Does it honour the reasons – spiritual, cultural, subsistence-based – that animate life within and across communities? And if not, what must be transformed to make space for genuine legitimacy?

It is here that the concept of the constitutional borderland becomes most apt. Canada's legal and moral order is not a settled domain but a contested terrain – a borderland where Indigenous law, settler constitutionalism, and immigrant aspirations converge, overlap, and sometimes collide. Borderlands are not merely frontiers; they are spaces of tension and translation, where multiple sovereignties, identities, and worldviews come into contact. In this borderland, legal authority cannot rest on a single normative foundation. It must be renegotiated continually through relationships that respect difference while cultivating shared obligations.

From this insight arises the idea of transformative constitutionalism: not merely a revision of statutes or a broader interpretation of rights, but a reimagining of the foundational relationships that constitute political community.

Inspired by the South African and Latin American contexts, but adapted to Canada's specific pluralism, transformative constitutionalism demands recognition of Indigenous legal orders as coequal, not derivative. It calls for constitutional practices grounded not only in procedural fairness but in ethical space – what Willie Ermine describes as the interstitial zone where distinct worldviews can meet, engage, and generate shared norms without subsuming one another.

This vision is not utopian. Elements of it already exist – in Supreme Court jurisprudence, in treaty negotiations, in grassroots practices of intercultural governance. But they remain fragmented, partial, and often symbolic. To move forward, Canada must adopt institutional reforms that embed relational accountability at the constitutional level. These include, as proposed earlier, treaty-first legislation, pluralist arbitration frameworks with safeguards for substantive equality, and autonomy impact statements that evaluate laws against the reasons and capacities of those most affected.

Ultimately, the shift from authority-as-command to authority-as-stewardship is not merely a legal adjustment. It is a philosophical and ethical transformation. It requires Canadians – settlers, Indigenous peoples, and immigrants alike – to rethink what it means to share a legal and political order. Not as co-inhabitants of a singular national project, but as participants in a dynamic constitutional borderland: one where obligations are not given but earned, where authority is not presumed but justified, and where law is not imposed but lived. Raz's framework, with its insistence on service, can take us part of the way. But it is through Indigenous jurisprudence – through *wâhkôhtowin*, through treaties as living relations, and through ethical space – that we learn how authority must not only serve but belong.

Canada's Constitution, viewed this way, is not a finished document. It is a contested borderland. And its legitimacy, like its future, depends on our willingness to dwell in that space – with humility, imagination, and an unwavering commitment to justice.⁷⁵ For Indigenous nations, law begins with the land – with

⁷⁵ This argument is not an indictment of Canadian sovereignty, but a defense of its moral and philosophical renewal. In a moment of intensifying geopolitical uncertainty – exacerbated by recent threats to democratic norms and legal stability in the United States of America – it is more crucial than ever that Canada articulate a sovereignty rooted not in colonial fiat but in relational legitimacy. The form of sovereignty envisioned here is neither fragile nor fragmented; it is plural and principled. It draws strength not from uniformity, but from reciprocity across the legal and cultural differences that define Canada's social fabric. To build a constitutional order that genuinely includes Indigenous legal orders and immigrant moral frameworks is not to weaken Canada's sovereignty, but to inoculate it against precisely the forms of authoritarianism, legal erosion, and monocultural nationalism now surfacing in many parts of our world. Sovereignty that is earned through shared

memory, relation, and place. But newcomers, more often than not, settle here for words: for rights promised, for freedoms narrated in law, for the language of belonging. To settle on words, then, is to accept the burden of conceptual labour – of working through the language of justice, so that land might once again become something more than possession.

stewardship, rather than imposed through historical inertia, is not only more just – it is more durable in the face of external pressure. This paper, then, offers not a critique from without, but a constitutional affirmation from within: a vision of a stronger Canada, bound not by the assertion of power, but by the authority of relationship.

CIESZYN FRIENDSHIP BRIDGE AND ITS GHOSTS: THE CHANGING ROLE OF A BRIDGE THAT UNITES AND DIVIDES TWO COUNTRIES

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Received April 15, 2025; Revised August 27, 2025; Accepted September 5, 2025.

Abstract

Cieszyn, once a unified town and regional center, is now divided between Poland and Czechia, with the Olza River marking the international border. The Friendship Bridge spans the river and reflects the evolving dynamics of Polish-Czech relations. This article examines the bridge's shifting symbolic and social significance – transitioning from a militarized frontier to a site of remembrance and reconciliation. Drawing on interviews, autoethnography, archival sources, and media accounts, I analyze how political events such as the fall of communism, European integration, and the COVID-19 pandemic have been inscribed into the spatial and social fabric of the bridge, shaping local identity. Through an exploration of urban elements, memories, and narratives – conceptualized as the “ghosts of the bridge” and framed within the theoretical lens of hauntology –, the article demonstrates how the bridge mediates contested histories and enables ongoing negotiations of collective memory and belonging.

Keywords: border studies; Cieszyn; Český Těšín; Friendship Bridge; hauntology; Czechia; Poland
DOI: 10.14712/23363231.2025.8

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This research has been funded by the European Union (ERC, Spectral Recycling, 101041946). Views and opinions expressed are however those of the author only and do not necessarily reflect those of the European Union or the European Research Council Executive Agency. Neither the European Union nor the granting authority can be held responsible for them.

Introduction

Many people often ask me where I come from. Those more familiar with the region sometimes ask in which town I live – Cieszyn or Český Těšín. I usually respond with the latter, but I am quick to add that it is, in fact, one town divided into two parts. Yet, I am not certain whether this reflects reality or merely a personal, perhaps nostalgic, aspiration. For centuries, there was only one town: Cieszyn, the center not only of the Duchy of Teschen but of the broader region of Cieszyn Silesia.¹

Today, two towns – Cieszyn and Český Těšín – function independently, as the area now lies within two separate states: Poland and Czechia. The Olza River winds through the center and since the division of the town and the region in 1920 it has become a border between the two countries. Spanning the river is a bridge that once connected two parts of a single town and now symbolically unites two nations. Its origins date back to the turn of the fourteenth and fifteenth centuries.²

The Friendship Bridge has undergone several name changes over the years,³ and its form and the way it has been perceived by the local community evolved as well. Therefore, in this article, I analyze the social and symbolic transformations of the Friendship Bridge within a broad historical and political context, with particular emphasis on the impact of events such as the fall of communism, European integration, and the COVID-19 pandemic. I have chosen 1954 as the starting point, i.e. when the bridge was rebuilt following wartime destruction and officially named the Friendship Bridge. The endpoint of my analysis is 2023, allowing for an examination of the post-pandemic period and the aftermath of COVID-19-related regulations.

Moreover, I reflect on the presence of both tangible and intangible “ghosts of the bridge” – elements of urban space, memories, and narratives that actively shape local identity and collective imagination. I interpret this phenomenon

¹ Idzi Panic and Janusz Spyra, *Dzieje Śląska cieszyńskiego od zarania do czasów współczesnych*, vol. 4: *Śląsk Cieszyński w okresie 1653–1848* (Cieszyn: Starostwo Powiatowe, 2012), 9–11.

² Irena Cichá and Maciej Dembiniok, *Tramvají po Těšíně / Tramvajem po Cieszynie* (Český Těšín: Regio, 2008), 63.

³ For example: Long, Salt, Main, Castle, Olziański. See Dorota Havlíková, “Historie těšínských mostů začíná ve 14. století, dva z nich mají letos jubileum,” *Těšínské listy: Těšínské toulky minulostí*, August 2018, 22–23. About the role of place names in relationship between people and spaces they occupy: Přemysl Mácha, “The Symbolic Power of Place Names: The Case of the River Olse/Olza/Łolza in Northeastern Czechia”, *Names. A Journal of Onomastics* 68, no. 3 (September 2020): 169–184, <https://doi.org/10.1080/00277738.2020.1786925>.

through the lens of hauntology, understanding “ghosts” as recurring, displaced elements of the past that resurface in public space and “haunt” the residents, demanding some action from them.⁴ Such ghosts include both symbols of unity – such as the Avion café or the replica of the Cieszyn tram – and markers of division, including the illuminated border line or the monument commemorating the separation of Cieszyn. These varied manifestations of the past influence not only the everyday lives of local inhabitants but also shape their interpretations of history and the place of the bridge in the local cultural landscape. Accordingly, Friendship Bridge plays a significant role in the everyday experience of Cieszyn inhabitants, serving as a key element of their local identity.

Generally, a bridge symbolizes “the connection of what is disconnected in time and space,” but also “the connection of two worlds.”⁵ This situation mirrors that of Cieszyn, as the two parts of the town are “disconnected in time and space.” The bridge once connected the two parts of Cieszyn: the historical, administrative one, with the suburbs. After 1920, its role changed dramatically. No longer connecting two parts of one town, it became a division between two countries or between two worlds. Faced with these two completely different realities, what function was the bridge meant to serve, now that it had lost its primary purpose of linking the parts of a single town? Has it become a commemoration of the past, a kind of ghost that persistently reminds us that Cieszyn was once one town?

Tracking Methods

What, however, is a ghost? According to María del Pilar Blanco and Esther Peeren, a ghost is something indefinable – an entity that exists between two worlds: the visible and the invisible, life and death, materiality and immateriality.⁶ Their reflections build upon the paradigm developed by French philosopher Jacques Derrida and his theory of hauntology. In my article, I draw on Derrida, but also go beyond his initial intuitions, framing the Friendship Bridge as a ghost in itself, but – one that carries its own ghosts as well. The bridge is at the same time material, a physical structure enabling passage across the river that separates the two parts of the town, and immaterial, functioning as a vessel

⁴ Jacques Derrida, *Specters of Marx: The State of the Debt, the Work of Mourning and the New International* (New York: Routledge, 1994), xviii–xx.

⁵ Władysław Kopaliński, *Słownik symboli* (Warszawa: RYTM, 2015), entry: bridge.

⁶ María del Pilar Blanco and Esther Peeren, eds., *The Spectralities Reader. Ghosts and Haunting in Contemporary Cultural Theory* (London: Bloomsbury Publishing, 2013), 2.

of memory and a component of local identity of Cieszyn residents. It is a space where the inhabitants of both Cieszyns meet, but also where past and present intersect, forming a symbolic site of encounter where ghosts confront the local community.

Despite the fact that the body of literature on Cieszyn is extensive, with its history, division, and ethnic diversity examined by scholars from a range of disciplines,⁷ so far none have focused on the Friendship Bridge as anything more than a physical structure linking two riverbanks. In this study, I consider it as a site that not only fulfils its functional purpose, but also possesses a kind of lived presence – one that interacts with residents and shapes their local identity.

Thus, I regard the Friendship Bridge not only as a ghost in its own right but also as a host to a cluster of ghosts, some symbolizing division, others unity. The ghosts, in turn, allow for encounters with those no longer present.⁸ The ghost is not just a metaphor: it reveals itself in spaces marked by loss, trauma, and historical tensions – where memory has been repressed, unprocessed, or deliberately silenced⁹ – as is the case in Cieszyn, a town split in two. Once a shared home for communities living together for centuries, the division of Cieszyn in 1920 placed some of its residents in one country, and others in another, creating a fissure, through which ghosts emerge.

However, these ghosts do not remain passive. Following the theory of hauntology, they haunt in pursuit of justice or, at the very least, answers.¹⁰ These ghosts are thus embedded in everyday life, even if their presence is not always fully acknowledged by the inhabitants.¹¹ They have learned to coexist with them,

⁷ Jan Kajfosz, “Asymilacja na Śląsku Cieszyńskim jako gra z pamięcią (analiza perspektyw badawczych),” in *Tożsamość etniczna i kulturowa Śląska w procesie przemian*, ed. Halina Zofia Rusek and Anna Wiesława Drożdż (Wrocław: Polskie Towarzystwo Ludoznawcze, 2009), 353–367; Mácha, “The Symbolic Power of Place Names,” 169–184; Radosław Zenderowski, “Stosunki między mieszkańcami miast podzielonych granicą państwową na przykładzie Cieszyna i Czeskiego Cieszyna (Český Těšín). Studium socjologiczne,” *Studia regionalne i lokalne* 3, no. 8 (2002): 49–78; Bogusław Dziadzia, “Cieszyńska wspólnota kulturalna i ciężar niewidzialnej granicy,” *Cieszyński Almanach Pedagogiczny* 6 (2019): 20–27; Radosław Zenderowski, “‘Nikdo nic neví,’ czyli krótka historia czeskokcieszyńskiego słupa granicznego,” *Wschodnioznawstwo* 15 (2021): 113–137; Studnicki, Grzegorz, “‘Nasz orzeł jest biały czy złoty?’ O sporach wokół upamiętnienia i promocji Księstwa Cieszyńskiego,” *Prace Etnograficzne* 50, no. 1 (2022): 117–136, <https://doi.org/10.4467/22999558.PE.22.007.17635>.

⁸ Colin Sterling, “Becoming Hauntologists: A New Model for Critical-Creative Heritage Practice,” *Heritage & Society* 14, no. 1 (2021), 72, doi:10.1080/2159032X.2021.2016049.

⁹ Pilar Blanco and Peeren, *The Spectralities Reader*, 11–15.

¹⁰ Derrida, *Specters of Marx*, xviii–xx.; Pilar Blanco and Peeren, *The Spectralities Reader*, 9.

¹¹ Karolina Ćwiek-Rogalska, “‘It’s scary here’: Haunted landscape as a research tool to look into post-expulsion landscapes,” *Polish Journal of Landscape Studies* 3, no. 6 (2020), 27–47, <https://doi.org/10.4467/22999558.PE.22.007.17635>.

though there are moments when they are unsure how to respond to their calls, as I will explore further below.

On the one hand, a ghost can be perceived as a disturbing or oppressive phenomenon. On the other, it holds the potential as a “figure of clarification,”¹² enabling the reinterpretation of the past and a deeper understanding of previously marginalized or repressed experiences. Ghosts can therefore help to illuminate the social and emotional consequences of the division of Cieszyn, bringing to light issues that have long remained in the shadows. As literary scholar Carla Freccero argues, to speak about society is also to speak about ghosts,¹³ as listening to their voices can foster a more profound understanding of both past and contemporary social relations. Analyzing the ghosts of the Friendship Bridge and the transformation of the bridge’s symbolic role over time offers insight into the lives of local inhabitants: their everyday experiences, local interests, and entanglement in broader historical processes. In doing so, it reveals the significance of the bridge as an integral part of the local identity of Cieszyn Silesia.

The primary method I employ is discourse analysis. Although I was born, raised and have spent nearly my entire life in Český Těšín, participating in a project dedicated to “tracing” the ghosts of the past¹⁴ prompted me to take a closer look at the Friendship Bridge and notice the events associated with it. This deep-rooted connection to the place allows me not only to identify key and illustrative moments in local history that have become important to the community, but also to grasp their multidimensional meanings.¹⁵ In turn, it allows me to approach these events not only as a researcher, but also as a contributor to local identity. On the other hand, conducting autoethnography requires openness to a variety of narratives, including those that contradict my own. I am aware that certain themes may hold greater significance for me than for residents who have had – or wish to have – no connection with the Polish side of the city (or vice versa), and who may therefore perceive some

.org/10.14746/pls.2020.6. See also Karina Hoření, “Stories of Justification – Stories of Absolution: How Families in Liberec Came to Terms with Post-Displacement Heritage,” *Český lid* 111, no. 2 (2024): 147–172, <https://doi.org/10.21104/CL.2024.2.01>.

¹² Derrida, *Specters of Marx*, 75.

¹³ Pilar Blanco and Peeren, ed., *The Spectralities Reader*, 337.

¹⁴ ERC project “Recycling the German Ghosts. Resettlement Cultures in Poland, Czechia and Slovakia after 1945” (ERC, Spectral Recycling, 101041946).

¹⁵ Ellis Carolyn, Tony E. Adams, and Arthur P. Bochner, “Autoethnography: An Overview,” *Forum. Qualitative Sozialforschung. Qualitative Social Research* 12, no. 1 (January 2011), <https://doi.org/10.17169/fqs-12.1.1589>; Esther R. Anderson, “Positionality, privilege, and possibility: The ethnographer ‘at home’ as an uncomfortable insider,” *Anthropology and Humanism* 46, no. 2 (2021): 212–225, <https://doi.org/10.1111/anhu.12326>.

events differently. As someone who quite literally inhabits the border, many of the voices I draw on belong to relatives, friends, and neighbors who have lived in or around Cieszyn for years. Most of my interlocutors live on the Czech side, though some are based on the Polish side. However, all of them, like me, have connections with Poland or the Polish community on the Czech side, and therefore represent only a fragment of the local society. These conversations were conducted informally, often during casual meetings or walks. My position as a member of the community under study enabled me to gain a deeper understanding of the interviewees' cultural background, but also to convey the original tone of their statements.¹⁶ In the article, I distinguish between the memory of my family and neighbors. When this information is omitted, I instead attribute it to collective local memory as reflected in the local press or official memory contained in scholar publications.

Furthermore, I use family archives for analysis and reflect on personal memories from childhood, adolescence, and adulthood, analyzing them and placing them in dialogue with the narratives of others or memory contained in media. Throughout the text, I disclose my own perspective on the bridge: one that literally has evolved before my eyes. My family home is approximately one hundred meters from the Olza River; thus, the bridge has played a significant role in my life since childhood, leaving me with numerous memories. As a child, I would ask my mother why we were queuing in front of the border booth, waiting for customs officers to inspect our passports. She explained that the Polish town of Cieszyn was in another country, and that the river and the bridge marked the border. At the time, I could not grasp the concept that just a few meters away is a different state. For me, the two towns were one, merely divided, and crossing the border was entirely an everyday occurrence. I made no distinction between which side of the town I went to for shopping or to attend mass. It was normal to go to kindergarten on the Czech side or, as we used to say at home, "to Poland for meat [to buy] on Sunday."

In addition, I draw on visual sources and information published in digital news media, particularly Polish and Czech local dailies, weeklies, and monthlies such as *Cieszyn Nasze Miasto*, *OX.pl*, *Wyborcza Bielsko-Biała*, *Zwrot*, *Głos*,¹⁷ *Havířovský deník*, *AVIONoviny*, *Novinky.cz*, *iDnes.cz*, *Beskidzka24.pl*. I selected these sources based on their relevance to the bridge and the events associated

¹⁶ Wiktoria Kudela-Świątek, "Niežnośny ciężar przekazu czyli o przekładzie źródeł mówionych w badaniach oral history," *Wrocławski Rocznik Historii Mówionej* 2 (2012): 19–20, <https://doi.org/10.26774/wrhm.26>.

¹⁷ In two cases, I also consulted the print editions of newspapers.

with it. The time frame extended from the late 2000s (particularly from 2007) up to 2023. However, I frequently also refer to contemporary articles describing past events, for instance, in the context of anniversaries. In searching for relevant materials, I used specific keywords that enabled me to locate the texts of interest. I drew upon these sources whenever I wanted to supplement an interviewee's account or compare it with the narrative presented in the published material.

Before analyzing specific events, I would like to clarify a recurring term in this text. "Polish side" refers to the town of Cieszyn in Poland, while "Czech side" denotes Český Těšín in Czechia: formerly one town, now divided. This naming convention, quickly adopted by Czech-side residents, is also seen in other divided towns, such as Zgorzelec and Görlitz.¹⁸ When I refer simply to Cieszyn, I mean the unified town as it existed before the 1920 division.

The Divided Town

During the post-World War I reorganization of Europe's borders, Cieszyn – situated in a borderland and economically prosperous region – became a contested area between the newly established Poland and Czechoslovakia.¹⁹ The population of Cieszyn was ethnically diverse, and one of Poland's key arguments for annexation was the significant number of people presented as of Polish nationality in Zaolzie, a region of Cieszyn Silesia that is now part of Czechia.²⁰ Following protracted negotiations, violent incidents such as the 1919 invasion of the Cieszyn area by the Czechoslovak army,²¹ as well as riots, strikes, and mutual

¹⁸ Aleksandra Galasińska, Craig Rollo, and Ulrike H. Meinhof, "Urban space and the construction of identity on the German-Polish border," in *Living (with) borders*, ed. Ulrike Hanna Meinhof (London: Routledge, 2002), 123–125, doi: <https://doi.org/10.4324/9781315190037>.

¹⁹ In the article, I most frequently use terms referring to "Czech," "Czech authorities," or the "Czech side," even though until 1993, the Czech lands were part of the state of Czechoslovakia. The use of this simplified form stems from the historical context – the region of Cieszyn Silesia has been under the authority of the Bohemian Crown since the fourteenth century. Therefore, to maintain narrative consistency and highlight historical continuity, I use the term "Czech" rather than "Czechoslovak."

²⁰ Zbyšek Ondřeka, "Vznik Československa na Těšínsku," *Těšínské listy: Těšínské toulky minulosti*, August 2018, 2–3.

²¹ Dan Gawrecki, "Těšínsko v letech 1918–1920 a politické okolnosti vzniku města Český Těšín," in *Český Těšín 1920–1989: vznik a výstavba města v meziválečném období*, ed. Zdeněk Jirásek (Opava: Slezská univerzita v Opavě, 2011), 23; Grzegorz Gąsior, *Polityka narodowościowa państwa na czechosłowackim Śląsku Cieszyńskim w latach 1920–1938* (Warszawa: Wydawnictwa Uniwersytetu Warszawskiego, 2020), 7–29; Michał Przeperski, *Nieznosny ciężar braterstwa. Konflikty polsko-czeskie w XX wieku* (Kraków: Wydawnictwo Literackie, 2016), 168–180; Krzysztof Nowak, "Pol-

hostilities, in 1920 the Council of Ambassadors in Paris decided to divide Cieszyn Silesia, using the Olza River as one of the border markers.²² Geographically, the area was split roughly in half: Poland received 44% (1002 km²), and Czechoslovakia 56% (1280 km²). However, key industrial centers, a mining basin, and a railway remained on the Czech side. Thus, while Poland got the historically oldest part of the town as well as the administrative center, the Czech side was compelled to construct its own administrative infrastructure within a short time-frame.²³ Moreover, a substantial population identifying as Polish remained on the Czech side.

Between 1920 and 1954, the history of Cieszyn Silesia and the bridge was marked by political complexity and local tensions.²⁴ The division of the region was met with resistance from many inhabitants, leading to ongoing clashes. Processes of Bohemization and Polonization occurred alternately or concurrently, often accompanied by conflicts and mutual intimidations.²⁵ Tensions reached a peak in 1938, when Polish troops entered the Czech side, officially claiming to “recover”²⁶ Poles who had remained there after the 1920 division.²⁷ This situation was, however, short-lived, as World War II soon altered the region’s geopolitical reality. Cieszyn Silesia was incorporated into the Third Reich,²⁸ and the

sko-czechosłowacki konflikt graniczny 1918–1920,” in *Dzieje Śląska Cieszyńskiego od zarania do czasów współczesnych*, vol. 6, ed. Idzi Panic (Cieszyn: Starostwo Powiatowe w Cieszynie, 2015), 38–45.

²² Gąsior, *Polityka narodowościowa państwa*, 16–17; Nowak, “Polsko-czechosłowacki konflikt,” 64; Ondřejka, “Vznik Československa na Těšínsku,” 2–3; Przeperski, *Nieznośny ciężar braterstwa*, 196–206.

²³ Jacek Kurczewski and Halina Rusek, “Życie obywatelskie po obu stronach Olzy,” in *Transgraniczność w perspektywie socjologicznej: pogranicza Polski w integrującej się Europie*, ed. Maria Zielińska, Beata Trzop, and Krzysztof Lisowski (Zielona Góra: Lubuskie Towarzystwo Naukowe, 2007), 268–270; Ondřejka, “Vznik Československa na Těšínsku,” 3; Lenka Nováková, “Budova českotěšínské radnice má 90 let, sloužila i jako šatlavna nebo knihovna,” *Těšínské listy: Těšínské toulky minulosti*, August 2018, 6–7; Pavel Šopák, “Fenomén urbanizace a architektonický rozvoj Č. Těšína v kontextu budování ČSR v letech 1918–1938,” in *Český Těšín 1920–1989: vznik a výstavba města v meziválečném období*, ed. Zdeněk Jirásek (Opava: Slezská univerzita v Opavě, 2011), 65–71.

²⁴ Zenderowski, “Stosunki między mieszkańcami,” 50.

²⁵ Przeperski, *Nieznośny ciężar braterstwa*, 207–263.

²⁶ I follow the notion of “recovery” as disputed in Karolina Ćwiek-Rogalska, “When the Mnemonic Actors Become Storytellers: The Lore of the ‘Recovery’ in 1970s Poland,” *Acta Poloniae Historica* 128 (2023): 181–204, <http://dx.doi.org/10.12775/APH.2023.128.08>.

²⁷ Krzysztof Nowak, “Okres międzywojenny w Polsce (1920–1939). Życie polityczne i społeczne” in Panic, *Dzieje Śląska Cieszyńskiego*, vol. 6, 77–124; Przeperski, *Nieznośny ciężar braterstwa*, 277–311.

²⁸ Kurczewski and Rusek, “Życie obywatelskie,” 270–271; Krzysztof Nowak, “Okres II wojny światowej,” in Panic, *Dzieje Śląska Cieszyńskiego*, vol. 6, 433–480; Grzegorz Gąsior, “Obecność Po-

bridge was destroyed twice. First, by the retreating Polish army in September 1939. Rebuilt by the Germans in 1941²⁹ it was destroyed again by the retreating German army in 1945. After the war, only a temporary bridge was erected, which was later destroyed by an ice floe. A permanent reconstruction began in 1950 and was completed in 1954, when the bridge was officially named the Friendship Bridge [*Most Przyjaźni* in Polish, *Most Družby* in Czech].

Negative Emotions: Bridge as a Guarded Gate

What functions did the bridge serve from its construction in 1954 until the collapse of the socialist system in 1989? In my mother's recollections, the river often appeared as a border. From the 1960s, she lived with her parents in the house where I now reside, located almost directly on the banks of the Olza River. She crossed the bridge only in private, usually accompanied by her parents, due to her young age. She used to tell us that we should be grateful to wade in the Olza during summer, recalling how, in her childhood during the 1970s, warning shots would be fired into the air whenever someone approached the riverbank. When I once asked whether the border guards on the other side would have actually shot her had she entered the water, she answered hesitantly: probably not – but she could never be certain, as she had never dared to try. What lingered in her memory was a common method of maintaining border “order,”³⁰ as I discovered over the years. At the time it was the Border Protection Forces [*Wojsko Ochrony Pogranicza*] to detain people found lingering near the border. They could have been detained for several weeks, without notifying their families.³¹

My mother also recalled significant family events when she, her parents, and sister would go shopping at the market located on the Polish side of the town. On such occasions, she would wear her oldest and most worn-out trousers and cross the bridge with her family using a special permit, which I will discuss later. After buying new trousers, she would leave the old ones at the home of her parents' friends on the Polish side and return to Czechoslovakia

laków na Zaozliu w ujęciu historycznym i współczesnym,” in *Opinie i Ekspertyzy. Biuro Analiz i Dokumentacji. Zespół Analiz i Opracowań Tematycznych* (Warszawa: Kancelaria Senatu, October 2016), 8; Przeperski, *Nieznosny ciężar braterstwa*, 335–337.

²⁹ Havlíková, “Historie těšínských mostů,” 22.

³⁰ Hastings Donnan and Thomas M. Wilson, *Borders: Frontiers of Identity, Nation and State* (London: Routledge, 2021).

³¹ Krzysztof Nowak, *Śląsk Cieszyński w latach 1945–2015* (Cieszyn: Starostwo Powiatowe w Cieszynie, 2015), 73.

already wearing a new pair. She particularly remembers one instance when she managed to buy corduroy trousers, of which she was especially proud. As she explained, better-quality goods were generally available on the Polish side, and they could be accessed more easily than in Czechoslovakia. But why was this the case? She could not carry the new trousers across the border openly, as doing so was forbidden. She believed this restriction was likely related to customs regulations, although she did not know the exact rationale. When I asked my grandmother, she too could not recall the specific reason, but emphasized that border checks were always strict. This illustrates how some of the inhabitants of Cieszyn had adapted to life at the border, accepting restrictions such as prohibition on carrying goods across, without necessarily understanding the underlying rules.

During the communist period, only a limited number of Cieszyn residents were permitted to cross the border. In 1960, the Local Border Traffic Convention [*Konwencja o małym ruchu granicznym*] came into force,³² remaining in effect until its abolition in 1996. The convention allowed individuals living within a designated local border traffic zone – 15 kilometers wide on each side of the border – to cross under specific conditions. Although enforcement of the convention relaxed somewhat after the fall of the regime in 1989, prior to that, crossing the border required either a permanent or temporary pass. These passes varied not only in duration but also in the nature of the holder's connection to the other side and the permitted length of stay.³³ To qualify, one typically had to demonstrate a strong tie to the other side, such as employment, family relations, or ownership of property. My great-grandmother, for example, owned a garden in Bobrek (a district of the Polish town of Cieszyn), which allowed her to obtain an agricultural pass for the entire family. At the border, it was necessary to present both the pass and an official identity document with a photograph. Officially, my mother and her parents crossed to tend the garden, but in practice, they also used the opportunity for shopping or attending religion-related events such as pre-communion lessons. Thus, border guards would sometimes mockingly ask where her rake or shovel was. They likely suspected the true purpose of the trip but refrained from asking directly.

³² Ibid., 74.

³³ *Dziennik Ustaw* 1960, no. 27, item 153.

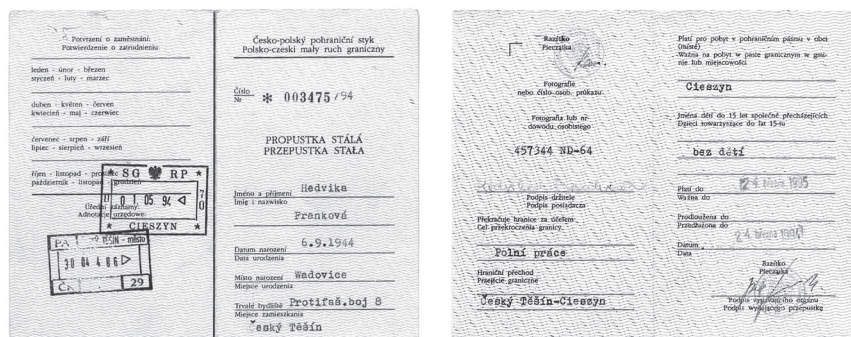


Figure 1: Permanent agricultural pass, 1994–1995. Photograph from Magdalena Bubík's family archive.

Thus, for some inhabitants, the bridge functioned as a gateway between two worlds – one that was usually closed and monitored by state authorities. It offered access to a different, and in some cases perceived as better, reality.³⁴ Yet this gate was encircled by restrictions, and one could pass through it only with official permission. Crossing the border always entailed a degree of risk, as there was no guarantee that customs officers would allow entry.³⁵ One had to be especially cautious to return in the same way as one had entered: without having acquired any goods, as illustrated in the example of the trousers. My grandmother recalled this particularly vividly because, on one occasion, she was subjected to an invasive search by a customs officer and was left standing in her underwear, which had also been thoroughly inspected. Neither a valid pass nor assurances of innocence could prevent such treatment. In this tightly controlled space – spanning only a few dozen meters – customs officers acted as sovereigns in their own realm, exercising discretion over whether a person, even one with proper documentation, would be allowed entry or exit.³⁶ While customs officials were

³⁴ Galasińska et al. also write about seeing the other side of a town in another country as better. See Galasińska, Rollo, and Meinhof, "Urban space," 125–127.

³⁵ Nowak, *Śląsk Cieszyński*, 73; Brenda Chalfin, "Sovereigns and citizens in close encounter: Airport anthropology and customs regimes in neoliberal Ghana," *American ethnologist* 35, no. 4 (November 2008): 519–538, <https://doi.org/10.1111/j.1548-1425.2008.00096.x>; Shahram Khosravi, "The 'illegal' traveller: an auto-ethnography of borders," *Social anthropology/Anthropologie sociale* 15, no. 3 (2007): 321–334, doi:10.1111/j.0964-0282.2007.00019.x; Yarin Eski, *Policing, port security and crime control: An ethnography of the port securityscape* (London: Routledge, 2016); Zende-rowski, "Stosunki między mieszkańcami," 50.

³⁶ Nowak, *Śląsk Cieszyński*, 74; Jakub Grygar, *Děvušky a cigarety. O hranicích, migraci a moci* (Praha: SLON, 2016).

formally acting under the mandates of state institutions, their relative isolation from central authorities meant that, in practice, they often exercised autonomous power, effectively governing the border zone themselves.

There were a few moments in the history of Cieszyns when the metaphorical gate between them opened more widely. One such instance occurred during the celebrations marking the millennium of Poland's existence in 1966.³⁷ Cieszyn hosted a series of commemorative events on both sides of the Olza River, and, for this occasion, the border between the two towns was opened on 14–15 May.³⁸ For a brief moment, the bridge fulfilled its symbolic role, i.e. connecting two nations. This moment of openness was commemorated by the planting of a linden tree symbolizing Czechoslovak-Polish friendship, carried out by Edward Gierek – later the First Secretary of the Central Committee of the Polish United Workers' Party – on 14 May 1966, on the Czech side below the Czechoslovak theatre. However, just two years later, the fragile friendship between Poland and Czechoslovakia would be severely undermined.

It happened in 1968 and the bridge became a symbol of the loss of hope for a better future. In 1968, Alexander Dubček was appointed First Secretary of the Central Committee of the Communist Party of Czechoslovakia and initiated a series of reforms that marked a period of liberalization known as the Prague Spring.³⁹ These developments provoked a strong reaction from the USSR, which decided to intervene militarily.⁴⁰ It was via the Friendship Bridge, among other routes, that Warsaw Pact tanks and troops entered Czechoslovakia to suppress Dubček's overly progressive agenda. This dark chapter is captured in the photograph below (Figure 2), where people stand not only on the sidewalks but also in the roadway, seemingly attempting to block the tanks entering Český Těšín. The expressions of protest are visible: clenched fists raised at the tanks, and posters held by demonstrators. One poster features two inscriptions: one in French, "Au plaisir de vous revoir" ["Looking forward to seeing you again"], and another in English, "Till we meet again." These phrases reflect both a longing for reunion

³⁷ Anita Młynarczyk-Tomczyk, *W kregu polityki, nauki i popularyzacji. Obchody „Polskiego Tysiąclecia” 1957–1966/67* (Kielce: Uniwersytet Jana Kochanowskiego, 2019).

³⁸ Renata Putzlacher-Buchtová, *V kavárně Avion, která není* (Český Těšín: Spolek-Towarzystwo Avion, 2016), 86.

³⁹ Michael Hauser, "Pražské jaro 1968 jako progresivní konstrukce národní identity," *Paideia: Philosophical e-journal of Charles University* 16, no. 1–2 (Spring 2019); Stanislav Sikora, "Alexander Dubček, nejznámější slovenský politik," *Soudobé dějiny* 25, no. 3–4 (2018): 377–390; Francesco Leoncini, "Alexander Dubček, muž nádeje v 20. století," *Politické vědy* 17, no. 1 (2014): 178–185.

⁴⁰ Milan Čierny, "Český Těšín – průběh srpnových událostí roku 1968," *Těšínské listy. Těšínské toulky minulostí*, August 2018, 27–29.

and a belief that better times will return. Although the image is too unclear to decipher all details, a chalk inscription on the pavement likely bears the name of Alexander Dubček, suggesting local support for his vision of “socialism with a human face.” This moment stands in stark contrast to the bridge’s symbolic name – there are no flowers, no applause. Instead, the Friendship Bridge becomes a site of silent resistance and dashed hope.



Figure 2: Tanks entering Český Těšín via the border bridge over the Olza River. Photograph courtesy of Muzeum Těšínska, Český Těšín, collection Fotografie, item no. F 10184. Reproduced with permission.

The political situation within the two Soviet satellite states once again profoundly affected the inhabitants of Cieszyns more than a decade later. Prior to the declaration of martial law in Poland, Czechoslovak authorities, concerned about the foreign influence of the Polish Solidarity movement, decided on 7 December 1981 to unilaterally close the border with the Polish People’s Republic to private movement.⁴¹ This action was intended to further isolate Czechoslovakia and limit any contact with Polish opposition. For the

⁴¹ Nowak, *Śląsk Cieszyński*, 75, 290–291; Zenderowski, “Stosunki między mieszkańcami,” 51–52.

people of Cieszyn, however, it meant an even greater restriction of contact with their neighbors across the Olza River. The issuance of border passes was further limited, and customs officers frequently required a certified invitation from people on the other side who were in close relations with the person seeking entry.⁴² For residents of Cieszyn without close connections to the other side, this meant that the bridge was effectively closed for the next 10 years. The few who managed to obtain passes were required to communicate with relatives or friends on the other side of the river to request an invitation. For them, the bridge thus became an even narrower passage, one that could only be crossed with careful calculation and persistence.

The Grand Opening

After the collapse of the communist regime in 1989, the bridge was reopened, but it was still not a completely unrestricted passage. Officially, the convention on passes remained in effect until 1996. However, in 1991, a law was enacted that allowed individuals to cross the border using their passports only.⁴³ Despite this, some residents continued to use passes, which, as my mother notes, may have been a more secure and faster way to cross the border. The pass was a familiar item to the customs officers, so it is possible that those holding it faced fewer difficulties at the border compared to those using a passport.

The Friendship Bridge became a place where residents from both Cieszyns regularly crossed the geographical border separating the two countries. Therefore, the passport was one of the indispensable items for people living near the border.⁴⁴ Over the bridge was a rusty metal roof, installed in 1987 to protect guards from the rain and, perhaps more significantly, to facilitate inspections of large vehicles. The structure allowed guards to climb up and examine luggage more closely, but in practice, it obscured much of the surroundings.⁴⁵

⁴² Jan Rychlík, "Severní hranice Čech a pohraniční styk se Saskem a Pruskem, resp. Polskem," in *Život na československých hranicích a jejich překračování v letech 1945–1989*, ed. Kateřina Lozovíková and Jaroslav Pažout (Liberec, Praha: TUL, ÚSTR, 2017), 100–102; Anna Szczepańska-Dużiak, "Regaining Trust: The Work of Communist Poland's Foreign Service in Czechoslovakia in the 1980s," *Slovanský přehled* 106, no. 1 (2020): 106.

⁴³ *Sbírka zákonů*, no. 322/1991.

⁴⁴ *Dziennik Ustaw* 1996, no. 46, item 207.

⁴⁵ A vivid illustration of this atmosphere can be seen in the photograph "Hraniční přechod Č. Těšín – Cieszyn" by Renata Kotalová. See projekt Doménová koule, tourism.cz, <http://tourism.cz/encyklopedie/objekty1.php?id=49807> (accessed August 27, 2025).

Customs officers remained stationed at the bridge, but their autonomy was significantly reduced, with their decisions becoming more subject to central regulations and guidelines. Nevertheless, they continued to wield considerable power. As my neighbor observes, “once upon a time, a customs officer was a master.” They were responsible for maintaining order and reminding individuals that they were entering another country. This is particularly remembered by the same neighbor, who was born on the Polish side and later married her husband on the Czech side. She recalls a time of dating, crossing the border, and waiting in long queues that stretched endlessly across the bridge, with a line of people shuffling from foot to foot. She told me she nearly missed her wedding due to border control. Today, she laughs at the memory of herself standing on the bridge with her passport in hand, remarking, “You had to stand your ground.” This illustrates how crossing the border was still regarded as a privilege, beyond the reach of the general population. Every attempt to cross was associated with a certain “cost”: in this case, the time spent waiting in long queues at border crossings. The waiting time was the same for everyone, regardless of whether one was shopping or attending church for a wedding.

Customs officers were also vigilant for illegal smuggling, and attempts to smuggle were not uncommon. Depending on their diligence and ambition, they occasionally found the hidden goods, while at other times, they either overlooked or chose not to notice them.⁴⁶ The success of these smuggling attempts also often depended on the smuggler’s [*przemytnik* in Polish, or *pašerák* in Czech] connections with the customs guards. Opportunities to make extra money were created for smuggling purposes.⁴⁷ There was a group of so-called “ants” [*mrówki* in Polish and Czech], individuals who made it their business to carry goods from one side to the other concealed beneath their coats.⁴⁸ My father recalled seeing lorries parked, from which men would emerge, sometimes with as many as a hundred eggs hidden under their coats. As my neighbor recalls, “literally everything was being smuggled.” Such activities were risky and required a high

⁴⁶ Claire Wallace, Oksana Shmulyar, and Vasil Bedsi, “Investing in Social Capital: The Case of Small-Scale, Cross-Border Traders in Post-Communist Central Europe,” *International Journal of Urban & Regional Research* 23, no. 4 (December 1999): 760–761, <https://doi.org/10.1111/1468-2427.00226>.

⁴⁷ Zenderowski, “Stosunki między mieszkańcami,” 57.

⁴⁸ The activities of “ants” on the Polish-Ukrainian border are described by Sławomir Solecki, “Cienna strona granicy: aktywność zarobkowa ‘mrówek’ w regionie zagrożonym strukturalnym bezrobociem. Przypadek Podkarpacia” in *Transgraniczność w perspektywie socjologicznej: pogranicza Polski w integrującej się Europie*, ed. Maria Zielińska, Beata Trzop, and Krzysztof Lisowski (Zielona Góra: Lubuskie Towarzystwo Naukowe, 2007), 295–312.

level of trust among participants.⁴⁹ The individuals responsible for transporting goods, as well as the “ant team,” were often in contact with the local customs officers, who were compensated for turning a blind eye to these activities.⁵⁰ The interrelationships between specific social groups in Cieszyn are thus evident, particularly the relationship between smugglers, smuggling organizers, and customs officers. The effectiveness of these operations required the smugglers not only to cooperate closely, but also to incur certain costs, in the form of a share of the profits, as an informal payment enabling them to successfully cross the border and avoid the confiscation of goods.

After 1989, the bridge had become a familiar and commonplace feature for the inhabitants, yet, due to the passport requirement, it remained a source of tedium and, at times, frustration. The first signs of change began to emerge in 2004, with the accession of Poland and Czechia to the European Union. In May, a play titled *Těšínské niebo / Cieszyńskie nebe* [Cieszyn Sky] premiered at the Czech-Teshinian Theatre, highlighting the multiculturalism of the town and the broader region.⁵¹ The play depicted Cieszyn as a magical place where there is no division between Polish and Czech identities, as the town is shared and the border is effectively nonexistent.⁵² The title itself reflects this duality, with the first word, *Těšínské*, in Czech, and the second, *niebo*, in Polish, and vice versa. The central theme of the performance was the Cieszyn tram, a symbol of the unified town.

Indeed, the town of Cieszyn once operated a tram line that began and ended on opposite sides of the Olza River. However, in 1921, the municipal authorities decided that the town's division into two parts was a sufficient reason to discontinue it.⁵³ Despite this, the tramline remained a powerful symbol in the collective memory of Cieszyn residents for more than 80 years,⁵⁴ representing

⁴⁹ Wallace, Shmulyar, and Bedsir, “Investing in Social Capital,” 752–753.

⁵⁰ *Ibid.*, 760–761.

⁵¹ This bilingual production brought together actors from both the Polish and Czech stages of the theatre in Český Těšín, as well as Polish-Czech artists: poet and translator Renata Putzlacher (who authored the script and Polish translations of the songs) and singer, poet, and composer Jaromír Nohavica (who wrote the songs). The project was also supported by director and co-writer Radvan Lipus and musical director Tomáš Kočko.

⁵² Mirosława Pindór, “Przestrzeń współbycia. Těšínské niebo Cieszyńskie nebe Těšínského divadla w Českém Těšíně jako międzykulturowa narracja o wielokulturowości miasta/miast,” *Edukacja Międzykulturowa* 4 (2015): 292, <https://doi.org/10.15804/em.2015.17>.

⁵³ Cichá and Dembiniok, *Tramwaj po Těšíně*, 18; Nowak, *Śląsk Cieszyński*, 80; Mirosława Pindór, “Od dworca ‘pod słońce.’ Transgranicznym szlakiem cieszyńskiego tramwaju,” *Zarządzanie w Kulturze* 25, no. 1–2 (2024): 290; Katarzyna Szkaradnik, “Graniczny most (nie) pamięci i kawiarnia pięciu języków. Wokół cieszyńskiej sylwy Renaty Putzlacher,” *Anthropos?* 25 (2016): 88.

⁵⁴ Ireneusz Botor, “Nowe ujęcie nadgraniczności Cieszyna do wykorzystania” in *Sztuka w przestrzeni publicznej: artystyczne wymiary wytwarzania kapitału społecznego i kulturowego*, ed. Bogusław

both the modernity and a connection to the past.⁵⁵ For many, the tram embodied the town's rich yet complex history as a multicultural crossroads. Paradoxically, then, it symbolized both division and unity: two forces that have continuously shaped the identity of Cieszyn over the past century.

During the performance-related activities, both the bridge and the tram became integral components of a symbolic act of reconciliation and unity. A few months after the premiere of the play, a CD featuring songs from it was ceremonially "christened" – a term which in Czech refers not only to the Christian act of introducing a child into the community, but also to the act of releasing a record or a book into public circulation. A mock-up of the Cieszyn tram, featured in the performance, was brought to the Friendship Bridge, where the baptism ritual was enacted a few meters downstream in the Olza River. The CD was jointly dipped into the water by customs officers from both sides of Cieszyn, accompanied by Czech-Teshinian artists and local residents.⁵⁶ In this moment, the bridge and the tram, two enduring symbols of Cieszyn's interconnection, appeared as ghosts, whose forms and meanings have shifted over time. The tram, absent from Cieszyn for nearly a century, returned in the form of a model. The bridge, reconstructed in 1954, has remained physically present but has continuously redefined its symbolic and practical functions. These two ghosts were united in this performative act, embodying a shared vision and collaborative effort between the Polish and Czech communities of Cieszyn. This moment left a lasting impression on some residents, for whom the words of the performance's song resonated deeply for years to follow: "The gates are wide open / Merciful time has healed the wounds / After a long night the morning is coming."

The long-awaited unification arrived at the turn of 2007 and 2008, when – after years of negotiations and preparations – Poland and Czechia formally joined the Schengen Area. This meant that after 87 years border controls were abolished. On 21 December 2007, citizens from both sides of the town gathered on the Friendship Bridge, raising glasses of champagne in celebration of what many perceived as the symbolic reunification of the two cities. Actors from the Czech-Teshinian Theatre brought props from the earlier spectacle about the Cieszyn tram. Precisely at midnight, the municipal authorities of both Cieszyns symbolically cut through the border barrier – a gesture captured in the photograph below (Figure 3). The largest fragment of the barrier was donated to the

Dziadzia, Barbara Głyda-Żydek, and Sabina Piskorek-Oczko (Bielsko-Biała – Cieszyn, Fundacja Animacji Społeczno-Kulturalnej, 2015), 218–219.

⁵⁵ Pindór, "Od dworca," 287.

⁵⁶ Ibid., 291–292, 140.

collection of the Museum of Cieszyn Silesia in Polish Cieszyn. Residents stood in front of the guards' booths to have their passports stamped for the last time in their lives. Interestingly, passport control, i.e. an activity previously regarded as tedious and meaningless had taken on the character of a border game, and some individuals wished to play it one last time. They sought a souvenir that would remind them of a different era. As if they wanted to preserve an imprint of the past – they wanted to capture in their passport the ghosts of Cieszyn division, when passage to the other side was granted only under specific conditions. At



Figure 3: Cieszyn mayors Vít Slováček (Český Těšín) and Bogdan Ficek (Cieszyn) cross the symbolic border barrier. Tomáš Januszek, “Konec hranice vítaly v Těšíně stovky lidí,” *Karvinský a Havířovský deník*, December 21, 2007, https://karvinsky.denik.cz/zpravy_region/tesin_hranice20071221.html. Photograph courtesy of Vltava Labe Media. Reproduced with permission.

last, the bridge regained its symbolic function as a connector – it could once again serve as the link between the two sides of Cieszyn.

The bridge had transformed from a guarded gateway accessible to few into an integral part of everyday life and the shared existence of the two cities. As

well, it became a subject to urban revitalization projects. With the cessation of border controls, the canopy that once covered the bridge was no longer necessary and was dismantled. It was only after all the scaffolding and metal structures had been removed when I realized how much they had obscured. Only then – walking across the bridge with my mother – were we able to fully admire the view. It was only at that moment that the bridge revealed its aesthetically pleasing character.

In 2009–2010, a decision was made to renovate the bridge and reconstruct the café that had operated just beyond it on the Czech side during the interwar period. This venue had once served as a local meeting point, where conversations over coffee were held in the Cieszyn dialect – known as *po naszymu*⁵⁷ – as well as in Yiddish.⁵⁸ Based on archival photographs, local architects designed the café and it was rebuilt. It was named *Noiva*, a reversal of its original name, *Avion*, which had since been adopted by another eatery.⁵⁹ The project's creators opted for this inversion, allowing visitors to see the original name mirrored in the café's transparent window glass while enjoying their coffee. As noted on the café's website, this mirrored reading also references the pre-war Jewish restaurateur Rosalia Wiesner, suggesting that the name should be read in Hebrew – from right to left.⁶⁰ Today, the café operates under both names: *Avion* and *Noiva*.

The café also features depictions of characters associated with Cieszyn, originally used in the play *Těšínské niebo / Cieszyńskie nebe* – including the last customs officer, and the smuggler Ant. The creators referred to them as *těšínské postavičky*, i.e. Cieszyn characters, attributing to them the qualities of archetypal Cieszyn figures. It proves that the customs officer and the smuggler have been absorbed into the symbolic landscape of the town, becoming part of its legends and narratives. No longer perceived as representatives of a harsh reality, the customs officer and the smuggler have receded into a past that is increasingly interpreted through the lens of stylized or mythologized storytelling (Figure 4).

⁵⁷ Kamil Czaiński, "Ponašymu – mieszany kod językowy czeskiego Śląska Cieszyńskiego," *Adeptus* 14 (2019), <https://doi.org/10.11649/a.1974>.

⁵⁸ Szkaradnik, "Graniczny most," 89.

⁵⁹ Nowak, Śląsk Cieszyński, 578.

⁶⁰ "O Avionu: Historie a současnost," Městská knihovna Český Těšín, <https://www.knihovnatesin.cz/historie%2Da%2Dsoucasnost/ds-1045/p1=1013>.



Figure 4: A figurine symbolizing a customs officer and a smuggler in one of the cubicle of the Avion / Noiva café, in the background the Friendship Bridge and a tram. Photograph by Magdalena Bubík, 2024.

Together or Apart: Cieszyns after 2007

During the 2010 renovation of the bridge, a luminous line was installed along its midpoint, precisely marking the state border as it follows the course of the river. This glowing line extended the entire length of the bridge and was accompanied by the names of the two countries, symbolizing the boundary. Furthermore, additional signs were placed there, indicating entry into the territory of the other country (Figure 5).

The site is now frequently visited by tourists, who diligently take photographs of themselves in various poses with the border sign in the background. Based on my observations, the most common are Poles posing with Český Těšín behind them. Locals have become accustomed to this tourist attraction and, without hesitation, often walk in a wide arc around groups of visitors so as not to disturb their creation of this border-themed souvenir. The border line, originally



Figure 5: The border line on the Friendship Bridge, in the background the Avion / Noiva café. Photograph by Magdalena Bubík, 2025.

intended to commemorate the difficult history of Cieszyn's division, has evolved into not only a popular tourist destination, but also a space where the past meets the present and enters into dialogue with it.

Through its visible presence, the border line compels local people to engage with it, even if only by navigating around it, serving as a constant reminder of the historical divide. Thus, the residents are encountering the ghost that haunts this place. While some may not remember – or may prefer not to remember – the past, the ghost, in the form of a line, insists on being acknowledged: through its illumination, its symbolic placement, and the presence of tourists photographing it. It may be circumvented, as most residents now habitually do, but it is certainly difficult, even on a subconscious level, to ignore it. It imposes specific patterns of movement and behavior on passersby.

The guarding of the bridge by customs officers has become not only outdated but also unrealistic to the residents of Cieszyn. Of the border control structures that once stood on the bridge, only the main building remains. This structure

was initially repurposed for cultural events. However, over time, plans emerged to demolish it and redevelop the site. A 2021 project proposed dismantling the building to make way for a tourist information center, adjacent to which a tram replica was to be installed. The final stage of the project involved marking the former tram stops in both towns. The tram is intended to once again serve as a symbol of the unity between the two Cieszyns. Moreover, it is planned to be situated directly on the Friendship Bridge, reinforcing its role as a connector and a symbol of the relationship that links the two cities on either side of the Olza River.⁶¹

This forward-looking perspective is intentional, as I sought to convey the depth of emotion experienced by the residents of Cieszyn following the outbreak of the COVID-19 pandemic in the spring of 2020. The situation changed rapidly as governments across Europe, including Poland and Czechia, made the decision to close their borders, which also meant the closure of the Friendship Bridge. The consequences of this decision became immediately visible. Military and administrative personnel from both countries assembled on the bridge and set up tents just a few meters apart. The fenced-off bridge and the soldiers' rifles evoked the atmosphere of a military outpost.⁶²

Many residents of Cieszyn remarked that they could not recall such conditions even under the former regime. As I described, the reason was that during the communist period, special passes were issued to individuals with strong ties to the other side of the border. Yet now, even similar reasons were deemed insufficient for crossing. As the reopening of the border was repeatedly postponed, Cieszyn residents organized silent marches on both banks. I personally witnessed residents of Cieszyn and Český Těšín calling out to each other. Banners were displayed expressing longing for loved ones on the other side (Figures 6 and 7).⁶³ Local musicians from both sides also came together to record the song *Dwa brzegi / Dva břehy* [Two Banks], which describes the border gate as a cage and voices hope that the dark period would eventually come to an end.⁶⁴

⁶¹ Botor, "Nowe ujęcie," 218–219; Cichá and Dembiniok, *Tramvají po Těšíně*, 3.

⁶² Ewa Furtak, "Z powodu koronawirusa wróciły kontrole na granicy. W Cieszyń-Boguszowicach ogromna kolejka," *Wyborcza Bielsko-Biała*, March 16, 2020, <https://bielskobiala.wyborcza.pl/bielskobiala/7,88025,25792472,z-powodu-koronawirusa-wracaly-kontrole-na-granicy-w-cieszynie.html>.

⁶³ Hynek Böhm, "Challenges of Pandemic-Related Border Closures for Everyday Lives of Poles and Czechs in the Divided Town of Cieszyn/Český Těšín: Integrated Functional Space or Reemergence of Animosities?" *Nationalities Papers* 50, no. 1 (2022): 137–138, <https://doi.org/10.1017/nps.2021.51>.

⁶⁴ Izabel ft. Bartnický – Dwa břehy (Dwa brzegi), YouTube video, 0:04:16, posted by Izabel, 2020, April 3, <https://www.youtube.com/watch?v=45uzYKJluA8>.



Figure 6: Inscription on the Polish side – Stýská se mi po Tobě Čechu [I miss you Czech]. Pavel Karban, “Stýská se mi. Lidé na česko-polské hranici vyvěšují dojemné vzkazy,” *Novinky.cz*, March 21, 2020, <https://www.novinky.cz/clanek/koronavirus-styska-se-mi-lide-na-cesko-polske-hranici-vyvesuji-dojemne-vzkazy-40317555>. Photograph courtesy of Borgis, a.s. Reproduced with permission.



Figure 7: Inscription on the Czech side – I ja za Tobą, Polaku [I do too, Pole]. “Mieszkańcy rozdzielonego miasta tęsknią – ciąg dalszy spontanicznej akcji,” *Zwrot*, March 21, 2020, <https://zwrot.cz/2020/03/mieszkanicy-rozdzielonego-miasta-tesknia-ciag-dalszy-spontanicznej-akcji/>. Photograph courtesy of Beata Tyrna. Reproduced with permission.

Figure 8: Monument in front of the Cieszyn Silesia Museum in Český Těšín. Photograph by Magdalena Bubík, 2023.



After more than three months, the border began to reopen, initially only to a select segment of the population. Priority was given to individuals with compelling reasons, such as employment, education, or close family ties. When government officials stationed on the bridge began packing up, the residents' joy was palpable, as reflected in local media.⁶⁵ From the night of 29 to 30 June 2020, the bridge was reopened to all residents. As had occurred during the transition at the end of 2007 and the entry into the Schengen Area, some residents gathered on the bridge at exactly midnight to symbolically “shut off the border.” I remember that when I crossed the bridge for the first time in several months without any obstacles: it was apparent that some people were lingering in the town simply to take in the moment and savor the freedom of movement. Traffic on the bridge gradually began to return to pre-pandemic levels, although it took time for relationships and routines to be re-established. At that point, no one knew

⁶⁵ Halina Szczotka, “Na otwarcie granicy przyjdzie nam jeszcze poczekać. Na szczęście już nie długo,” *Zwrot*, June 28, 2020, <https://zwrot.cz/2020/06/na-otwarcie-granicy-przyjdzie-nam-jeszcze-poczekac-na-szczescie-juz-nie-dlugo/>; Witold Koźdoń, “Już wkrótce otwarte granice,” *Głos*, June 12, 2020; Beata Schönwald, “Granica otwarta, restrykcje wracają,” *Głos*, June 30, 2020.

that the border would be closed again in the autumn due to the reintroduction of pandemic restrictions.

Before that occurred, however, a conflict about a monument was unleashed. In August 2020, exactly 100 years after the partition of Cieszyn, a monument commemorating the event was unveiled in front of the Cieszyn Silesia Museum in Český Těšín. This unveiling served as the focal point of the centennial celebrations marking the founding of Český Těšín. The sculptor Martin Kuchař chose to create a stylized replica of a border post (Figure 8). Beneath the monument, a plaque states that it was erected to commemorate the 100th anniversary of the demarcation of the Czechoslovak state border in Cieszyn, Orava, and Spiš, as well as the founding of the town of Český Těšín. The plaque also lists the founding institutions: the Cieszyn Silesia Museum, the Moravian-Silesian Region, and the town of Český Těšín.

Social media was abuzz with conversations, comments, and debates. Two opposing camps emerged in response to the event. The predominantly Polish or Polish-language media in Czechia criticized the monument as inappropriate, arguing that the events of 1920 marked a deeply tragic moment in the history of Cieszyn – one that should be forgotten rather than commemorated.⁶⁶ In contrast, Czech media outlets responded either positively or neutrally, focusing primarily on the celebration of the town's founding.⁶⁷ In interviews with journalists, the mayors of both towns stated that they viewed the monument as an important historical lesson: one that should be remembered by all who encounter it.⁶⁸

⁶⁶ Beata Schönwald, "Chichot historii...", *Głos.live*, July 31, 2020, https://glos.live/Wiadomosci/detail/Chichot_historii/0; Szymon Brandy, "Słup graniczny na 100-lecie Czeskiego Cieszyzna," *Głos.live*, July 30, 2020, https://glos.live/Wiadomosci/detail/Słup_graniczny_na_100lecie_Czeskiego_Cieszyzna/0; Halina Szczotka, "Komentarz. Historia pewnego słupa," *Zwrot*, July 31, 2020, <https://zwrot.cz/2020/07/komentarz-historia-pewnego-slupa/>; Tomasz Wolff, "Nasz Głos: Sklejony szlaban," *Głos.live*, August 4, 2020, https://glos.live/Moim_zdaniem/detail/Nasz_Glos_Sklejony_szlaban/648.

⁶⁷ "Český Těšín se pyšní novým památníkem. Hraniční sloup připomíná 100 let města," *Karvinský a Havířovský deník.cz*, July 29, 2020, https://karvinsky.denik.cz/zpravy_region/cesky-tesin-se-pysni-novym-pamatnikem-pred-muzeem-pripomina-100-let-mesta-20200729.html; "100 let Českého Těšína oslavili v Muzeu Těšínska," *Frydecko-Místecký a Třinecký deník.cz*, July 28, 2020, <https://fm.denik.cz/ctenar-reporter/100-let-ceskeho-tesina-oslavili-v-muzeu-tesinska-20200728.html>; Klára Křížáková, "Český Těšín si připomněl sto let od svého vzniku," *Český rozhlas Ostrava*, July 29, 2020, <https://ostrava.rozhlas.cz/cesky-tesin-si-pripomnel-sto-let-od-sveho-vzniku-8262051>; "Muzeum Těšínska slaví 100 let města Český Těšín," Muzeum Těšínska, <https://www.muzeumct.cz/aktuality/384-muzeum-tesinska-slavi-100-let-mesta-cesky-tesin>.

⁶⁸ Katarzyna Lindert-Kuligowska, "Burza po odsłonięciu pomnika słupa granicznego w Czeskim Cieszyźnie," *Beskidzka24.pl*, July 31, 2020, <https://beskidzka24.pl/burza-po-odslonieniu-pomnika-slupa-granicznego-w-czeskim-cieszyznie/>.

What is particularly striking, however, is the timing of the monument's unveiling. In addition to marking the centennial anniversary of a specific historical event, the unveiling coincided with a period of renewed division between the two sides of the town. For more than three months, access to the opposite bank was severely restricted, rendering it virtually inaccessible. Just as the border reopened and daily life began to resemble its pre-closure state, a monument evoking the historical split was unveiled. Obviously, the monument does not solely commemorate the division – it also marks the founding of Český Těšín. Yet this founding was itself a direct consequence of the partition. The source of the controversy, the underlying impulse that ignited it, again unveiled the spectrality, present 300 meters from this point, at the Friendship Bridge.

Today, traffic across the bridge flows smoothly once again as it has returned to being a part of daily life. Collaborative projects connecting the two parts of the town continue to progress. The initiatives previously halted due to the outbreak of the COVID-19 pandemic were ultimately completed. On 18 December 2023, the grand opening of the new information center took place, accompanied by the unveiling of a replica tram positioned nearby. Although located slightly below the bridge (Figure 9), its vivid red color draws the attention of passersby, especially in the evening, when it is illuminated by a halo of lanterns directed toward it. Resembling a trophy on a podium, the replica symbolizes the triumph of the idea of unity between the two cities. It highlights their shared history and the effort to transcend former divisions. Visitors are invited to sit on the tram benches and learn about the process behind the replica's creation, in which local artists actively participated. Additionally, guests can ring the tram's bell by pulling a string, and the resonant sound quickly fills the surrounding area. The Cieszyn tram trail is further enriched by a culinary trail that brings together food establishments from both sides of the town. Moreover, at designated times, a short historical film about the Cieszyn tram line is projected in the square on the Polish Cieszyn, as well as opposite the Noiva café in Český Těšín.

As one crosses the bridge, one's attention is now almost entirely drawn to the tram. Much like the monument next to the museum, the tram situated near the bridge can be interpreted as another manifestation of the ghost of the Friendship Bridge. Yet this time, the ghost reveals a different face: one that evokes memories of a bygone era in Cieszyn, when no borders divided the town and the tram moved freely, carrying the inhabitants from one side to the other. The persistence of this ghost becomes even more striking as it announces its presence before one even reaches the Friendship Bridge, its approach signaled by the loud ring of the tram bell, echoing like a sound from the past. The tram's symbolic



Figure 9: A tram replica, with an information center in the background. Photograph by Magdalena Bubík, 2025.

presence even appears to overshadow the boundary line drawn on the bridge itself, as if to suggest that today, unity in Cieszyn outweighs division. However, this situation might evolve in the coming years: tourists may continue to gather at the border marker, photographing a symbol of separation.

Ghosts of the Bridge

The role of the bridge, as previously discussed, has evolved significantly over the course of less than seventy years. Initially, it was heavily guarded by customs officers and almost inaccessible to ordinary citizens. In 1968, it became open only to let the tanks of the Warsaw Pact into Czechoslovakia. Following the fall of communist rule, the bridge transformed into a gate with a metaphorical key, accessible only to those who met specific criteria. It was not until 2008 that the two parts of the town began to reconnect meaningfully, and the bridge gradually came to symbolize this renewed bond. However, the COVID-19 pandemic in 2020 dramatically disrupted this relationship, as the bridge once again became an

almost impassable barrier. Only with the lifting of all pandemic restrictions was the connection between the two sides reestablished. Today, the most prominent symbol of this urban unity is the replica of the Cieszyn tram, located just a few meters from the bridge, standing as a tangible reminder of the town's shared history and ongoing reconciliation.

I would therefore argue that it is only since 2008 that the Friendship Bridge could be considered deserving of the name it bears. Since then, various buildings and attractions have been established around it to foster a sense of unity between the two cities. However, it is not only symbols of unity that surround the bridge. Reminders of division and the limitations of unity are also present. The boundary line and the monument near the museum serve as such examples. The ghosts of the bridge remain active, embodying different aspects of the past.

This leads to a further question: what prompted the state authorities in 1954 to assign the name "Friendship Bridge" to this structure? Was it intended to evoke the notion of camaraderie between two satellite states of the Soviet Union? Might it have been a deliberate act of irony – or even mockery? Perhaps, from the perspective of the authorities, the name was meant to promote an ideal of friendship between the two nations, or to present the twin cities as a model of proper communist coexistence between neighboring states, an attempt to uplift the spirits of their inhabitants.

Historian and museologist Mariusz Makowski observes that "today, Cieszyn Silesia is where you can see it [i.e. the region] directly, not only on the map. It is where there's something in the people, where they confirm it with their daily activities in various fields."⁶⁹ If we extend this perspective to the Friendship Bridge, we can argue that the bridge is not merely a geographical location or a structure used to cross from one side to the other. Rather, it forms an integral part of the everyday experience of Cieszyn residents. It lives within their memories and serves as a powerful trigger for personal and collective recollection. As such, the bridge contributes to the formation of collective identity, shaping the residents' sense of belonging and grounding their local identity. It also occupies a liminal space between the tangible and the intangible. The Friendship Bridge thus exemplifies how a physical structure, imbued with historical memory and emotional resonance, can become a foundational element of local identity.

⁶⁹ Małgorzata Bortliczek, "Śląsk Cieszyński w refleksjach humanistów – poszukiwanie klucza do zrozumienia narracji o przygranicznym mikroświecie," *Poznańskie Studia Polonistyczne. Seria Językoznawcza* 26, no. 2 (2019): 44.

Furthermore, the bridge possesses evolving symbolic faces, shifting over time from a closed and guarded gate to one fully open. As such, it is also surrounded by other ghosts. These include the boundary line marked on the bridge, a persistent reminder of historical division; the Noiva / Avion café, which simultaneously attests to the multicultural character of the former Cieszyn and gives tangible form to the border experience of its inhabitants; the monument at the Cieszyn Silesia Museum in Český Těšín, commemorating both the division of Cieszyn and the founding of the town of Český Těšín; and the replica tram, which harks back to the time of a unified Cieszyn and symbolizes its former cohesion. These ghosts do not appear simultaneously, nor do they convey the same message. Some evoke unity, while others recall division, and residents respond to them in varied ways. One thing, however, remains certain: these ghosts are an integral part of Cieszyn's contemporary reality. They are in constant transformation – just as the inhabitants themselves, and their perception of the Friendship Bridge, continue to evolve.

VILLAGE RENEWAL WITHOUT BORDERS: CZECH-AUSTRIAN CROSS-BORDER COOPERATION IN RURAL DEVELOPMENT AS A RESPONSE TO SHARED REGIONAL CHALLENGES

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Received April 15, 2025; Revised August 26, 2025; Accepted September 3, 2025.

Abstract

This paper examines how the interconnected environment and rural traditions of South Moravia and Lower Austria facilitated cross-border cooperation during the 1980s and 1990s, focusing particularly on village renewal programs. Despite the physical transformations of the socialist era, the formerly entangled regions retained their inherent similarities and faced similar challenges, such as peripheral position, demographic changes, and loss of attachment to the locale due to population change and modernization processes. The paper argues that their interconnected environment served as a linking platform that enabled a common response to these challenges. The case study of village renewal programs demonstrates how Lower Austrian expertise found fertile ground in South Moravia and subsequently became a source of inspiration at the central level. However, the paper also shows the decline in cross-border cooperation in the late 1990s, partly due to the shift of rural policy coordination from regional settings to the European level.

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This paper is based on the Chapter “Přeshraniční spolupráce v obnově venkova” from the author’s doctoral dissertation titled “Okno příležitosti. Přeshraniční výměna v oblasti životního prostředí na jihomoravsko-dolnorakouské hranici v letech 1984–1995” defended in 2022. The doctoral research was supported by the Charles University Grant Agency, project no. 668218 and by the Bavarian-Czech Academic Agency within the research consortium “Grenze/n in nationalen und transnationalen Erinnerungskulturen zwischen Tschechien und Bayern.”

Keywords: village renewal; borderlands; cross-border cooperation; Czech-Austrian relations; interconnected environment

DOI: 10.14712/23363231.2025.9

Introduction

When looking at aerial photographs from the mid-twentieth century, one would hardly discern the border between South Moravia and Lower Austria.¹ In the context of the Czech borderlands, this territory is exceptional in that it lacks mountain ranges creating a physical border. On the contrary, lowland landscape extends on both sides of the border, with the only visible barrier being partially formed by the Thaya River. As a natural element, this river simultaneously separates and connects the Austrian and Moravian parts of the area. Due to this physical landscape continuity, the border regions developed in continuous interaction over past centuries. Their geographically similar character and common rural tradition formed an interconnected environment that offers prerequisites for intensive cross-border ties – from the perspective of natural conditions and forms of human-nature relationships, these regions have long constituted a shared space. Although the socialist transformation of the South Moravian landscape in the second half of the twentieth century significantly affected the unity and interdependence of these regions (with state borders being particularly evident on current aerial photographs due to the different size of the fields), the environment in both regions remained largely similar and interconnected. Thus, even during the period of closed borders, it could act as a connecting element, fostering cross-border cooperation and allowing these separated regions to partially converge, mutually influence, and inspire each other.²

The paper seeks to examine the ways and mechanisms through which the interconnected environment between these regions and interpersonal networks across the border facilitated common response to shared challenges and successful cross-border cooperation even before the formal opening of the border.

¹ Orthophotographic maps from the years 1952 and 1953 are accessible on the Czech National Geoportal INSPIRE. They also depict small parts of the Austrian territory. See <https://geoportal.gov.cz/web/guest/map>.

² On the border as a dividing as well as connecting element see Thomas Lindenberger, “Divided but not Disconnected. Germany as a Border Region of the Cold War,” in *Divided but not Disconnected. German Experiences of the Cold War*, ed. Tobias Hochscherf, Christoph Laucht, and Andrew Plowman (New York: Berghahn Books, 2010), 11–33; Hans-Jürgen Karp, “Grenzen – Ein Gegenstand wissenschaftlicher Forschung,” in *Grenzen in Ostmitteleuropa im 19. und 20. Jahrhundert. Aktuelle Forschungsprobleme*, ed. Hans Lemberg (Marburg: Herder-Institut, 2000), 9–18.

The paper also follows and seeks to explain the processes by which those initially regional initiatives transcended local conditions to influence national policy frameworks, by bringing the specific village renewal agenda to the central level. The research draws upon the concepts of borderlands history, entangled history, and environmental history, expanding existing knowledge about the specific historical period of late socialism and early transformation by incorporating regional and cross-border perspectives. The first part of the paper will introduce the conceptual approaches, followed by a closer look at the South Moravian – Lower Austrian border regions, focusing on their interconnected environment, shared historical traditions, and the challenges they faced in the second half of the twentieth century. Subsequently, the study will focus on the inter-regional contacts of these regions from the mid-1980s to the early 1990s. Finally, the case study of cross-border cooperation in village renewal will illustrate the opportunities that regional cooperation and interconnected environment offered for building mutual relationships and connecting regions across closed borders, as well as after their opening.

Entangled Histories Across Borders

For the examination of cross-border relations and mutual dependencies, the concept of entangled history [*Verflechtungsgeschichte, histoire croisée*] is used in this paper.³ This concept originates from comparative history and the research on transfers between two (or more) entities, extending these approaches to an additional level – not merely comparing the observed phenomena, but investigating the direct and indirect influences on them, as well as their mutual impact and potential dependencies. As such, this concept enables to examine to which extent life in a border region is influenced by the neighboring area. Such influence may be direct, exemplified by cooperation in nature conservation that benefits both regions, or indirect, such as the emergence of competitive relationships resulting from differing living standards on either side of the border. Thus, entangled history transcends the examination of relationships and reciprocal

³ Jörn Leonhard, “Comparison, Transfer and Entanglement, or: How to Write Modern European History Today?” *Journal of Modern European History* 14, no. 2 (2016): 149–163, doi: 10.17104/1611-8944-2016-2-149; Michel Espagne, Jonas Kreienbaum, Frederic Cooper, Christoph Conrad, and Philipp Ther, “How to Write Modern European History Today? Statements to Jörn Leonhard’s JMEH-Forum,” *Journal of Modern European History* 14, no. 4 (2016): 465–491, doi: 10.1177/1611-89442016014004002; Michael Werner and Bénédicte Zimmermann, “Vergleich, Transfer, Verflechtung. Der Ansatz der Histoire croisée und die Herausforderung des Transnationalen,” *Geschichte und Gesellschaft* 28, no. 4 (2002): 607–636.

exchanges between comparable units. This approach allows for the exploration of regional histories in dialogue with transnational developments, thereby contributing to a broader, global understanding.⁴

While focusing on the entangled histories of Europe in the second half of the twentieth century, the Central European neighbors, Czechoslovakia and Austria, play a unique role due to their position on the border between East and West. In the case of Austria, this is articulated through its ambitions to act as a bridge between the antagonistic blocs.⁵ Nevertheless, the number of existing historical works dealing with their mutual contacts remains relatively modest. An interesting contribution, also in terms of the topic of rural life, is the publication by a team of Czech and Austrian historians titled *So nah, so fern. Menschen in Waldviertel und Südböhmen 1945–1989* [So close and yet so far away. People in Waldviertel and in South Bohemia]. With oral history interviews, the book focuses on comparing everyday life in border villages during the Cold War, when the common border was closed with military-guarded Iron Curtain, yet it does not address cross-border influences and transfers between the border regions.⁶ A comprehensive view of the history of mutual coexistence between Czechs and Austrians over the past two centuries, including contemporary history, is provided by the collaborative work *Nachbarn* [Neighbors].⁷ However, due to the nature of a broad-based book, it does not delve deeply into the specific developments in border regions, particularly the limits and possibilities of interregional cooperation during the period of closed borders, and its subsequent development after the opening of the borders.

⁴ Espagne, Krienbaum, Cooper, Conrad, and Ther, “How to Write Modern European History,” 488.

⁵ Ota Konrád et al., *Ztráta starých jstot. Rakousko 1986–2000* (Praha: NLN, 2020), 40, 41.

⁶ Hanns Haas, David Kovařík, Leoš Nikrmajer, Niklas Perzi, eds., *So nah, so fern. Menschen im Waldviertel und in Südböhmen 1945–1989* (Weitra: Bibliothek der Provinz, 2013).

⁷ Niklas Perzi, Hildegard Schmoller, Ota Konrád and Václav Šmidrkal, eds., *Nachbarn. Ein österreichisch-tschechisches Geschichtsbuch* (Weitra: Bibliothek der Provinz, 2019). See also Armin Laussegger, Reinhard Linke, and Niklas Perzi, Österreich. Tschechien: Unser 20. Jahrhundert. Begleitband zum wissenschaftlichen Rahmenprogramm der Niederösterreichischen Landesausstellung 2009 (Wien: LIT Verlag, 2009); Stefan Karner and Michal Stehlík, eds., *Česko. Rakousko. Rozdělení – odloučení – spojení: Sborník a katalog Dolnorakouské zemské výstavy 2009* (Jihlava: Muzeum Vysočiny, 2009); Tomáš Knoz, ed., *Tschechen und Österreicher. Gemeinsame Geschichte, gemeinsame Zukunft* (Wien: Janineum / Brno: Matice moravská, 2006); Andrea Brait and Michael Gehler, eds., *Grenzöffnung 1989. Innen- und Außenperspektiven und die Folgen für Österreich* (Wien: Böhlau, 2014), doi: 10.7767/boehlau.9783205793236; Andrea Komlosy, Václav Bůžek, and František Svátek, eds., *Kultury na hranici: Jižní Čechy, jižní Morava – Waldviertel – Weinviertel* (Wien: Promedia, 1995).

Although historiographical research on the mutual influences of border regions during this specific period has been on the rise in the past decade, it remains limited, even in other areas across Europe. Recent publications demonstrate the effectiveness of observing mutual influences in relation to environmental connections – for instance, in the monograph by German historian Astrid Eckert *West Germany and the Iron Curtain. Environment, Economy, and Culture in the Borderlands*, which deals with environmental, social, and economic ties along the German-German border and (like this paper) links the post-war period with the era following reunification.⁸ The environment constitutes, per se, a cross-border and transnational phenomenon; its influence transcends nation-states and necessitates collaborative action and coordination – whether in addressing challenges or, conversely, in exploiting opportunities presented by environmental interdependence.⁹

While academic attention to the interplay of geopolitical borders and the environment has increased significantly in the past decades, investigations into the interconnectedness and transcendence of natural processes across the systemic boundary between East and West remain predominantly focused on the Cold War period and high-level interstate politics.¹⁰ Continuities between the late socialist era and early transformation period (in accordance with the concept of

⁸ Astrid M. Eckert, *West Germany and the Iron Curtain: Environment, Economy, and Culture in the Borderlands* (New York: Oxford University Press, 2019). See also Astrid M. Eckert, “Geteilt, aber nicht unverbunden. Grenzgewässer als deutsch-deutsches Umweltproblem,” *Vierteljahrshefte für Zeitgeschichte* 62, no. 1 (2014): 321–351; Astrid M. Eckert, “Transboundary Natures. From the Iron Curtain to the Green Belt,” in *Military Landscapes*, eds. Anatole Tchikine and John Dean Davis (Cambridge, MA: Dumbarton Oaks, 2021), 123–149; Astrid M. Eckert and Pavla Šimková, “Transcending the Cold War: Borders, Nature, and the European Green Belt Conservation Project along the Former Iron Curtain,” in *Greening Europe: Environmental Protection in the Long Twentieth Century – A Handbook*, ed. Patrick Kupper and Anna-Katharina Wöbse (Oldenbourg: De Gruyter, 2022), 129–155, doi: 10.1515/9783110669213-007.

⁹ Hilary Cunningham: “Permeabilities, Ecology and Geopolitical Boundaries,” in *A Companion to Border Studies*, ed. Thomas M. Wilson and Hastings Donnan (London: Blackwell, 2012), 371–386, doi: 10.1002/9781118255223; Peter Coates, “Borderlands, No-Man’s Land, Nature’s Wonderland,” *Environment and History* 20, no. 4 (November 2014): 500–516.

¹⁰ Astrid Mignon Kirchoff and John Robert McNeill, *Nature and the Iron Curtain: Environmental Policy and Social Movements in Communist and Capitalist Countries, 1945–1990* (Pittsburgh, PA: University of Pittsburgh Press, 2019); John Robert McNeill and Corinna R. Unger, *Environmental Histories of the Cold War* (New York: Cambridge University Press, 2010); Tobias Huff, *Natur und Industrie im Sozialismus. Eine Umweltgeschichte der DDR* (Göttingen: Vandenhoeck & Ruprecht, 2015). For Central Europe see Horst Förster, Julia Herzberg, and Martin Zückert, eds., *Umweltgeschichte(n). Ostmitteleuropa von der Industrialisierung bis zum Postsozialismus* (München: Vandenhoeck & Ruprecht, 2013); Roman Holec and Martin Zückert, eds., *Umweltgeschichte in mitteleuropäischen Kontexten* (Leipzig: Leipziger Universitätsverlag, 2024).

the *long transition*),¹¹ as well as examinations of the interdependence of border regions and the influence of local initiatives on central governance, constitute themes that deserve greater scholarly attention.¹² It is precisely this research gap that this paper addresses.

Shared Landscape, Shared History: The South Moravian – Lower Austrian Borderland

“What is common strikes the eye: the profile of the landscape, rivers, highlands, beautifully arranged towns – more sprawling in the (once) wealthier north, more modest in the south – as well as the splendor of noble culture, but also the charm of rustic farmhouses and streets with little wine cellars.”¹³ Wolfgang Müller-Funk, an Austrian cultural theorist and long-time advocate of Czech-Austrian cooperation, described with those words the similarities between the regions on the Lower Austrian – South Moravian Border. This quote originates from the foreword to the cultural guide of this area, that was published only a few years after the opening of the common border. The focus of this paper covers the same territory – border regions of South Moravia (specifically the districts of Znojmo and Břeclav) and Lower Austria (districts Mistelbach and Hollabrunn).

Unlike other parts of the Czech borderlands, which are separated from neighboring countries by mountain ranges, the South Moravian landscape has long merged seamlessly into Lower Austria, with no discernible border at first glance. The borders of geomorphological areas in this region run approximately along the north(east)-south axis, unlike the state border which runs along the

¹¹ This concept relativizes the significance of the 1989 events as a groundbreaking rupture in global history and instead views the period of the last third of the twentieth century (approximately from the 1970s) as a long transition, focusing on modernization, transformation, and globalization processes leading to the establishment of (neo)liberal dominance. See Philipp Ther, *Europe since 1989: A history* (Princeton, NJ: Princeton University Press, 2019); Konrad H. Jarausch, *Out of Ashes. A New History of Europe in the Twentieth Century* (Princeton: Princeton University Press, 2015); Hartmut Kaelble, *Sozialgeschichte Europas 1945 bis zur Gegenwart* (München: C. H. Beck, 2007); James Mark et al., 1989. *A Global History of Eastern Europe* (Cambridge: Cambridge University Press, 2019). For the revision of the interpretation regarding “the inevitable collapse of the undemocratic system,” see Alexei Yurchak, *Everything Was Forever, Until It Was No More: The Last Soviet Generation* (Princeton, PA: Princeton University Press, 2006).

¹² On the influence of local cross-border environmental activities on the central level, see Daniela Apaydin, *Stop Nagymaros! Die Geschichte einer Grenzüberschreitung* (Wien: V&R unipress, Vienna University Press, 2023).

¹³ Wolfgang Müller-Funk, “Vorwort,” in *Kulturführer Waldviertel, Weinviertel, Südmähren*, ed. Antonín Bartoněk (Wien: Deuticke, 1993), 8.



Figure 1: Border Regions of South Moravia and Lower Austria. Source: Kateřina Vnoučková, based on © d-maps.com.

east-west axis.¹⁴ The natural border was partially formed by the Thaya River [Dyje], which also shaped the character of the lowland region, with a similar landscape on both its banks. The fertile soil in this interconnected region predestined its settlement since prehistoric times. Even in later periods, this area was a significant crossroads of communication routes between the civilizations of the Eastern Mediterranean and Northern Europe, as well as between the Black Sea region and Western Europe. Settlement by different ethnic groups (Germans in the south and Slavs in the north) and subsequent affiliation with different dominions, however, led to the establishment of a border between the southern

¹⁴ Jaromír Demek and Peter Mackovčín, eds., *Zeměpisný lexikon ČR. Hory a nížiny* (Brno: MŽP ČR, 2006); Godfrid Wessely, *Niederösterreich – Geologie der österreichischen Bundesländer* (Wien: Geologische Bundesanstalt Wien, 2006).

and northern parts of this region.¹⁵ The separation, however, was never complete; the territories on both sides of the border were influenced by cross-border contacts, faced similar challenges and problems, and in many respects, remained interconnected up to the present day.

Due to favorable natural conditions, agriculture developed in both parts of the territory, particularly cereal cultivation, fruit farming, and viticulture. In fact, wine gave its name to the Austrian part of the border region: Weinviertel is one of the four historical territories – Viertels – of the federal state of Lower Austria.¹⁶ In addition to growing wine grapes, vintners on both sides of the border focused on wine production (primarily white varieties). The wine cellar streets that consequently emerged thus represent another shared regional feature, as they contribute to a similar appearance of village settlements scattered throughout the region. This characteristic also predestines a relatively low population density on both sides of the border.

This historically interconnected region underwent dramatic transformations in the twentieth century. After the First World War, only minor territorial adjustments were made, and despite the dissolution of the monarchy, the border between the newly established states remained relatively permeable. However, the Second World War brought significant (albeit temporary) changes to the borders as well as a dramatic transformation of the population. As a consequence of the occupation of the borderlands by Nazi Germany, the substantial Jewish community was expelled from the South Moravian Region. On the other hand, numerous German officials relocated to the newly established German administrative offices. After the Second World War, the violent expulsion of Germans occurred, with approximately 100,000 individuals leaving the region – most continuing through Austria to Germany, while only about 15,000 remained in the Lower Austrian border areas. New inhabitants replaced them in the South Moravian borderlands; however, these new settlers lacked attachment to the locale and frequently possessed insufficient experience with agricultural activities, which were essential in this area.¹⁷

¹⁵ Jaromír Kovárník, “Svědectví z dávných časů. Jižní Morava a Dolní Rakousy v pravěku a v rané době dějinné,” in *Kultury na hranici*, ed. Komlosy, Bůžek, and Svátek (Wien: Promedia, 1995), 37.

¹⁶ Erich Landsteiner, “Vino a hranice. Vinařství a obchod s vínem v moravsko-dolnorakouském pohraničí,” in *Kultury na hranici*, ed. Komlosy, Bůžek, and Svátek (Wien: Promedia, 1995), 143–148; Ernst Bruckmüller and Josef Redl, “Land der Äcker, Landwirtschaft in Niederösterreich 1918–2008,” in *Niederösterreich im 20. Jahrhundert*, Band 2: *Wirtschaft*, ed. Peter Melichar, Ernst Langthaler, and Stefan Eminger (Wien: Böhlau, 2008), 165–218.

¹⁷ Perzi, Schmoller, Konrád and Šmidrkal, eds., *Nachbarn* – see chapters “Zwischen den Kriegen. Österreich und die Tschechoslowakei 1918–1938”; “Die österreichischen und böhmischen Länder

The building of the Iron Curtain then predetermined a challenging period for mutual relations in the years that followed. The purpose of the barbed wire and the forbidden border zone was to prevent interactions between local inhabitants, separating the East from the West, as well as isolating the authoritarian regime from democratic ideals. To a large extent, they were successful in this endeavor – regions that were once interconnected developed under different circumstances and political systems after the Second World War, and most of the ties between local populations were broken. The presence of a military-guarded border further pushed both parts of the region to the periphery of their respective countries. In the border areas of Lower Austria, this peripheral status, combined with the loss of employment opportunities in the agricultural sector due to modernization, resulted in a massive exodus of the population (most often to Vienna for work-related reasons) within the three decades after the Second World War. In both Lower Austrian border districts, this amounted to nearly 20,000 people.¹⁸ Conversely, on the South Moravian side, the border regions were rapidly resettled with new inhabitants following the expulsion of the German population after the Second World War, leading to only a slight decline or stagnation in population numbers.¹⁹ Both regions, however, struggled in the second half of the twentieth century with a lack of prospects for living in the border region for the local inhabitants.

The agricultural landscape of the region also underwent dramatic transformations in the second half of the twentieth century. The South Moravian

unter NS-Herrschaft 1938–1945,” “Am Scheideweg zwischen ‘Ost’ und ‘West’”; pages 87–109, 167–221. See also Hanns Haas, “Die Zerstörung der Lebenseinheit ‘Grenze’ im 20. Jahrhundert,” in *Kontakte und Konflikte, Böhmen, Mähren und Österreich. Aspekte eines Jahrtausends gemeinsamer Geschichte*, ed. Thomas Winkelbauer (Waidhofen an der Thaya: Waldviertel Heimatbund, 1993), 363–386; Michal Frankl, “No Man’s Land: Refugees, Moving Borders, and Shifting Citizenship in 1938 East-Central Europe,” *Jahrbuch des Simon-Dubnow-Instituts* 16 (2019): 247–266; Niklas Perzi, “Aufnahme und Abschub. Die Sudetendeutschen in Niederösterreich 1945/46,” *Jahrbuch für Landeskunde von Niederösterreich* 82 (2016): 135–234; Matěj Spurný, “Reliability and the Border: The Discourse of the Czech Borderlands, 1945–49,” *Österreichische Zeitschrift für Politikwissenschaft*, no. 2 (2013): 83–94, doi: 10.15203/ozp.60.vol42iss1; On the transformation of the population in environmental context see Eagle Glassheim, *Cleansing the Czechoslovak Borderlands: Migration, Environment, and Health in the Former Sudetenland* (Pittsburgh: University of Pittsburgh Press, 2016).

¹⁸ “Wohnbevölkerung nach Politischen Bezirken mit der Bevölkerungsentwicklung seit 1869,” in *Volkszählung 2001. Hauptergebnisse I – Niederösterreich* (Wien: Statistik Austria, 2001), 32, 33.

¹⁹ Martin Markel, *Vysídlení Němců z jižní Moravy 1945–1949* (Brno: Vojenská akademie, 2002), 39; Perzi, *Aufnahme und Abschub*, 175. On the population numbers in the South Moravian border regions see “Vývoj počtu obyvatel,” in *Sčítání lidu, domů a bytů 2001. Okres Břeclav* (Praha: Český statistický úřad, 2003), 18; “Vývoj počtu obyvatel,” in *Sčítání lidu, domů a bytů 2001. Okres Znojmo* (Praha: Český statistický úřad, 2003), 18.

borderlands experienced forced collectivization, similar to the rest of Czechoslovakia. During the 1950s, the establishment of collective farms led to the consolidation of fields, the removal of field margins and secondary field paths, and an increase in the use of chemical plant protection. In the early 1970s, comprehensive land reforms were implemented, resulting in the current size of fields.²⁰ In the Lower Austrian border regions, the original agricultural landscape was largely preserved during the same period. While fields and vineyards were also consolidated into larger units, agriculture largely retained its private character.

Geographical research demonstrated that the structural use of land resources remained similar in both regions, primarily focused on intensive land cultivation. However, a significant difference exists in the size of individual arable land areas. In the South Moravian borderland, only 10 percent of individual arable fields are smaller than 2 hectares, whereas on the Lower Austrian side, nearly 60 percent of these fields are smaller than 2 hectares.²¹ Watercourse regulation also had a significant impact on the landscape and environment. Agricultural drainage of the fields and straightening and channeling of streams and rivers occurred on both sides of the border, but in South Moravia to a significantly greater extent. Especially the Thaya River basin underwent dramatic changes. The Vranov Reservoir, constructed in the 1930s, was complemented by the Znojmo Reservoir in 1966, and in the 1970s and 1980s by the extensive Nové Mlýny reservoirs in the vicinity of Pálava Protected Landscape Area.

The centuries-long similarities between both regions, as described above, underwent significant transformation within a relatively brief period, resulting in a once indistinguishable border now apparent between small family farms and large agricultural fields. Nevertheless, even today, one can find landscapes significantly influenced by agricultural activities on both sides of the border. The shared challenges arising from the peripheral position of these regions and other difficulties of living in a changing borderland managed to bring the regions closer together again, as these issues became subjects of cross-border cooperation towards the end of the 1980s.

²⁰ Ivan Dejmal, "Co s evropskou kulturní krajinou na konci 20. století?" in *Kulturní krajina aneb proč ji chránit? Téma pro 21. století*, ed. Tomáš Hájek a Karel Jech (Praha: Ministerstvo životního prostředí, 2000), 14.

²¹ Robin Rašín, "Krajina česko-rakouského pohraničí: vývoj a dědictví" (Doctoral Dissertation, Charles University, 2000), 105, 137; Jiří Janáč, Leoš Jeleček, and Pavel Chromý, "LUCC in East Central and Southeast Europe post-communist countries from 1960s to the end of the 20th century and its historic-geographical roots," *Acta Universitatis Carolinae – Geographica* 45, no. 2 (2010): 19–30, <https://doi.org/10.14712/23361980.2015.45>.

Interregional Relations in the Late 1980s

The second half of the 1980s represented an era of détente and endeavors toward constructive cooperation in Czech-Austrian bilateral relations, mirroring developments at the global level. The driving force behind regional rapprochement was particularly the political representation of Lower Austria, which anticipated that cross-border cooperation would revitalize the declining border region. Federal states in Austria possess the competence to conclude interstate treaties in matters of their independent sphere of action, thereby enabling them to initiate cross-border activities autonomously.²² At the same time, the leading political positions in the federal state were held by representatives with close ties to South Moravia who incorporated personal dimension into cross-border contacts. The then Governor [*Landeshauptmann*] of the federal state of Lower Austria, Siegfried Ludwig, was born in South Moravian Vlasatice in 1926 and attended secondary school in Znojmo. Following the Second World War, his family was expelled from South Moravia. Ludwig did not, however, renounce his birthplace, and in his capacity as Provincial Governor, he endeavored to foster good neighborly relations with the South Moravian Region and Czechoslovakia in general.²³

Conversely, Ludwig's deputy, Erwin Pröll, developed his relationship with South Moravia primarily on a pragmatic basis. In relations with the northern neighbor, he perceived an opportunity to accumulate political capital through the improvement of mutual relations and through new impulses for the problematic peripheral region of the Lower Austrian borderlands. Unlike Governor Ludwig, who participated in official negotiations and interstate political visits, Pröll's approach to neighboring territories constituted an individual initiative. Beginning in 1985, he conducted annual pre-Christmas visits to Czechoslovak border guards each December. Regional press reports regarding these visits demonstrate a progressive relaxation of atmosphere and increasing optimism toward neighborly rapprochement. In 1987, for instance, the regional weekly *Niederösterreichische Nachrichten* (NÖN) reported: "The atmosphere was friendly and

²² *Jahrbuch der österreichischen Außenpolitik: Außenpolitischer Bericht 1988* (Wien: BMAA, 1989), 139, https://www.parlament.gv.at/dokument/XVII/III/109/imfname_550592.pdf.

²³ Niklas Perzi, "Život ve stínu železné opony. Rakousko-československá hranice v letech 1945–1989," in *Železná opona 1948–1989. Odborný katalog k výstavě 30. výročí pádu železné opony*, ed. Pavel Vaněk et al. (Brno: Technické muzeum v Brně, 2019), 105, 106; Peter de Martin, "Ein Land macht Europapolitik. Visionen für die Regionen," in *Die Ära Ludwig-Höger. Fundamente für die Zukunft*, ed. Charles Bohatsch (Wien: Dr. Karl Kummer-Institut, 2011), 178.

relaxed as never before; the ice has been broken!”²⁴ Simultaneously, Pröll served in the Lower Austrian government as the Environmental Affairs Representative and introduced this theme into mutual Czech-Austrian relations. He advocated, among other things, for the transfer of Austrian technologies and know-how concerning air pollution issues and, particularly, for the cross-border transfer of inspiration in village renewal initiative, of which he was a strong supporter.²⁵

Interstate Czech-Austrian rapprochement and the interest of Lower Austrian politicians in cross-border cooperation converged in the late 1980s, manifesting in the first official visit of the Governor of Lower Austria to South Moravia in mid-June 1987. The discussions between the Lower Austrian governmental delegation and the delegation of the South Moravian Region (consisting of representatives from the South Moravian Regional National Committee and from the Regional Committee of the Communist Party of Czechoslovakia) primarily addressed economic and cultural cooperation. The establishment of intensive cross-border contacts was to be formalized through an official cooperation program (a similar program had already been concluded in May between the federal state of Upper Austria and the South Bohemian Region, with another planned between the federal state of Burgenland and the West Slovak region).²⁶ The Framework Program for Cooperation between the Federal State of Lower Austria and the South Moravian Region in the Fields of Science and Research, Education and Sport, Culture and Economy was subsequently signed during a reciprocal visit of the South Moravian delegation to Vienna on October 1, 1987.²⁷

In November of the same year, this Framework Program was supplemented by a practical two-year Working Program for the period 1988–1989, which incorporated specific collaboration proposals. The program also emphasized

²⁴ “Prölls dritter Adventsbesuch in ČSSR: Das Eis gebrochen,” *NÖN Hollabrunn*, December 17, 1987; “Pröll: Auf gute Nachbarschaft mit den CSSR Nachbarn,” *NÖN Hollabrunn*, December 12, 1985; “Pröll zündete ein Hoffnungslicht am ČSSR-Grenzbalken an. Es leuchtet,” *NÖN Hollabrunn*, December 18, 1986; Helmut Schneider (journalist who accompanied Erwin Pröll on his visits in Czechoslovakia), interview with the author, May 17, 2019.

²⁵ “Pröll konferiert und schafft gutes Klima zum CSSR- Nachbarn!” *NÖN Hollabrunn*, February 12, 1987.

²⁶ Přehľad bilaterálnych stykov ČSSR – Rakúsko v období od 87.01.01 do 87.06.30, coll. Teritoriální odbory – Tajné, sig. TO-T 1980–1989 Rakousko, inv. no. 036/413, Archives of the Ministry of Foreign Affairs of the Czech Republic, Prague.

²⁷ “Rahmenprogramm über die Zusammenarbeit zwischen dem Bundesland Niederösterreich und dem Südmährischen Kreis auf den Gebieten Wissenschaft und Forschung, Erziehung und Sport, Kultur und Wirtschaft,” October 1, 1987, document provided to the author by Regina Stierschneider from the Department for International and European Affairs of the Office of the State Government of Lower Austria.

environmental issues of the border regions, addressing “waste processing facilities, exchange of experiences and cooperation on recycling projects, water quality in rivers, and forest damage issues in the border area.”²⁸ The cultural domain focused on the exchange of information regarding the preservation of the traditional appearance and the renewal of villages. As early as 1988, initial meetings based on the framework program took place, including participation in cultural and sporting events in the neighboring borderlands and school exchanges aimed at the instruction of the neighboring language.²⁹

Cross-border contacts intensified further in the following year. Cultural cooperation continued to predominate, exemplified by South Moravian participation in the Hollabrunn Wine Fair.³⁰ Educational and tourism contacts also expanded, with planned support for cross-border tourism in the Podyjí/Thaytal region and the Danube-March-Thaya floodplains. Another significant topic was the establishment of cross-border transportation links, such as special train rides between Retz and Znojmo.³¹ Environmental collaboration progressed as planned, with joint expert seminars focusing on the exchange of experiences.

Despite this significant easing of relations, Czech-Austrian interregional cooperation in the late 1980s faced several challenges that persisted even after the border opened. According to Peter de Martin, who was at that time in charge of coordinating the Lower Austrian foreign policy, joint projects were already encountering limited and uneven financial capabilities in both countries.³² Asymmetric conditions for business in different political systems also restricted prioritized economic cooperation. Consequently, the subsequent Working Program for the cooperation, negotiated between the regions in 1989, was intended to focus even more intensively on this field. Conversely, in the spheres of culture, tourism, environmental protection, and rural renewal, planned program activities could already build upon numerous implemented projects, as cross-border

²⁸ Rámcový program o spolupráci mezi spolkovou zemí Dolní Rakousko a Jihomoravským krajem. Pracovní program na léta 1988 a 1989, Archives of the CHKO Pálava (protected landscape area), document provided to the author by the former Head of Administration of the CHKO Pálava, Jiří Matuška; “CZ – Chronik der Abkommen und Arbeitsprogramme,” September 5, 2019, Documents of the Office of the State Government of Lower Austria.

²⁹ “Die CSSR-Grenze wird endlich durchlässiger,” *NÖN Hollabrunn*, January 4, 1989; Peter de Martin (Office of the State Government of Lower Austria), interview with the author, May 20, 2020.

³⁰ “Messe erstmals mit Gästen aus Südmähren in der CSSR-Halle,” *NÖN Hollabrunn*, August 3, 1989.

³¹ “Kontakt mit der CSSR verstärken,” *NÖN Mistelbach*, October 27, 1989; “Sonderfahrt Retz – Znaim – Retz,” *NÖN Hollabrunn*, August 31, 1989.

³² Peter de Martin, interview with the author, May 20, 2020.

cooperation was more developed in these areas. The working program for 1990 and 1991 was signed on November 21, 1989, in Brno.³³

The institutionalization of cross-border cooperation through the framework program and associated working programs facilitated not only official regional contacts but also the establishment of personal connections among local officials, experts, and other stakeholders. These activities developed beyond the scope of partnership agreements in subsequent years and proved crucial for the long-term effectiveness of cross-border projects. For instance, the individual actions of local nature conservationists played a significant role in spreading revolutionary ideas from Prague to the border regions after the demonstrations of November 17, 1989. Although the South Moravian borderlands did not suffer from air pollution to the same extent as the industrial areas of Northwestern Bohemia and thus were not sites of ecological protests during 1989, the demonstrations of the Velvet Revolution here were similarly associated with environmental issues, and representatives of local nature conservation institutions participated in the democratization process.³⁴ The following case study of cross-border cooperation in village renewal will demonstrate how other individual activities – enabled by an interconnected environment – intersected with official interregional cooperation and with the central level of interstate relations.

Cross-border Cooperation in Village Renewal

As demonstrated above, the regions on both sides of the border underwent significant transformations during the second half of the twentieth century, that affected predominantly the landscape and population in the borderlands. Although rural tradition remained persistent, modernizing agricultural processes, such as intensification and standardization of production and centralization of land and labor affected – albeit to varying degrees – both sides of the border. They brought not only increased production but also generated numerous problems for the local landscape and population in both regions. The Lower Austrian part of the region, in particular, struggled with population decline due to the

³³ “Rahmenprogramm über die Zusammenarbeit zwischen dem Bundesland Niederösterreich und dem Südmährischen Kreis. Arbeitsprogramm für die Jahre 1990 und 1991,” November 21, 1989, Documents of the Office of the State Government of Lower Austria.

³⁴ Jan Zerbst, “Proč tak snadno? Analýza činnosti OV KSČ Znojmo druhé poloviny roku 1989,” in *Sborník Státního okresního archivu Znojmo: historický a vlastivědný sborník Znojemska a Moravskokrumlovska*, vol. 34 (Znojmo: Moravský zemský archiv v Brně, 2019), 26–38; “Kronika města Mikulov 1985–1990,” 363, State District Archives Břeclav; Jan Zerbst, *Znojmo zahalené do sametového hávu* (Znojmo 2019), 48.

loss of employment opportunities in agriculture and the migration of residents to larger cities, or to the regional center of Vienna. By the 1980s, some border settlements had lost up to half of their mid-century population.³⁵ In response, Lower Austria attempted to address all related issues of this peripheral region through rural support – in the form of a village renewal program. Its objective was to make life in the countryside more attractive, prevent the departure of residents and generally revitalize and develop the region. The program also responded to previous administrative reform from 1965, that involved merging local settlements into larger self-governing units. Within a few years, the number of municipalities in Lower Austria had fallen to almost a third.³⁶ However, this top-down approach often only deepened the feeling of loss of autonomy of the respective villages and their inhabitants.

In contrast, the Lower Austrian village renewal program focused on supporting the internal potential of rural regions, personal attachments of local inhabitants to their settlements, and the restoration of tradition. Its inspiration derived from the Bavarian village renewal program, initiated at the end of the 1950s.³⁷ By encouraging local people to actively participate in enhancing their surroundings, it strengthened their sense of belonging to their village and, by extension, to the broader region. As stated in the program guidelines: “The objective of village renewal in Lower Austria is to encourage rural area inhabitants to take co-responsibility for their immediate living environment (village, small region) and actively participate in its shaping and development; relevant skills of the people should be fostered, developed and utilized.”³⁸ At the beginning of the 1980s, the then Deputy Governor and simultaneously Regional Planning Representative, Erwin Pröll, took charge of the village renewal program in Lower Austria, establishing it as his key initiative. Owing in part to the convergence of his roles as Regional Planning Representative and Environmental Affairs Representative, the Lower Austrian rural renewal program was, from its inception, firmly associated with

³⁵ Andreas Weigl, “Von der Stagnation zu neuer Dynamik: Die demographische Entwicklung,” in *Niederösterreich im 20. Jahrhundert*, Band 2: *Wirtschaft*, ed. Peter Melichar, Ernst Langthaler, and Stefan Eminger (Wien: Böhlau, 2008), 50.

³⁶ NÖ Kommunalstrukturverbesserungsgesetz, December 13, 1971, *Landesgesetzblatt*, no. 264/1971; Dieter Klammer, *Kommunalpolitiker und Ortsparteien in Österreich: eine empirische Untersuchung der lokalen Positionseliten in Österreichs Gemeinden* (Linz: Rudolf Trauner, 2000), 34.

³⁷ Holger Magel, “Dorferneuerung,” *Historisches Lexikon Bayerns*, December 3, 2012, <https://www.historisches-lexikon-bayerns.de/Lexikon/Dorferneuerung>; Gerhard Henkel, *Das Dorf, Landleben in Deutschland damals und heute* (Stuttgart: WGB Theiss, 2015).

³⁸ “Richtlinien für die Erhaltung, Erneuerung und Entwicklung von Orten im ländlichen Raum” (Dorferneuerungsrichtlinien 1998), Amt der Niederösterreichischen Landesregierung, 1998.

environmental protection and emphasis on living in harmony with nature.³⁹ The program was very comprehensive; measures included land consolidation, reconstructions of buildings, restoration of previously channelized streams, creation of green spaces, and community life development. To some extent, the focus on the bottom-up approach and the resident participation in the development of their village was more important than the achieved results.⁴⁰

Border regions, most affected by population outmigration, held particular significance in the Lower Austrian rural renewal program. One of the pilot municipalities in the program, initiated in 1984, was the town of Schrattenthal in northern Hollabrunn district, situated approximately 10 kilometers from the Czechoslovak border.⁴¹ It was also one of the places affected by the aforementioned administrative reform – in 1969, it was merged with two neighboring villages. This was one of the reasons why the municipal leadership wanted to strengthen the sense of belonging and active participation. The then-mayor of the municipality, Werner Grolly, subsequently became a key supporter of the transfer of inspiration across the South Moravian – Lower Austrian border. In other municipalities, there was also great interest in the program, and the term *Dorferneuerung* became firmly established in the Lower Austrian public discourse. The program's success in Lower Austria served as inspiration for its expansion into other Austrian federal states and, owing to established interregional cooperation and Erwin Pröll's targeted initiative, across the closed border into then-Czechoslovakia.

Initial conditions in South Moravian rural areas, however, were substantially different from those of their southern neighbors. Due to the centrally planned socialist economy, there were notable transformations in the natural landscape, as well as in the functions of rural settlements. Through emphasis on production potential, rural areas were to approximate urban areas, and with the loss of ownership relation to land, the personal attachment to locale (already weakened in the region) was frequently diminished as well. Efforts to industrialize agricultural production were reflected in the concentration of production and services into larger units (local centers). This process relied on the so-called central

³⁹ Gerhard Silberbauer, "Raumordnung und Regionalpolitik," in *Niederösterreich und seine Kulturen*, ed. Manfred Wagner (Wien: Böhlau, 2006), 81.

⁴⁰ "Niederösterreich schön erhalten, schöner gestalten," Amt der Niederösterreichischen Regierung, 1981; Karl Trischler (former Head of the Land Office for Village Renewal), interview with the author, August 4, 2020.

⁴¹ Schrattenthal was exceptional even within the Lower Austrian context, as the very first village renewal association in Lower Austria was established there in 1983. "Über uns," Club Schrattenthal, <https://www.clubschrattenthal.at/%C3%BCber-uns/>.

settlement system from 1971, which deprived municipalities of economic independence and administrative autonomy. Formerly autonomous municipalities became components of a centrally planned settlement structure.⁴² Within the framework of the central settlement system, the development of central municipalities with large-scale agricultural production units was preferred. Public amenities such as medical care, education, and cultural facilities were likewise concentrated in these centers. On the other hand, non-central settlements languished due to the absence of these services and were designated for eventual dissolution.

Although the transformation of rural settlements was a more prolonged process than the landscape alteration and was far from complete in the second half of the 1980s, central planning significantly impacted all settlements along the border. Given that many border villages were designated as central settlements (e.g., Vrbovec, Jaroslavice), the immediate border area did not experience a significant population decline comparable to Lower Austria. Central planning also symbolically involved residents in municipal development – maintenance and infrastructure projects were often carried out through so-called “Action Z” initiatives. Although these initiatives were formally voluntary, the measures implemented were centrally planned and public participation was expected. Due to top-down management, however, these measures were conceptually inadequate and unresponsive to the current needs of municipalities and their inhabitants.⁴³ As a result, many local actors viewed the Lower Austrian idea of village renewal, which reflected local needs and actively involved residents from the outset, with great interest.

Moreover, the idea of rural renewal was not confined solely to Bavaria and Lower Austria but resonated at the transnational level during the latter half of the 1980s as well. One of the initiatives at that time was the Council of Europe’s Campaign for the Countryside, conducted in 1986–1987. With the

⁴² Ulrike Sailer-Fliege, “Characteristics of post-socialist urban transformation in East Central Europe,” *GeoJournal* 49, no. 1 (1999): 7–16, doi: 10.1023/A:1006905405818; Jiří-Jakub Zévl and Petra Špačková, “‘My Sweet Little Village’: Central Settlement System in Socialist Central Bohemia,” *Journal of Maps* 21, no. 1 (2005), doi: 10.1080/17445647.2025.2451302; Jan Dobeš, “A tobě se nelíbí ta naše obec krásná, středisková? Vznik a prosazování soustavy střediskových obcí před rokem 1990,” in *Dlouhý volební rok 1990 ve střední Evropě. Očekávání, koncepty, praxe*, ed. Adéla Gjuríčová and Tomáš Zahradníček (Praha: Ústav pro soudobé dějiny, 2021), 173–200; Jiří Musil, “Vývoj a plánování měst ve střední Evropě v období komunistických režimů,” *Sociologický časopis* 37, no. 3 (2001): 275–296.

⁴³ Jiří Knapík, Martin Franc et al., *Průvodce kulturním děním a životním stylem v českých zemích 1948–1967* (Praha: Academia, 2011), 122–124.

slogan “Let’s make the most of our countryside” and simple logo that connected a human figure, a tree, and a house, the campaign aimed at improving conditions of living in the countryside and protecting the environment together with the natural, architectural and cultural heritage: “This project is intended to ward off the dangers at present threatening the future of the countryside: the desertion of declining regions, the tendency for urban sprawl to invade the surrounding countryside and, generally, the growing imbalance between man and nature.”⁴⁴ The Council of Europe had 21 member countries at that time, and even non-member Yugoslavia joined the campaign. At the same time, the campaign was also targeted at the European Community: “It is also hoped to explore possibilities of co-operating with other intergovernmental organisations, above all the European Community, which has declared 1987 as European Environmental Year.”⁴⁵ Moreover, members of the pan-European network ECOVAST (European Council for the Village and Small Town), founded in 1984, strongly contributed to this campaign. Austria was one of the most active participating countries in this campaign, with Lower Austria being explicitly mentioned as an example worth following.⁴⁶

The Council of Europe’s campaign played a significant initiatory role in South Moravian – Lower Austrian cross-border cooperation as well. It was the then Austrian representative to the Parliamentary Assembly of the Council of Europe (simultaneously member of the Austrian National Council) Sixtus Laner, who prompted Erwin Pröll to extend the Lower Austrian village renewal program to the neighboring region.⁴⁷ In this idea, Pröll combined his key themes – rural development, environmental protection, and overcoming the closed border – from which he anticipated revitalization of the declining region. He thus used the opportunity of the newly developing regional cooperation and advocated for the incorporation of village renewal into the South Moravian – Lower Austrian framework cooperation program. Given the similar living conditions and challenges of peripheral existence, the topic of village renewal emerged as a logical connecting area in cross-border relations.

⁴⁴ “European campaign for the countryside,” Council of Europe, Directorate of Press and Information, December 16, 1985, Reference B(85)49, <https://search.coe.int/archives/i=09000016809a815d>.

⁴⁵ Ibid.

⁴⁶ “European Campaign for the Countryside. Results of the Campaign at National Level,” Secretariat memorandum prepared by the Directorate of Environment and Local Authorities, Council of Europe, October 18, 1989, <https://rm.coe.int/09000016809b5430>.

⁴⁷ Karl Trischler, interview with the author, August 4, 2020.

The first meeting between South Moravian and Lower Austrian mayors, based on the framework program and in conjunction with the Council of Europe's campaign, took place in June 1988. During the two-day event called "Village Renewal Without Borders," Austrian and Czechoslovak participants first convened at a professional seminar in the Geras Abbey in Lower Austria. Presentations on Austrian experiences with village renewal were subsequently supplemented by practical demonstrations during visits to border municipalities – the Lower Austrian towns of Weitersfeld, Schrattenthal and Pulkau. On the South Moravian side of the border, the joint delegation visited the district town of Znojmo, the villages of Jaroslavice and Vranov nad Dyjí, and the windmill in Lesná.⁴⁸

During the meeting, both parties had the opportunity to familiarize themselves with the neighboring region and sense the ongoing similar aspects of rural life, but also divergent approaches to tradition and village development. Unlike previous cross-border events, no senior political representatives from the South Moravian Regional National Committee were delegated. On the contrary, the participants were professional officials from this governing body – the director of the Center of Heritage Preservation and Nature Protection (which also oversaw environmental care and rural renewal) and staff members from the Departments of Culture and Spatial Planning, among them Jan Florian, who later became a significant advocate of Czech rural renewal. The officials were accompanied by 18 mayors from South Moravian municipalities.⁴⁹

The Lower Austrian delegation, on the other hand, was led by Erwin Pröll, who was the principal political advocate for village renewal, and Sixtus Laner, the originator of the idea to extend village renewal across the border, was also present.⁵⁰ This two-day joint excursion laid the foundation for further development of cooperation and for regular meetings both at the administrative level and among individual mayors. These meetings were mainly organized by Florian's colleague from the Department of Spatial Planning, Běla Vlčková, whose proficiency in German allowed her to be present at all significant events of cross-border cooperation. On the Lower Austrian side, her key

⁴⁸ "Kronika města Znojma (1988)," 46, State District Archives Znojmo; Karl Trischler, "Grenzüberschreitende Dorfbegegnung Südmähren – Niederösterreich," *Raumordnung aktuell*, no. 3 (1988): 16–17.

⁴⁹ Jan Florian (Department of Spatial Planning, South Moravian Regional National Committee), interview with the author, August 12, 2019; Documents and photos related to Lower Austrian village renewal, Personal Archive of Karl Trischler.

⁵⁰ Trischler, "Grenzüberschreitende Dorfbegegnung," 16.

professional counterparts were the Head of the Land Office for Village Renewal, Karl Trischler, and the Chairman of the regional network of associations involved in village renewal [*Dorfwerkstatt Region*] and mayor of the pilot town of Schrattenthal, Werner Grolly.

Since the very beginning, cross-border cooperation between South Moravia and Lower Austria has encountered several challenges stemming from asymmetries and differences between the regions. One significant issue was the language barrier. Although South Moravian officials and organizers possessed adequate knowledge of German language, obstacles existed primarily at the level of mayoral contacts. Communication through interpreters was sufficient for exchanging information and experiences but hindered the establishment of long-term relationships. Another problematic aspect was the disparity between the competencies of the Lower Austrian government and the South Moravian Regional National Committee. While the federal state could independently implement and carry out the village renewal program, in Czechoslovakia, this authority resided at the central level. This proved problematic even later in the 1990s when economic transformation was prioritized over rural development. Finally, mutual contacts were influenced by historical legacies. In the Lower Austrian border region, regional rapprochement with northern neighbors was critically viewed, particularly by associations of forcibly displaced persons. In the context of village renewal cooperation, many former inhabitants of South Moravian border regions looked unfavorably on the aid provided to South Moravian villages they were forced to abandon after the Second World War.⁵¹

Despite these challenges, the enthusiasm for collaboration on the joint renewal of a previously connected and subsequently forcibly separated region prevailed on both sides of the border at the end of the 1980s. The Velvet Revolution and the opening of the border in 1989 introduced new dynamism into cross-border contacts. The values of the Lower Austrian village renewal – return to tradition, autonomy of municipalities, and personal responsibility of citizens – resonated with the prevailing mood in the society, which was based on newly acquired freedom and a sense of solidarity stemming from the revolutionary

⁵¹ Karl Trischler, interview with the author, August 4, 2020; Jan Florian, interview with the author, August 12, 2019; See also Peter de Martin, “Ein Land macht Europapolitik. Visionen für die Regionen,” in *Die Ära Ludwig-Höger. Fundamente für die Zukunft*, ed. Charles Bohatsch (Wien, Dr. Karl Kummer-Institut, 2011), 178; Hans Ströbitzer, *Unser Niederösterreich: gestern, heute, morgen* (St. Pölten: Residenz-Verlag, 2008), 97.

experience.⁵² Existing cross-border contacts intensified in 1990, and experienced South Moravian experts began working on adapting the Lower Austrian program to Czech conditions – not only for the South Moravian Region but also at the national level.

In April 1990, translations of both Lower Austrian and Bavarian guidelines for village renewal were published.⁵³ These principles and ideals could spread among other interested parties and the wider public thanks to these translations. In the new conditions, professional exchanges deepened through seminars and conferences. As early as January 1990, Austrian officials presented projects and implementation results in village renewal at a seminar in Brno, and in June 1990, Jan Florian and Běla Vlčková, along with other representatives of the South Moravian Regional National Committee, participated in the Ortsbildsmesse fair in Hainburg, Lower Austria. Here they met not only with the Chairman of the regional village renewal network Werner Grolly, but also with the Deputy Governor Erwin Pröll, whom they asked to participate in a planned seminar where Lower Austrian experts could share their experiences with more mayors and rural development stakeholders. Pröll not only accepted this invitation but also took patronage over the seminar.⁵⁴

The seminar took place on October 19, 1990, in Brno and aimed to provide inspiration from the successes and lessons from the mistakes of Austrian municipalities while also deepening the existing interregional cooperation between the South Moravian Region and the state of Lower Austria. Erwin Pröll delivered the keynote address, emphasizing the philosophy of village renewal with a focus on rural life traditions and residents' personal connection to their place of living. He also highlighted the key component of rural landscape protection and the importance of ecological measures.⁵⁵ During the discussion following

⁵² James Krapfl describes this solidarity and shared enthusiasm as “collective effervescence.” James Krapfl, *Revolution with a Human Face: Politics, Culture and Community in Czechoslovakia, 1989–1992* (Ithaca, NY: Cornell University Press, 2013), 40.

⁵³ Bavaria also sought to inspire its neighbors with the village renewal program in the late 1980s; Holger Magel, “Evropské hnutí obnovy venkova přináší důvěru v budoucnost venkovskému prostoru,” *Deník veřejné správy*, September 30, 2011, <https://www.dvs.cz/clanek.asp?id=6506970>; The Bavarian program provided municipalities with substantial financial support that Lower Austria could not match. The Lower Austrian approach was therefore more oriented toward the willingness and active effort of the municipality to contribute to renewal through its own resources. For this reason as well, the Lower Austrian program was more aligned with South Moravian realities.

⁵⁴ Jan Kruml, ed., *Sborník ze semináře Obnova vesnice v Dolním Rakousku, konaného dne 19. října v Brně* (Praha: MŽP ČR, 1990), 9.

⁵⁵ Keynote address by Erwin Pröll, in *Sborník ze semináře Obnova vesnice v Dolním Rakousku*, ed. Jan Kruml (Praha: MŽP ČR, 1990), 4.

the expert presentations, specific environmental issues requiring solutions in both countries were addressed, including waste management, landscape transformation resulting from agricultural modernization, and the protection and restoration of the original landscape. As Peter Schawerda, Head of the Agricultural Department at the Lower Austrian government office, stated in one of the lectures: "Landscape restoration must not be merely a cosmetic matter; it cannot be just an extension of greenery out from the forest. This concerns essential landscape elements that must not be mere backdrops – just as it is not only about facades in the village but about the entire life within. Therefore, it is about the whole concept of agriculture, its production methods, its management of the landscape, as well as the management of agricultural facilities in the municipality."⁵⁶ A brochure was published from the seminar which allowed other interested parties outside the region to become familiar with the village renewal program.

Drawing upon the experiences and information obtained from seminars and guidelines, the Czech variant of the village renewal program was established as early as 1990.⁵⁷ Given the absence of competencies in the South Moravian Region (in contrast to Austrian federal states), proponents of village renewal sought to implement the program at the national level. Credit for the implementation of the program largely goes to Jan Florian, who became the Director of the Department of Spatial Development at the newly formed Ministry of Environment, which oversaw village renewal. Florian was able to draw upon his extensive experience with Czech-Austrian cooperation in village renewal, in which he had participated from its inception. The Ministry of Agriculture and the Ministry for Economic Policy and Development also contributed to the final form of the Czech village renewal program, which was subsequently presented to the government by the then Minister of Environment, Ivan Dejmál. The government adopted the program on May 29, 1991, and within the first two years, more than 1200 municipalities joined the initiative.⁵⁸ This swift adoption of a functional village renewal program contrasted with developments in Slovakia, where although a government resolution promoting village renewal

⁵⁶ Lecture by Peter Schawerda, in *Sborník ze semináře Obnova vesnice v Dolním Rakousku*, ed. Jan Kruml (Praha: MŽP ČR, 1990), 11.

⁵⁷ The Czechoslovak village renewal, to a certain extent, also referenced historical tradition. Jan Kruml, "Naše tradice," in *Obnova vesnice. Publikace Evropské pracovní společnosti pro rozvoj venkova a obnovu vesnice* (Praha: MŽP ČR, 1993), 55–59.

⁵⁸ Jan Černý, "Program obnovy vesnice v České republice," in *Obnova vesnice mezinárodně. Publikace Evropské pracovní společnosti pro rozvoj venkova a obnovu vesnice* (Praha: MŽP, 1994), 1–2.

was passed as early as 1991, financial support for villages did not materialize until 1998.⁵⁹ Similarly, in Poland, the village renewal program was only officially initiated in 1997.⁶⁰

The Czech program was fundamentally very similar to its Lower Austrian model. The basic prerequisite for participation was the development of a municipal spatial plan with a clear long-term development concept. The Czech program also aimed to support active and communal rural life, including an emphasis on nature conservation and environmental improvement. The first point of the program states: "The goal is to stimulate and support village residents and their local governments to strive, as much as possible through their own efforts, for the development of a healthy living environment and environmentally sound economy."⁶¹ The Lower Austrian and Czech programs differed primarily in the scope of measures that could be included in village renewal. The Lower Austrian program declaratively focused on comprehensive village development; however, in reality, "softer" measures predominated – beautifying green spaces, renovating the most dilapidated buildings, and creating a uniform traditional village appearance with similar facade colors. For the most significant infrastructural initiatives (such as the construction or repair of water pipelines), municipalities typically requested other types of resources from the federal state. In contrast, the Czech countryside urgently required substantial and complete renewal; therefore, projects implemented under the village renewal program also targeted improvements in civic amenities and infrastructure development (roads, grounding of power lines and gas supply).⁶²

The Lower Austrian program was able to utilize relatively modest resources for less costly measures. Due to their visibility in everyday life, they helped increase public awareness of the program. In contrast, in the Czech program, expensive infrastructure investments absorbed most financial resources, leaving little room for measures noticeable to the general population. Partly for this reason, the program did not achieve the same widespread impact as in Lower

⁵⁹ Karl Trischler, "Im Osten viel Neues. Auch unsere östlichen Nachbarn versuchen den dörflichen Lebensraum lebenswert zu erhalten," *Raumordnung aktuell* no. 3 (1998): 15–17.

⁶⁰ Ryszard Wilczyński, "25 lat odnowy wsi w Polsce – koniec misji czy zaczyn odnowy wsi 2.0?" *Więś i Rolnictwo* 200, no. 3 (2023): 35–71, doi: 10.53098/wir032023/01.

⁶¹ "Program obnovy vesnice," in *Obnova vesnice. Publikace Evropské pracovní společnosti pro rozvoj venkova a obnovu vesnice*, ed. Atelier obnovy vesnice (Praha: MŽP, ČR, 1992), 59.

⁶² Ibid., 59–60.

Austria, and support for regions and rural areas did not become a priority during the transformation period.⁶³

At the beginning of the 1990s, however, the idea of village renewal still enjoyed popularity. Czechoslovakia became a member of the European Working Group on Rural Development and Village Renewal [*ARGE Landentwicklung und Dorferneuerung*]⁶⁴ in 1991 and has regularly participated in the European Village Renewal Award competition since 1994. The first contestant in this competition was the South Moravian border municipality of Hnanice. Similarly to nearby Schrattenthal, this village played a pioneering role in Czechoslovak rural renewal and served as an example of good practice for other municipalities.⁶⁵ Hnanice drew inspiration directly from Schrattenthal, where local mayor Werner Grolly willingly hosted South Moravian municipal representatives and shared his experiences – highlighting the aforementioned initiative of the municipal leadership and its citizens as key. Architect Jan Kruml, who possessed his own personal experience from cross-border contacts with Lower Austria, participated in the development of the local Rural Renewal Program. The first implemented measures of the Hnanice rural renewal program included the completion of the water supply system and reconstruction of sewerage systems, while the most visible was the reconstruction of the dilapidated pilgrimage church of St. Wolfgang. The reopening of the border crossing, which occurred at the end of 1989, was also important for facilitating cooperation with the neighboring region.⁶⁶

In the early 1990s, other experienced actors continued to engage in cross-border cooperation in rural renewal. Běla Vlčková, now representing the Brno office of the Ministry for Economic Policy and Development, organized well-attended meetings between Lower Austrian experts (such as Karl Trischler

⁶³ Decades later, European Union funding programs contend with similar challenges: despite providing substantial financial resources, they are often undervalued by the public due to insufficient efforts to foster public identification with the initiatives and their outcomes.

⁶⁴ This working group was established in 1989 through the cooperation of Bavarian, Lower Austrian, and Styrian village renewal initiators, with Erwin Pröll becoming its long-term chairman. The Lower Austrian engagement only confirmed the interest in the European and cross-border dimension of the village renewal program. The main goal of the European Working Group was to disseminate awareness and experiences with village renewal, as well as to recognize examples of good practice. See “Portrait,” ARGE Landentwicklung und Dorferneuerung, <https://www.landentwicklung.org/leitbild/kurzportrait/>.

⁶⁵ Jan Kruml, “Program obnovy venkova – pohled zakladatele,” *Deník veřejné správy*, March 15, 2016, <http://www.dvs.cz/clanek.asp?id=6710711>; Jan Kruml, “Evropská cena Hnanicím”, in *Obnova vesnice mezinárodně*, 58–61.

⁶⁶ “1945–1989,” Obec Hnanice, <https://www.obechnanice.cz/obec/historie-obce/1945-1989/>; “Kostel sv. Wolfganga,” Obec Hnanice, <https://www.obechnanice.cz/obec/kostel-sv-wolfganga/>.

from the Land Office for Village Renewal) and mayors in Moravian towns, while mayors of Lower Austrian municipalities hosted their counterparts on excursions.⁶⁷ Over the years, however, the initiative gradually weakened due to disinterest and problems with the Czech program at both central and regional levels.

The political changes following the 1992 elections in Czechoslovakia predestined that long-term support for village renewal would struggle to find advocacy at the highest political levels. The shift away from supporting sustainable rural life was symbolized, among other things, by the administrative transfer of the Spatial Planning Department from the Ministry of Environment to the newly established Ministry of Economy (that replaced the former Ministry for Economic Policy and Development). Supporters of village renewal thus resorted to creating a civic association to help advance these interests in politics. The Association for Rural Renewal [*Spolek pro obnovu venkova*] was established on June 1, 1993, with former Minister of Environment Ivan Dejmál becoming its chairman. Although the association succeeded in securing permanent budgetary support for the village renewal program, the financial resources provided remained relatively modest and were primarily directed toward major investments.⁶⁸ The program thus failed to attract the attention of the broader public as it had in neighboring Austria.

Moreover, the core principles of the Lower Austrian village renewal program – emphasis on self-initiative and environmental protection – collided with the specific conditions of a former communist country undergoing rapid transformation. Some people viewed voluntary engagement and personal involvement negatively due to the unfavorable experiences associated with the “mandatory voluntary” community projects known as “Action Z.” Additionally, unresolved restitution issues posed challenges in relation to spatial planning.⁶⁹ However, the most significant obstacle was the absence of political and public support. The attention to environmental concerns, protection, and restoration of the rural landscape that had been endorsed by a large segment of society in the late 1980s quickly yielded to economic development imperatives following the fall of the communist regime. The country’s economic transformation primarily

⁶⁷ Werner Grolly (mayor of Schrattenthal), interview with the author, August 5, 2020; Lecture by Werner Grolly, in *Sborník ze semináře Obnova vesnice v Dolním Rakousku*, ed. Jan Kruml (Praha: MŽP ČR, 1990), 18–25.

⁶⁸ Karolína Novotná, “Státní podpora programu obnovy vesnice v roce 1994 a v roce 1995,” in *Obnova vesnice mezinárodně*, 54–57.

⁶⁹ Václav Průcha et al., *Hospodářské a sociální dějiny Československa. 1918–1992*, 2. díl: *Období 1945–1992* (Brno: Doplněk, 2009), 970–980.

focused on financially profitable projects, while “soft” measures to improve the quality of life remained unfunded.⁷⁰

In the mid-1990s, Lower Austria also faced a changing interest in village renewal, particularly in connection with the country’s accession to the European Union. Rural development received financial resources from major EU subsidy programs that overshadowed the regional program. However, unlike the federal state initiative, these EU programs lacked the identity-forming aspect and did not emphasize strengthening local residents’ connections to their villages.

The problems of village renewal initiatives in both countries were subsequently manifested in interregional and interstate exchange. After the initial crucial inspiration and application of only slightly adapted Lower Austrian guidelines to the Czechoslovak reality, cooperation in village renewal diminished in the mid-1990s. This was also negatively affected by the abolition of Regions [*kraje*] as administrative units in Czechoslovakia in 1990, resulting in the loss of an institutional partner for Lower Austrian officials at the interregional level. The Committee for Cooperation with Lower Austria [*Výbor pro spolupráci s Dolním Rakouskem*], established as a substitute for the regional entity in cross-border cooperation, operated on a voluntary basis and could not fulfill its role without institutional support.⁷¹

As late as 1995, Czech experts and mayors participated in significant numbers in the major Lower Austrian village renewal congress; however, in subsequent years, cross-border contacts were limited to individual actors – original initiators and mayors of local municipalities.⁷² In many cases, these contacts continue to this day. More intensive exchange at the interregional level occurred again after the re-establishment of Regions in the Czech Republic in 2000 and the formal initiation of cooperation between the South Moravian Region and the state of Lower Austria two years later.⁷³

⁷⁰ On the uneven development in the transition period see Martin Sokol, “Central and Eastern Europe a Decade After the Fall of State-socialism: Regional Dimensions of Transition Processes,” *Regional Studies* 35, no. 7 (2001): 645–655, doi: 10.1080/00343400120075911.

⁷¹ Jiří Matuška, “Podkladová zpráva k hodnocení Rámcového programu spolupráce /kap. č. 1 – Ekologie a životní prostředí/,” November 31, 1996, Documents of the The Committee for Cooperation with Lower Austria, Archives of the CHKO Pálava.

⁷² “Seznam účastníků, Kongres obnovy vesnice 11.–13. května 1995, Krems,” Personal Archive of Karl Trischler.

⁷³ “CZ – Chronik der Abkommen und Arbeitsprogramme,” September 5, 2019, Documents of the Office of the State Government of Lower Austria; “Nový program přeshraniční spolupráce s Rakouskem odstartoval. Připraveno je téměř 98 milionů EUR,” website of the South Moravian region, <https://www.kr-jihomoravsky.cz/Default.aspx?ID=288308&TypeID=2>.

Conclusion

The transfer of experience in village renewal was the flagship of South Moravian – Lower Austrian interregional cooperation in the late 1980s. Due to the interconnected environment between regions on both sides of the border, the similar traditions of their rural settlements, and the shared challenges arising from their peripheral positions, the inspiration from Lower Austria found fertile ground for implementation. Consequently, the principles of Lower Austrian village renewal could be applied with minimal modifications in the South Moravian border region. The personal initiative of local actors played a key role in establishing contacts. Initially, it was the Lower Austrian political representation, in the person of Deputy Provincial Governor Erwin Pröll – motivated by the desire to revitalize a declining region – who initiated the exchange of experiences in village renewal. However, officials, experts, and mayors from both sides of the border who enthusiastically embraced this opportunity also played a crucial role. After the opening of the border, cooperation in village renewal could thus draw not only from these initial experiences but also from existing personal relationships. That resulted in the swift adoption of a functional village renewal program in the Czech Republic (unlike Slovakia, where the village renewal received financial support only in 1998) and in certain attention for locally initiated rural development. Yet it was economic transformation at the end that primarily shaped the change in rural areas in the 1990s. Simultaneously, this presented case demonstrates continuity in cross-border transfer of expertise that had begun before 1989, aligning with the concept of long transition.

However, due to central developments and declining interest in the environment, and the shift of the topic of rural renewal to the European level, cooperation between regions diminished in the mid-1990s. Lower Austrian inspiration was crucial for the development of the Czech village renewal program during the initiation period; nevertheless, further deepening of cooperation was hindered by differing program parameters resulting from different competencies and financial capabilities. The transfer of experience and inspiration from the Lower Austrian side was also predominantly one-sided; apart from remnants of regional tradition, South Moravian municipalities could offer little inspiration to their neighbors. Cross-border cooperation was also hindered by a language barrier and by persistent historical issues – the legacy of the expulsion of the German population fostered reluctance towards collaboration and unresolved property restitution claims in South Moravia hampered rural development in this region. To some extent, due to limited financial resources for promoting

the supported measures, the Czech program also lacked the ability to attract the attention of the local inhabitants and broader public.

Those problems resulted in the unfavorable development of the cross-border cooperation in village renewal – by the mid-1990s, it lost the momentum of the initial progress and became limited to individual activities of local mayors and associations. Their ability to make use of financial resources from pre-accession programs and later from the European Union was important for initiating further cooperation. On the other hand, substantial EU funding was directed toward the region without adequate consideration of local needs, thereby diverging from the foundational principle of autonomous village renewal and lacking the ability to support the own initiative of the inhabitants of the border regions. Encouragingly, the current Interreg funding program acknowledges the significance of the bottom-up dimension, which constitutes a critical factor in the selection process of supported projects.⁷⁴

The presented case of South Moravian – Lower Austrian cooperation in village renewal demonstrated that the interconnected environment served as a viable basis for cross-border collaboration in the late 1980s and early 1990s, with the similar nature of the rural landscape predisposing the regions towards cooperation on its renewal. This process also highlighted the interdependence of different relationship levels – from local and regional up to national and transnational. The idea of village renewal transitioned from a pan-European initiative, through regional cooperation, down to the local level, involving local experts and mayors. At the same time, however, due to the activism of local actors and supporters of village renewal, the issue also advanced into central policy, enabling its nationwide dissemination. This development also demonstrated that regional cooperation during this specific period of late socialism and early transformation could be more progressive than official bilateral relations and could introduce its own themes onto the central agenda.

Ultimately, however, central political development in both countries overshadowed even these promising regional relations. By the mid-1990s, asymmetries between regions and problems stemming from the long-term separation of previously interconnected regions became fully apparent. The diminishing popularity of rural agenda in the Czech Republic and Austria's orientation toward multilateral structures rather than bilateral relations contributed from the central level to the cooling of interregional cooperation. Consequently, this cooperation remained primarily the domain of actors on both sides of the border

⁷⁴ "What is Interreg?" Interreg, <https://interreg.eu/about/what-is-interreg/>.

who had initiated it at the turn of the 1980s and 1990s. In summary, the analysis above showed that while a shared environmental context is an important prerequisite for cross-border exchange, it cannot succeed without the personal initiative of local actors.

The importance of the human factor and the key role of interpersonal networks across borders corresponds with the current research on cooperation of European border regions, particularly in the deeply rooted Franco-German cross-border cooperation.⁷⁵ However, to achieve long-term effective cooperation, this bottom-up approach must be supported by a legal and financial background. In the South Moravian – Lower Austrian border region, an important step towards the interplay of local initiatives and central support programs was the resumption of activities within the trinational Euroregion Pomoraví in 2021.⁷⁶

Establishing cooperation on an environmentally important topic despite a closed border can also serve as an inspiration today, as the climate crisis and European plans to address it offer new opportunities for central support of regional environmental activities and rural development. Learning from this case, for these measures to be successfully implemented in the border regions, the policies promoted should not forget the bottom-up dimension and local impulses and should also include the necessary identity work. Ultimately, the preservation, renewal, and development of rural life remains a challenge that – even three and a half decades after the fall of the Iron Curtain – deserves joint cross-border solutions.

⁷⁵ Nora Crossey, *Borderlands of Governance Municipal Perspectives on Cooperation in the Saarland-Moselle Region* (Wiesbaden: Springer VS, 2025); Karina Pallagst, Andrea Hartz, and Beate Caesar, eds., *Border Futures – Zukunft Grenze – Avenir Frontière. The future viability of cross-border cooperation* (Hannover: ARL, 2022).

⁷⁶ “Historie,” Euroregion Pomoraví, <https://www.euroregion-pomoravi.cz/historie>; Michal Šindelář and Milan Jeřábek, “Přeshraniční spolupráce s oblastí Weinviertel,” *Geografické rozhledy* 31, no. 5 (2021–2022): 38–41.

REPORTS

Celebrating Thirty Years of the Institute of International Studies, Charles University

On the occasion of its thirty-year retrospective (1994–2024), the Institute of International Studies of the Faculty of Social Sciences of Charles University presents itself as an accomplished, long since matured “child” of the institutional changes of the Prague university and its different faculties, ones which followed the year 1989 in connection to the period’s comprehensive reforms across the entire academic and higher education landscape. These changes led to, among other things, the shuttering of the propaganda-driven and ideologically marred Faculty of Journalism in 1990, and to the (re)installation of the Faculty of Social Sciences, thus reinstating a continuity with the Faculty of Social Sciences and Journalism remembered from the days of the Prague Spring of 1968.

The Institute of International Studies (*Institut mezinárodních studií*, IMS) was founded in 1994 as the last of the newly inaugurated or otherwise transformed faculty-related institutes. The Institute of Economic Studies, the Institute of Communication Studies and Journalism, the Institute of Political Studies, and the Institute of Sociological Studies had already arrived on the scene, all vying for their spots in competition with various university departments (the Faculty of Arts of Charles University, the Institute of the Fundamentals of Education, which would later become the Faculty of Humanities), as well as other Prague higher education institutions. How they were shaped and staffed was also influenced by academic life outside of the university, most notably by the transformation, with its reductionist spirit, of the Czechoslovak Academy of Sciences into the Academy of Sciences of the Czech Republic after the split of Czechoslovakia in 1993. A number of the Academy’s leading employees of these dissolved or since diminished social science institutes migrated to the university’s institutes newly taking shape.

Institute of International Studies as a Pioneering Academic Institution in the Field of Area Studies in the Czech Republic

International Area Studies as a discipline began being developed in the 1990s at the Institute of International Studies in basic conformity with the general principles on which analogous institutions in the world (especially in the Anglo-Saxon sphere) had been being built since around the 1960s, naturally bound to the specific staffing and financial conditions found at the time in the Czech Republic. Turbulent and often unpredictable global changes (like the acceleration of the processes of integration and globalization) had already, especially in the free world, given rise to Area Studies (as multiple “Territorial” or Area Studies, e.g. German Studies, European Studies, and so on in the Anglo-Saxon world) as multidisciplinary, in some cases even interdisciplinary, fields of study, which encompassed the regions of study in question as comprehensively as possible, thus broadening the reach of existing philological disciplines (Germanic Philology, Slavonic Studies, Oriental Studies, etc.) with their research emphasis being the political, social, and economic spheres situated in the necessary historical contexts. The profile of graduates

of these study programs was always conceived in such a way as to ensure their future versatility and that they would effectively strengthen the base of expertise of the individual countries.

The structure of these fields was and remains varied in different countries due to their own varying traditions, their academic and research norms, and their given priorities of focus. This perspective was also applied in the Czech Republic: considering the Czech reality and the local capacities, only the traditional and topical power curves of the Czech national existence were taken into account. This was carried out, especially early on, by drawing up a kind of basic square of gravitational centers on the basis of which Czech priorities and interests in the field of foreign policy and external economic relations would be formulated, the four points of which were 1) Western Europe, 2) Germany (or the German-speaking countries), 3) the United States of America, and 4) Russia and the countries of the former USSR (i.e. countries to the east of the Czech Republic). This rudimentary quadrilateral was eventually supplemented, albeit with respect to the parallel existence of related study fields of the Charles University's Faculty of Arts dedicated to the study of the Far East and Middle East regions as well as Africa.

The preponderant problematic of European integration was naturally and swiftly added to the field of relations and ties between these world territories. A special role was also played in the Czech context by the issue of the concept of the neighborhood, however neglected it would become later on, which was present in contributions belonging to the traditional Czech historical concept of "encounters and confrontations" (*stýkání a potýkání*), formulated in the nineteenth century by the prominent historian František Palacký, in the belated study of mentalities, historical auto- and hetero-stereotypes, "images of the other," minorities, and the like. The closest to International Area Studies the 1990s Czech Republic got were the fields of Modern (general) History and International Relations (or rather International Affairs). A relationship of complementarity was formed between the two, especially in the latter case, but which slightly bordered on blurring into, or substituting, one another. This led to some disputes with related faculty departments, for example during accreditation procedures.¹

¹ For the beginnings of International Area Studies at the Prague university (with an emphasis on German and Austrian Studies), see especially: "Introduction" to *Německá a rakouská studia v České republice a ve světě* [German and Austrian Studies in Czechia and in the World], ed. Jan Křen (Praha: Centrum německých a rakouských studií FSV UK, 1994), 5–7. Jan Křen also authored the introductory methodological and programmatic chapter, which was the result of much debate among the institute's staff, in the institute's information brochure *Institut mezinárodních studií (Fakulta sociálních věd Univerzity Karlovy). Základní informace* [The Institute of International Studies (Faculty of Social Sciences, Charles University). Basic Information] (Praha: IMS FSV UK, 1995), 4–11; *Institut für Internationale Studien (Area Studies). Grundinformation* (Praha: IMS FSV UK, 1996), 4–14.

The Institutional Genesis

Already in the first decade of its existence, the Institute of International Studies was comprised of three, and finally four parts: from the very start the Department of German and Austrian Studies, the Department of Russian and East European Studies, and the Department of American Studies,² and in 1997 the Department of Western European Studies, followed up by the related, but soon to be completely independent EUROPEUM Institute for European Policy. At first, these were spread out over different locations: the German Department (founded as the original, autonomous Center of German and Austrian Studies under the Institute of Political Studies) was initially located in the Tuscany Palace on Hradčany Square, and moved in 1995 – together with the foundation of the Institute of International Studies as an independent institution – to the second floor of the historical building at 31 Rytířská Street, the former Saint Gall (Havel) Carmelite monastery, later the House of Soviet Science and Culture in the 1970s and 1980s. This building belonging to the Ministry of Foreign Affairs of the Czech Republic would remain the main location of the Institute until the year 2000.

Both the Departments of American and Russian and East European Studies, which in the early years had utilized spaces of the Czech Academy of Sciences located at 18 Národní Street, were moved to this address in 1997. A systematically assembled library focused primarily on modern German Studies and American Studies, materials largely not to be found in Czech libraries, was from the beginning a part of the Institute of International Studies. In 2000, this library became incorporated into the Masaryk Social Sciences Library located in the new Charles University building in Prague 5, Jinonice,³ originally proposed as a training facility of the Ministry of Education, Youth, and Sports. Virtually all of the Institute of International Studies was relocated to this building in October 2000 (together with the Institutes of Political Studies and Sociological Studies, as well as several institutes of the university's Faculty of Arts and Faculty of Humanities). Following the extensive reconstruction of the entire premises 20 years later (which concluded in 2023), its buildings are now solely dedicated to the Faculty of Social Sciences.

The institutional genesis of the Institute of International Studies can be clearly demonstrated by the example of the Department of German and Austrian Studies, which is closely linked to the origins of the future Institute. Immediately following 1989, and then even more so after Germany's reunification, certain deficits within the organization

² From the onset, the Department of Russian and East European Studies and the Department of American Studies maintained a provisional status as *sections* of the Institute of International Studies until they were fully staffed in 1996.

³ A centerpiece of this library were the once "locked down" treasures, then virtually inaccessible to the general public, of the former Institute of the History of the Communist Party of Czechoslovakia (later the Institute for the History of Socialism), the Institute of Marxism-Leninism of Central Committee of the Communist Party of Czechoslovakia, and still other institutions, which were able to, to a greater extent, get access to ideologically "defective" social sciences titles coming from the capitalist West.

of research and teaching connected to the German speaking countries came clearly into view, most of all the incomplete and neglected field in the space between traditional literary-philological Germanic studies and the historical studies, more specifically and especially concerning the study of the political, legal, and economic developments of the German speaking countries. The need to fill these gaps was correctly pointed out by Czech and Slovak members of the joint Czechoslovak-German Commission of Historians which was inaugurated in the beginning of 1990.

Significant representatives of Czechoslovak and Czech diplomacy as well as other state officials repeatedly emphasized the necessity of expanding the German speaking countries related research activity, also in light of the topicality and combustibility of certain topics related to Czech-German relations. At the beginning of 1993, Czech Minister of Foreign Affairs Josef Zieleniec expressed his support to Charles University rector Radim Palouš for the notion of founding a specialized Center for German and Austrian Studies within the university. It would be arranged in that same year by the initiative of the historian Prof. Jan Křen.

Owing to the efforts of the then Ministers of Education, Petr Pitha and Ivan Pilip, a sum of money was allocated from the budget of the Czech Ministry of Education in 1994 for the Center, which was from then on known as the Department of German and Austrian Studies. This made possible the purchase of basic equipment for the new workplace facilities as well as covering the salary costs of the professional and academic staff until it was possible to switch to regular funding on the basis of complete study programs for both levels of higher education. The Czech Foreign Ministry facilitated the use of the adapted spaces in the historical building of the St. Gall (Havel) Monastery in Prague's Old Town. However, early on, securing funds from other sources worked out, especially as they concerned building a library, arranging for lectures and the accommodation of visiting professors, and internships and stipends in Germany, Austria, and Switzerland for the department's specialists and students. Here one should mention the especially supportive German Academic Exchange Service (Deutscher Akademischer Austauschdienst, DAAD), the regular support from Aktion Österreich, as well as from the Swiss Pro Helvetia foundation in the early years.

Already by the 1994/1995 academic year a master's program in German and Austrian Studies had been launched,⁴ one focused on a wide spectrum of aspects of the German speaking countries, in alignment with the study profile attained by the bachelor's program graduates, who at that time were still coming from other faculties or universities. Perfect command of the German language and its national *realia* were a non-negotiable condition for entry into the study program. The reservoir of its future students, then,

⁴ Meanwhile, the official terminology for naming both levels of pre-postgraduate higher education (bachelor's, master's) had changed. Initially, there was talk of a bachelor's/master's *cycle* within the *field* of International Area Studies, and in the master's cycle of individual specializations, e.g. German and Austrian Studies, Russian and East European Studies, etc. Later, bachelor's/master's *study programs* were introduced, with the master's program being divided into individual *specializations*.

would be represented in the future by the institute-wide undergraduate cycle in International Area Studies, which surfaced in the 1995/1996 academic year. This reservoir would be further widened in 2007 by a new binational, undergraduate dual-degree Czech-German Studies study program, organized by the Institute of International Studies on the Czech side and the center Bohemicum led by Prof. Marek Nekula on the German one in Regensburg, Bavaria.

The first director of the Institute of International Studies, the historian Prof. Jan Křen (1930–2020), was of a crucial, indeed “foundational” importance for the history of the field of German and Austrian Studies in the Czech Republic. Not long after the institute was founded, Jiří Pešek attained his habilitation in the field of modern history and subsequently achieved professorship. This was followed by the habilitation of Alena Mišková, and in 2009 by the habilitation and professorship of Jaroslav Kučera, also in the field of modern history. In the third decade of the department’s existence its ranks were expanded by Associate Professors Tomáš Nigrin and Ota Konrád (both graduates of the department) as well as Vladimír Handl; Ota Konrád later attained professorship in 2023. During his long tenure in Prague, Assoc. Prof. Christoph Cornelissen (later a professor in Düsseldorf and Frankfurt am Main) also achieved a professorship at the University of Kiel. Other academic research and pedagogical staff working on a long-term basis and thus responsible for shaping the department include the historians Lucie Filipová, Jiří Rak, Miroslav Kunštát, and David Emler, the lawyer Petr Mlsna, and the art historian Anita Pelánová. Dr. Zuzana Lizcová, a graduate and the current head of the department is focused on German politics and media, and Dr. Alena Zelená on contemporary German literature (in the broadest of contexts). Among the department’s numerous visiting professors and associate professors stand out the historians Detlef Brandes (Düsseldorf), Volker Zimmermann (Düsseldorf/Munich), Gernot Heiss (Vienna), Oliver Rathkolb (Vienna) and Gerhard Jagschitz (Vienna), the sociologist Peter Hartmann (Cologne/Düsseldorf), or the political scientist Dieter Segert (Vienna/Berlin), many of whom spent multiple tenures in the department.

The Department of North American Studies (known until 2015 as American Studies) continued the pre-1994 activities of the short-lived Institute for International Politics of the Faculty of Social Sciences. Teaching and research in the field of American Studies had been undergoing rapid development in the preceding decades in an effort to absorb the experience of similar departments abroad and to establish a field that had been virtually ignored in the former Czechoslovakia before 1989, although even then it had been possible to build on the older traditions of the field of Czech American Studies from before 1948, namely on the activities the former Center for American Studies at Charles University in Prague, founded in 1947, and in light of the sort of revival of the field observed in the 1960s.

The cultivation of American Studies during the period of so-called Normalization after 1969 ended up being only a marginal part of the activities of research institutions such as the Institute of Czechoslovak and World History of the Czechoslovak Academy of Sciences, the Oriental Institute, and the Institute of International Relations, and even

then, mostly within ideologically predetermined limits. Today, the Department of North American Studies is one that seeks to cultivate standardized American Studies as a complex which integrates the findings of the historical, political, sociological, economic, and other relevant disciplines, in addition to developing research on current issues in the contemporary United States, Canada, and Mexico. Nor are historical topics left out, especially those pertaining to Czech-American relations.

In addition to the permanent staff of the section, the field of study has been developed by the presence of visiting professors from American universities, as well as experienced specialists of Czech origin who have worked, or currently work, in the United States. In the field of American Studies, the academic activities of the department's staff focus on issues of US relations with Central Europe after World War I, the international role of the US after World War II, and the role of the United States in the creation of a new international political and security order after the collapse of the communist bloc. Among the former lecturers at this department, its first head, historian and in 2002–2004 Deputy Prime Minister of the Czech Government Petr Mareš comes to mind, as well as Prof. Svatava Raková, former Director of the Institute of History of the Czech Academy of Sciences, as well as Associate Professors Petr Luňák (later serving in various posts on the NATO International Secretariat, including as Head of the Public Diplomacy Section), the historian Prof. Vladimír Nálevka, or the long serving department head Dr. Miloš Calda. Following him, the department was headed up by Dr. Kryštof Kozák, the generational lynch pin represented here by the long-standing Czech-American historian Dr. Francis D. Raška. The younger generation is significantly represented by the current head of the department, Dr. Jan Hornát, the political economist and Canadian Studies scholar Dr. Magdalena Fiřtová, the historian Dr. Pavel Szobi, and the international security expert Dr. Michal Smetana, who is also head of the Peace Research Center Prague (PRCP), among others.

The Department of Russian and East European Studies was to at least somewhat fill the hole in the research activities in the second half of the 1990s concerning the former USSR, as well as the other former communist countries of Central and Eastern Europe, which had been created in the logic of the often hastily formulated academic policy post-1989, which had seen, for example, the elimination of the Institute of Central European History of the Czechoslovak Academy of Science, and the marked, albeit only temporary lack of interest in the public about the field of study. The department's staff were initially focused mainly on historical topics, as made possible for the first time in many years by the sudden availability of archival holdings from the region. For obvious reasons, research on Soviet policy towards Central Europe, especially Czechoslovakia, overtook the Baltic States and the Balkans in terms of preferred topics of interest. Later, their projects would focus more on topical issues, especially on the political, economic, and cultural transformations in the post-Soviet space and in the countries of Eastern and Central-Eastern Europe. In time, the breadth of the department would encompass the Balkan countries and Greece.

Then as now, the department's staff include top experts in their respective fields of study. After the department's establishment, the renowned specialist in the history of the

USSR and the former communist bloc, Prof. Michal Reiman (Berlin/Prague), worked there for many years; the department was then headed for many years by Dr. Jiří Vykoukal, a historian specializing mainly in the modern history of Poland and Central Europe, who in 2003 succeeded Jiří Pešek as the Institute's director. Concerning other lecturers, it is appropriate here to mention the political scientist Prof. Michal Kubát, author of a number of titles on the political transformation of former communist countries; other notable members include the historian Prof. Kateřina Králová, specialized on the Holocaust, postwar restoration, and conflict-related migration, as well as the Balkans expert Prof. Miroslav Tejchman, or Dr. Luboš Švec, a representative of Czech historical Baltic Studies. Other respected specialists in the different sub-regions (although this designation does not capture the full breadth of their research interests) are, for example, the current department head Dr. Daniela Kolenovská, Dr. Karel Svoboda, Dr. Bohuslav Litera, and Dr. Dmitry Dubrovsky (Russia), Dr. Bohdan Zilynskyj, Dr. Jan Šír, and Dr. Valeriya Korablyova (Ukraine), Prof. Emil Aslan Souleimanov and Dr. Slavomír Horák (Caucasus and Central Asia), Dr. Maria A. Asavei, Dr. Adrian Brisku, and Dr. Ondřej Žíla (Balkans), Dr. Ondřej Klípa, Dr. Jiří Kocián, and Dr. Tereza Juhászová (Central Europe). The department collaborates closely with the Institute of Contemporary History of the Czech Academy of Sciences and systematically cultivates partnerships with key academic-research institutions in the region. Furthermore, its historical focus is balanced out by its having fostered successful, long-term cooperation with active top diplomats and state officials regularly offering their lectures to students (e.g. Jan Marian, Luboš Veselý, and Václav Lídí).

The Department of Western European Studies (from 2015 known as the Department of European Studies) became a part of the Institute of International Studies in 1997, first tasked with the multidisciplinary-minded observation of the individual states of the region (as regards their histories, socio-political and legal systems, economies, and cultures), and with a special focus on Great Britain, France, and the Benelux countries. Of course, attention was paid to the region as a whole unit, with study options spanning the Iberian Peninsula, Italy, and the Scandinavian countries. A specific emphasis was placed from the very start on these states as regards the integration of Europe as well as the better understanding of the European integration process from the perspectives of the "old" EU member states – an emphasis that eventually led to the department's narrowing of the profile of European Studies to European Integration Studies. It was focused on development, reform, and perspectives of the EU and the Czech Republic's Approximation Process in relation to the former. In 2002, a master's study program in European Studies successfully acquired accreditation, to be then organized and run by the Department of Western European together with other faculty-related institutions.

Thanks to the tireless efforts of the founder of the department, Prof. Lenka Rovná, the department quickly and successfully established itself as a leading academic center in the field of European Studies: already in 1999 it was prestigiously deemed a Jean Monnet Centre of Excellence in European Studies, the first academic institution in Central and Eastern Europe to have been so. Prof. Rovná was also awarded the Jean Monnet Chair Ad Personam, awarded by the European Commission to academics who have contributed

to the development of European Studies. At the same time, the EUROPEUM postgraduate program for civil servants was ongoing, which was of especially great interest during the accession negotiations of the Czech Republic with the European Union. Since 2000, the younger members of the department and its doctoral students, in cooperation with other institutional staff, have been involved in the publication of the magazine *Integrate* [Integration], which was already being published in a widely visited electronic version in the early days of the Internet. EUROPEUM soon established itself as a civic association of the same name, which in time transformed into a separate, still existing, independent think-tank, the EUROPEUM Institute for European Policy.

From the department's foundation in 2013, it has been led by the historian and political scientist Prof. Lenka Ravná, the long-standing Prorector for European Issues of Charles University. Due to the shift of the department's focus in research and teaching towards European Integration Studies, the department has undergone major personnel changes. A number of lecturers were to eventually focus more on political science or international relations in the narrower sense, and would switch workplaces (e.g. Dr. Michel Perrotino and Prof. Petr Drulák), while others preferred the diplomatic route or positions within European institutions (David Král, Lukáš Pachtá, and Eduard Hulicius). A prominent member of the founding generation is European law expert Prof. Ivo Šlosarčík. The first doctoral students of the department included Prof. Tomáš Weiss, who headed the department from 2013 to 2019, when he was succeeded by Dr. Eliška Tomalová, a specialist on France and international cultural diplomacy. Other prominent personalities of the department today include Dr. Jan Váška and Dr. Zuzana Kasáková, the long-time vice-dean of the Faculty of Social Sciences. Adored by students, the outstanding historian Jiří Rak joined the department's ranks for the final years of his busy career. Courses led by distinguished visiting professionals from the political and diplomatic spheres also contributed to the department's appeal, for example the former Czech Foreign Minister Dr. Josef Zieleniec, or the Czech Republic's chief negotiator in the EU accession negotiations Pavel Telička, as well as Prof. Jacques Rupnik, Prof. Pierre Allan, and professors from British universities, most notably Iain McLean, Scott Peterson, and Alan Butt Philip.

Internationalization, Doctoral Programs and Research Activities

Since 1997, the Institute of International Studies has also organized doctoral studies in Modern History and International Area Studies (in both traditional and distance forms and in both Czech and English). Since the initial phase, when the topics of doctoral studies were very broadly defined and the ratio between students and successful graduates was less than optimistic, dissertation projects have been gradually more closely linked to research conducted by various departments and research centers. The same can be said for the targeted support of scientific activities of PhD students at the Institute, despite the slowly decreasing number of admitted PhD students, of which there are currently around forty.

Of course, there is no space here for a more detailed account of the academic and professional activities of the institute's staff and PhD students. That said, their continuously appearing bibliographies point to their significant and ever-growing share in domestic research projects (funded by the Czech Science Foundation, the Technology Agency of the Czech Republic, the Charles University Grant Agency, and the Czech-German Future Fund) as well as international projects. Accession of the Czech Republic to the EU and thus its ability to participate in European grants (e.g. HORIZON, Erasmus+) or inter-university cooperation platforms (e.g. the 4EU+ European University Alliance) has been a particularly powerful impulse, despite its often being administratively demanding and complex. The prestigious European Research Council project and the extremely beneficial Johannes Amos Comenius Program (OP JAK) project in the framework of excellent research in the Social Sciences and Humanities, both led by Dr. Michal Smetana, were a substantial impulse for the Institute in the period that followed.

Publications

Scientometric criteria have changed considerably over time, especially due to the growing emphasis on the publication of scientific results in international peer-reviewed journals with high impact factors. This has forced through a sort of rethinking of the original concept of the in-house periodicals, which were to become – following in the footsteps of other faculties of Charles University – primarily a separate series within the traditional *Acta Universitatis Carolinae*.⁵ This series, characteristically called *Studia Territorialia* (Area Studies), would be transformed in 2009 into a peer-reviewed and open-access journal for contemporary history and area studies with a focus on North America, Europe and the post-Soviet space, and open to the broader domestic and international academic community. Thanks to the systematic efforts of the editorial team comprised of Dr. Jan Šír and Dr. Lucie Filipová, the journal began to be published in English and has successfully turned into an international publishing platform, indexed in the Scopus database. The monograph series *Prager Schriften zur Zeitgeschichte und zum Zeitgeschehen*, published since 2009 by the Berlin-based publishing house Peter Lang with the aim of delivering high quality foreign-language monographs by the institute's staff, in addition to several outstanding dissertations defended at the institute, was intended from the beginning especially for the international academic public.⁶ The Institute of International Studies has always tried to publish high quality theses or rigorous dissertation works in

⁵ The *Studia Territorialia* series was initially divided into sub-series of individual departments: I – *Works of the Department of American Studies*, II – *Contributions of Members of the Department of Russian and East European Studies*, III – *Studia germanica et austriaca. Works of the Department of German and Austrian Studies*, IV – *Works of the Department of Western European Studies*. The first volumes in this arrangement were published by Charles University Karolinum Press during the years 2001–2002.

⁶ Between 2009–2016, a total of 10 volumes were published in this series, after which it was discontinued.

the Czech language, for which purpose the *Bod* (Point) series was introduced by the Dokořán publishing house.

A number of teaching staff have published their books in a range of domestic publishing houses (often in the *Bod* [Point] series of Dokořán publishing house) or in the Charles University Karolinum Press. With the progressive internationalization of the academic community and the refinement of executed projects, ever more individual and collective monographs of the institute's faculty have been published by prestigious international publishing houses, and the same can be said for the production of journals. In recent years, their research has increasingly appeared in leading international journals focused on modern history, international relations, and development of key focuses for the Institute of International Studies, such as *Central Asian Survey*, *Europe-Asia Studies*, *Journal of Common Market Studies*, *Journal of European Integration*, *Memory Studies*, *Nationalities Papers*, *Post-Soviet Affairs*, and *Security Studies*.

The wider public interested in such matters will know academic production mainly in the form of monographs of the Institute's staff, extended textbooks, or different encyclopedic works. The founder of the field himself, Prof. Jan Křen and his development of the domestic and foreign methodological debate on Area Studies were reflected in the broader conception of modern Czech history in the international context, which went unfinished in his lifetime. In the spirit of said concept and in continuity with the long-running course at the institute, the author prepared an extensive synthesis, *Dvě století střední Evropy* [Two Centuries of Central Europe] (2005), translated also into German, which meaningfully complements or revises overviews of Central European history that had been in previous use (e.g. by Piotr S. Wandycz, François Fejtö, and others).⁷ The work *Čtvrt století střední Evropy. Visegrádské země v globálním příběhu let 1992–2017* [A Quarter Century of Central Europe: The Visegrád Countries in the Global Story of the Years 1992–2017] (2019) further supplemented it.⁸ Published at the end of the author's life, it was a bitterly critical counterblast to the transi-tological works of foreign authors, particularly the two crucial books by Philipp Ther.⁹

Within the first decade of the institute's existence, its staff offered a number of award-winning and well received compendiums to the wider public. These include, for example, *Západ. Spojené státy a Západní Evropa ve studené válce* [The West: The United States and Western Europe During the Cold War] from the pen of Petr Luňák (1997), or the natural follow up *Východ. Vznik, vývoj a rozpad sovětského bloku 1944–1989* [The East: The Emergence, Development, and Disintegration of the Soviet Bloc 1944–1989] by Jiří Vykoukal, Bohuslav Litera, and Miroslav Tejchman (2000), an updated edition of *Dějiny*

⁷ Jan Křen, *Dvě století střední Evropy* [Two Centuries of Central Europe] (Praha: Argo, 2005).

⁸ Jan Křen, *Čtvrt století střední Evropy. Visegrádské země v globálním příběhu let 1992–2017* [A Quarter Century of Central Europe: The Visegrád Countries in the Global Story of the Years 1992–2017] (Praha: Karolinum, 2019).

⁹ Philipp Ther, *Die neue Ordnung auf dem alten Kontinent. Eine Geschichte des neoliberalen Europa* (Berlin: Suhrkamp, 2014); Philipp Ther, *Das andere Ende der Geschichte. Über die Große Transformation* (Berlin: Suhrkamp, 2019).

Kanady [History of Canada] by Lenka Rovná and Miloslav Jindra with contributions by Magdalena Fírtová (2024), *Dějiny pobaltských zemí* [History of the Baltic Countries] by Luboš Švec (1996), and others.¹⁰

Ivo Šlosarčík was responsible for a textbook, constantly updated and widely used in Czech universities, on the legal and political framework of European integration; it was last published in 2020 under the title *Právní a politický rámec Evropské unie* [The Legal and Political Framework of the European Union].¹¹ An interesting publication resulting from jointly organized block lectures at the Institute of International Studies and the Historical Institute of the University of Vienna is the bilingual book *Na rozhraní světů* [On the Border of Worlds] (1998), which traces the basic trends of the political, economic, and cultural development of Austria and Czechoslovakia after 1945, as well as the chronologically connected *Česko a Rakousko po konci studené války. Různými cestami do nové Evropy* [The Czech Republic and Austria after the End of the Cold War: Various Paths to New Europe] (2008).¹²

Special monographs or grant-based projects spanning the most various of topics found their interested readers, such as Jiří Pešek's comparative study *Od aglomerace k velkoměstu. Praha a středoevropské metropole 1850–1920* [From the Agglomeration to the City: Prague and the Central European Metropolis 1850–1920] (1999), fundamental works on Czech-German relations in Czechoslovakia by Jaroslav Kučera, for example *Minderheit im Nationalstaat. Die Sprachenfrage in den tschechisch-deutschen Beziehungen 1918–1938* (1999, unfortunately still awaiting its translation into Czech) or his “Žralok nikdy nebude tak silný.” *Československá zahraniční politika vůči Německu 1945–1948* [“The Shark Will Never Be So Strong”: Czechoslovak Foreign Policy Towards Germany 1945–1948] (first German edition in 2001, Czech translation in 2005). Kučera's final extensive work *Mírové uspořádání s Německem. Od protihitlerovské koalice k Česko-německé deklaraci* [The Peace Settlement with Germany: From the Anti-Hitler Coalition to the Czech-German Declaration] (2018) had much more of a reach as a study analyzing the

¹⁰ Petr Luňák, *Západ. Spojené státy a západní Evropa ve studené válce* [The West: The United States and Western Europe During the Cold War] (Praha: Libri, 1997); Jiří Vykoukal, Bohuslav Litera, and Miroslav Tejchman, *Východ. Vznik, vývoj a rozpad sovětského bloku 1944–1989* [The East: The Emergence, Development, and Disintegration of the Soviet Bloc 1944–1989] (Praha: Libri, 2000, 2nd edition 2017); Lenka Rovná and Miloslav Jindra, *Dějiny Kanady* [History of Canada] (Praha: Nakladatelství Lidové noviny, 2001), third extended edition, 2024; Luboš Švec, Vladimír Macura, and Luboš Štol, *Dějiny pobaltských zemí* [History of the Baltic Countries] (Praha: Nakladatelství Lidové noviny, 1996).

¹¹ Ivo Šlosarčík, *Právní rámec evropské integrace* [The Legal Framework of the European Integration] (Praha: Europeum, 2003); Ivo Šlosarčík, *Právní a politický rámec Evropské unie* [The Legal and Political Framework of the European Union] (Praha: Wolters Kluwer, 2020).

¹² Gernot Heiss, Alena Míšková, Jiří Pešek, and Oliver Rathkolb, eds., *An der Bruchlinie. Österreich und Tschechoslowakei nach 1945 / Na rozhraní světů. Rakousko a Československo po 1945* (Wien – Innsbruck: Studien Verlag, 1998); Gernot Heiss, Kateřina Králová, Jiří Pešek, and Oliver Rathkolb, eds., *Česko a Rakousko po konci studené války. Různými cestami do nové Evropy* [The Czech Republic and Austria After the End of the Cold War: Various Paths to New Europe] (Ústí nad Labem: Albis International, 2008).

process of the peace settlement with Germany after World War II in the sixty years that followed, including its complex legal aspects which had been more often than not oversimplified in political debates.¹³ The first ever exhaustive analysis of the official cooperation between the Visegrád countries (the V4) also materialized via Institute of International Studies, under the leadership of Jiří Vykoukal entitled *Visegrád. Možnosti a meze středoevropské spolupráce* [Visegrád: The Possibilities and Limits of Central European Cooperation] (2003), which was in large part dedicated – in contrast to works from the field of international relations to come – to the historical assumptions and limits of this political arrangement.¹⁴

At first glance, the numerous works of members of the institute concerned with the history of academic education are also surprising. For example, Jiří Pešek, Alena Mišková, and Miroslav Kunštát contributed to the four-volume celebratory (jubilee) History of Charles University (1995–1998), and Alena Mišková published a special monograph *Německá (Karlova) univerzita od Mnichova k 9. květnu 1945* [German (Charles) University from Munich to May 9, 1945] in 2002.¹⁵ Alena Mišková and Miroslav Kunštát were responsible also for book chapters about the international academic cooperation after 1945 (1952–1962) for the first volume of the *Dějiny Československé akademie věd* [History of the Czechoslovak Academy of Science].¹⁶

Ota Konrád also found himself initially significantly involved in the study area of university history, first in his dissertation work, and later in a series of separate studies, and finally in the German publication of his book *Geisteswissenschaften im Umbruch:*

¹³ Jiří Pešek, *Od aglomerace k velkoměstu. Praha a středoevropské metropole 1850–1920* [From the Agglomeration to the City: Prague and the Central European Metropolis 1850–1920] (Praha: Scriptorium, 1999); Jaroslav Kučera, *Minderheit im Nationalstaat. Die Sprachenfrage in den tschechisch-deutschen Beziehungen 1918–1938* (München: Oldenbourg, 1999); Jaroslav Kučera, “*Der Hai wird nie wieder so stark sein.*” *Tschechoslowakische Deutschlandpolitik 1945–1948* (Dresden: Hannah-Arendt-Institut für Totalitarismusforschung, 2001); Jaroslav Kučera, “*Žralok nikdy nebude tak silný.*” *Československá zahraniční politika vůči Německu 1945–1948* [“The Shark Will Never Be So Strong”: Czechoslovak Foreign Policy Towards Germany 1945–1948] (Praha: Argo, 2005); Jaroslav Kučera, *Mírové uspořádání s Německem. Od protihitlerovské koalice k Česko-německé deklaraci* [The Peace Settlement with Germany: From the Anti-Hitler Coalition to the Czech-German Declaration] (Praha: Dokořán, 2018).

¹⁴ Jiří Vykoukal et al., *Visegrád. Možnosti a meze středoevropské spolupráce* [Visegrád: The Possibilities and Limits of Central European Cooperation] (Praha: Dokořán, 2003).

¹⁵ František Kavka and Josef Petráň, eds., *Dějiny Univerzity Karlovy 1349–1990* [The History of Charles University 1349–1990], 4 vol. (Praha: Karolinum, 1995–1998); Alena Mišková, *Německá (Karlova) univerzita od Mnichova k 9. květnu 1945* [German (Charles) University from Munich to May 9, 1945] (Praha: Karolinum, 2002); Alena Mišková, *Die Deutsche (Karls-)Universität vom Münchener Abkommen bis zum Ende des Zweiten Weltkrieges* (Praha: Karolinum, 2007).

¹⁶ Martin Franc et al., *Dějiny Československé akademie věd I. (1952–1962)* [The History of the Czechoslovak Academy of Science I. (1952–1962)] (Praha: Academia, 2019).

Die Fächer Geschichte, Germanistik und Slawistik an der Deutschen Universität in Prag 1918–1945 (2020).¹⁷

The just mentioned author is a representative of the younger, now middle generation of teachers whose books – often based on their dissertations or habilitation theses – make up a strikingly unmissable corpus of successful titles that have received not only positive reviews but also other professional distinctions. Only a few can be listed here as *partes pro toto*, especially the most recent ones.¹⁸ For instance, published by the prestigious Oxford University Press, Ota Konrád and Rudolf Kučera's *Paths Out of the Apocalypse: Physical Violence in the Fall and Renewal of Central Europe, 1914–1922* (2022), is a work concerned with the history of physical violence during the First World War and the subsequent postwar renewal in the Czech and Austrian lands and South Tyrol, for which its original Czech publication was nominated the Magnesia Litera Award for educational literature in 2019.¹⁹ Tomáš Nigrin's pen delivered the important work *The Rise and Decline of Communist Czechoslovakia's Railway Sector* (2022), thematizing the successive decline and stagnation of a key economic aspect of communist Czechoslovakia – rail travel.²⁰

Ondřej Klípa delves into an overlooked politico-economic phenomenon of postwar Czechoslovak history, the issue of organized migrant labor between Poland and Czechoslovakia in his book *Majstr a Małgorzata: Polky v továrnách ČSSR* [The Master and Małgorzata: Polish Women in the Factories of the Czechoslovak Socialist Republic] (2021).²¹ The missing Czech-language synthesis about the evolution of German society in the thirty years following the fall of the Berlin Wall was brought about in the collective monograph by Zuzana Lizcová, Vladimír Handl, Miroslav Kunštát, Tomáš Nigrin et al., *Německo 1989–2021. Úspěchy, problémy a výzvy sjednocené země* [Germany 1989–2021: Achievements, Problems and Challenges of a Reunited Country].²²

The political use and instrumentalization of the past in France in the 1990s and the first ten years of the new millennium has been explored – using the most salient French conceptions of memory – by David Emler in his book *La politique, l'histoire, la mémoire*:

¹⁷ Ota Konrád, *Geisteswissenschaften im Umbruch: Die Fächer Geschichte, Germanistik und Slawistik an der Deutschen Universität in Prag 1918–1945* (Berlin: Peter Lang, 2020).

¹⁸ A representative selection can be accessed on the Institute of International Studies website, see “Selected IMS publications,” IMS FSV UK, <https://ims.fsv.cuni.cz/en/research/selected-ims-publications>, accessed April 14, 2025.

¹⁹ Ota Konrád and Rudolf Kučera, *Paths Out of the Apocalypse: Physical Violence in the Fall and Renewal of Central Europe, 1914–1922* (New York – Oxford: Oxford University Press, 2022).

²⁰ Tomáš Nigrin, *The Rise and Decline of Communist Czechoslovakia's Railway Sector* (Budapest – Vienna – New York: Central European University Press, 2022).

²¹ Ondřej Klípa, *Majstr a Małgorzata: Polky v továrnách ČSSR* [The Master and Małgorzata: Polish Women in the Factories of the Czechoslovak Socialist Republic] (Praha: Karolinum, 2021).

²² Zuzana Lizcová et al., *Německo 1989–2021. Úspěchy, problémy a výzvy sjednocené země* [Germany 1989–2021: Achievements, Problems and Challenges of a Reunited Country] (Praha: Nakladatelství Lidové noviny, 2022).

Les usages politiques du passé en France dans les années 1990 et 2000 (2021).²³ Moreover, the institute's members do not shy away from current issues, which they approach with a deep knowledge of their historical background, as evidenced, for example, by Jan Šír et al.'s book *Ruská agrese proti Ukrajině* [Russia's Aggression against Ukraine] (2017), which to a large extent anticipated the developments that unfortunately followed its publication.²⁴ A comprehensive analysis of the causes that led to Donald Trump's electoral victory in the 2016 US Presidential Election is offered in Jan Hornát and Lucie Kýrová's *America First: Příčiny a kontext volebního vítězství Donalda Trumpa* [America First: Causes and Context of Donald Trump's Electoral Victory] (2020).²⁵ A view of the trans-Atlantic relationship with the United States was contributed by Kryštof Kozák, György Tóth, and Paul Bauer in the publication *Memory in Transatlantic Relations: From the Cold War to the Global War on Terror* (2019).²⁶ *Political Reform in the Ottoman and Russian Empires: A Comparative Approach* (2017), a historical work of Adrian Brisku, deserves special attention here, most of all for its comparison of the nineteenth century reforms carried out in the Ottoman Empire and Russian Empire, as well as his edited *Sto let česko(slovensko)-albánských vztahů* [One Hundred Years of Czech(oslovak)-Albanian Relations] (2022), which provides an overview of the topic.²⁷ In an effort to expand the horizons of the interested Czech reading public, Luboš Švec produced, continuing from the already mentioned *Dějiny pobaltských zemí* [History of the Baltic Countries] (1996), additional works on the region, mostly notably *Perestrojka, pobaltské republiky a Československo 1988–1991* [Perestroika, the Baltic Republics, and Czechoslovakia 1988–1991] (2013).²⁸ Bohdan Zilynskij has contributed to a broad synthesis titled *Dějiny Ukrajiny* [The History of Ukraine] (2015), which was reedited during the first year of Russia's large-scale invasion of Ukraine.²⁹ Daniela Kolenovská has focused

²³ David Emler, *La politique, l'histoire, la mémoire. Les usages politiques du passé en France dans les années 1990 et 2000* (Paris: L'Harmattan, 2021).

²⁴ Jan Šír et al., *Ruská agrese proti Ukrajině* [Russia's Aggression against Ukraine] (Praha: Karolinum, 2017).

²⁵ Jan Hornát and Lucie Kýrová, eds., *America First: Příčiny a kontext volebního vítězství Donalda Trumpa* [America First: Causes and Context of Donald Trump's Electoral Victory] (Praha: Karolinum, 2020).

²⁶ Kryštof Kozák et al., *Memory in Transatlantic Relations: From the Cold War to the Global War on Terror* (London – New York: Routledge, 2019).

²⁷ Adrian Brisku, *Political Reform in the Ottoman and Russian Empires: A Comparative Approach* (London – New York: Bloomsbury Academic, 2017); Adrian Brisku, ed., *Sto let česko(slovensko)-albánských vztahů* [One Hundred Years of Czech(oslovak)-Albanian Relations] (Praha: Karolinum, 2022).

²⁸ Luboš Švec, *Perestrojka, pobaltské republiky a Československo 1988–1991* [Perestroika, the Baltic Republics, and Czechoslovakia 1988–1991] (Praha: Dokořán, 2013). See also note 11.

²⁹ Jan Rychlík, Bohdan Zilynskij, and Paul Robert Magocsi, *Dějiny Ukrajiny* [The History of Ukraine] (Praha: Nakladatelství Lidové noviny, 2015/2022).

on the topic of Belarusian emigration in inter-war Czechoslovakia in her book by the same name (2017).³⁰

The topic of European integration, and specifically the role of the Czech Republic therein, has understandably been also gaining a great deal of attention among the general public and professionals alike, and is represented in the Czech context mainly by books and textbooks by Ivo Šlosarčík, such as *Institute Evropské unie a Lisabonská smlouva* [The Institutions of the European Union and the Lisbon Treaty] (2013, written alongside other members of the Department of European Studies), *Transformace kondicionality v Evropské unii* [The Transformation of Conditionality in the European Union] (2013) and, most recently, *Ústavní text v unijním kontextu: Europeizace ústavního režimu České republiky* [The Constitutional Text in the EU Context: The Europeanization of the Constitutional Regime of the Czech Republic] (2024).³¹ Worth mentioning here is also the work of Eliška Tomalová *Ambasadoři bohémy* [Bohemian Ambassadors] (2023), which analyzes the contemporary Czech cultural diplomatic scene.³² The wider international public can rely on books by Tomáš Weiss, which delve into the Czech Republic's position as a small state within the EU, especially *Promoting National Priorities in EU Foreign Policy* (2017) and the edited volume *Small States and Security in Europe* (2022).³³

Institute of International Studies in the Search of a New Identity

This incomplete and admittedly selective overview of the Institute of International Studies publications indicates not only the breadth of topics that the institute's staff deal with in their research projects, but also a number of organizational and methodological question marks, which then show up in dialogue with the curricula of individual courses offered by the Institute of International Studies. The institute has since the 1990s been involved in a broader debate led by similar institutes in Europe and America, which have

³⁰ Daniela Kolenovská and Michal Plavec, *Běloruská emigrace v meziválečném Československu. Studie a dokumenty. Sociopolitický aspekt* [Belorussian Emigration in Interwar Czechoslovakia: Studies and Documents: The Socio-Political Aspect] (Praha: Karolinum, 2017).

³¹ Ivo Šlosarčík et al., *Institute Evropské unie a Lisabonská smlouva* [The Institutions of the European Union and the Lisbon Treaty] (Praha: Grada, 2013); See also: Ivo Šlosarčík, *Transformace kondicionality v Evropské unii. Politické versus právní vymáhání unijních pravidel* [The Transformation of Conditionality in the European Union: Political Versus Legal Enforcement of Union Laws] (Praha: Karolinum, 2013); Ivo Šlosarčík, *Ústavní text v unijním kontextu. Europeizace ústavního režimu České republiky* [The Constitutional Text in the EU Context: The Europeanization of the Constitutional Regime of the Czech Republic] (Praha: Karolinum, 2024).

³² Eliška Tomalová and Jitka Pánek Jurková, *Ambasadoři bohémy. Současná česká kulturní diplomacie a její dilemata* [Bohemian Ambassadors: Contemporary Czech Cultural Diplomacy and Its Dilemmas] (Praha: Dokořán, 2023).

³³ Tomáš Weiss, *Promoting National Priorities in EU Foreign Policy: The Czech Republic's Foreign Policy in the EU* (London – New York: Routledge, 2017); Tomáš Weiss and Geoffrey Edwards, eds., *Small States and Security in Europe: Between National and International Policymaking* (London – New York: Routledge, 2022).

faced and continue to face – especially in the Anglo-Saxon environment – a petering out of interest of students and experts studying the European territories, or even in their sub-area studies, and an almost natural shift of study and grant applications to the Asian, Latin American, and African regions, and after September 11, 2001, also to the Middle East.

In a large number of foreign institutes, there was a growing conviction that the multidisciplinary of area studies in the 1980s and early 1990s should evolve into a new methodological level, i.e. into a higher degree of interdisciplinarity, expressed simply (albeit defined negatively) in a classic quotation from Roland Barthes: “In order to disciplinary work, it is not enough to take a ‘subject’ (a theme) and to arrange two or three social sciences around it. Interdisciplinary study consists in creating a new object, which belongs to no one.”³⁴ This much coveted quality is, however, difficult to pull off; the exceptions rather confirm the rule.³⁵

Although the Prague Institute of International Studies was actively involved in debates on the methodology and perspective of Area (in this case German) Studies at the beginning of the millennium (Bremen 2001, San Diego 2002), their reflections rather spilled over into broader discussions on the institute’s future within the framework of a process of reflection that reached its peak at the end of second decade of the institute’s existence in 2011–2014. Nevertheless, there were more reasons for taking stock, analyzing its current state, and considering its future form. Although the unique position of the Institute of International Studies in the Czech environment has in some way been sustained, the intensification of international cooperation (especially the ongoing or planned double-degree programs), changes in the international academic environment, and shifts in the understanding of area studies in the world have necessarily led to a reflection on the extent to which the basic organizational, personnel, academic, and teaching parameters of the institute set in the 1990s correspond to today’s needs.

For this reason, the Institute’s management in June 2012 moved to set up the Editorial and Working Group for the Conception and Reform of the Institute of International Studies. This group, in which all institute’s departments were represented, prepared a detailed catalogue of topics both conceptual and technical in nature (with different time frames for their possible resolution), which was similarly discussed at the all-institutional retreat in Nečtiny (October 2012).

³⁴ Roland Barthes, *The Rustle of Language*, translated by Richard Howard (Berkeley – Los Angeles: University of California Press, 1989), 72.

³⁵ Scott Spector’s *Prague Territories*, a Bohemian Studies work on the “post-liberal intellectual generation” of the Prague Circle, has received positive critical acclaim in this context. In his book, the central concept is *teritorium* (territory), a concept that encompasses different areas (territory of language, territory of culture, territory of nationality and ethnicity, territory of religion). Spector, in a very original way, “visited” and multidisciplinary mapped all of these territories above during his studies in Prague and Berlin in the early 1990s. See: Scott Spector, *Prague Territories: National Conflict and Cultural Innovation in Franz Kafka’s Fin de Siècle* (Berkeley – Los Angeles – London: University of California Press, 2000).

In the evolutionary years that followed, certain fundamental changes were observed, while maintaining the spirit of Group's proposals, which positively made their marks on the profile of the institute in the third decade of its existence. Concerning the study program, the most significant change in full-time studies was the introduction of the overarching master's program in Area Studies, whereby the previously separate master's programs in individual Area Studies became specializations, and the number of compulsory subjects in the common foundation was increased. These are (as of 2024) Balkan and Central European Studies, European Studies, German and Austrian Studies, Russian and Eurasian Studies, North American Studies and Western European Studies. These changes did not affect the Czech-Polish double-degree program in partnership with the Pedagogical University in Cracow, Německá a středoevropská studia [German and Central European Studies]. English-language instruction has been developed considerably, standing particularly on the foundations of the double-degree program coordinated by University College London International Master's in Economy, State, and Society, and the first joint master's degree at Charles University, European Politics and Society: Vaclav Havel Joint Master's Program, which the Institute of International Studies coordinates. In addition to these international programs, the institute now offers English-language programs at all levels of study – bachelor's, master's and doctoral.

Given the growing study agenda and its bureaucratization (despite all the significant progress made in digitalization), the position of the Institute's Deputy Director for Studies was also introduced. In the field of research, functional supra-departmental structures have been devised, which support the emergence of thematically consistent multidisciplinary projects across the entire institute. First of all, the position of Deputy Director for Research was created, which, together with the newly systematized posts in the Institute's Secretariat, has improved the coordination of academic work at the institute. On the threshold of the fourth decade of the Institute of International Studies (2024), there are eight research centers at the institute, which thematically and professionally connect the staff of the institute's departments, or cooperate with other partner institutions. Simply spelling them out indicates the breadth and current relevance of the topics dealt with: Small (Nation-)States Within/Without Empires and Unions (led by Dr. Adrian Brisku); Post(Wars) – Political and Social Changes During and After Wars (Prof. Ota Konrád); the Research Center for Memory Studies (Prof. Kateřina Králová); Democracy – Forms, Transformations, and Challenges (Prof. Michal Kubát); the Research Center for Digital Humanities Integration (C4DHI) (Dr. Jiří Kocian); Peace Research Center Prague PRCP (Dr. Michal Smetana); Ukraine in a Changing Europe (Dr. Valeriya Korablyova); and Diplomacy and International Politics (Dr. Eliška Tomalová).

A separate and important chapter in the history of the Institute of International Studies is the expert activities of its staff at the level of a number of NGOs, on the panels of government ministries or both chambers of the Parliament of the Czech Republic, or as frequently requested general expertise for the needs of the media. This quickly garnered prestige is best illustrated by the fact that in the academic year of 1999/2000 regular meetings of then President Václav Havel with doctoral students in the seat of the faculty in the

Hollar Palace were ongoing, connected to the institute's seminar *Aktéři české zahraniční politiky* [Actors of Czech Foreign Policy].³⁶

* * *

Let us wish the Institute of International Studies a simple *Ad multos annos!*, the Latin formula reserved for those in their adult years or even much older still. The Institute's position as a social sciences work site is not and will not be a simple one: the field of area studies itself must be newly rethought and not allowed to become stuck spinning its wheels. The biggest challenge is not only here in the so-called new democracies, as skepticism of the current results and function of social sciences, one sometimes veering into aversion, is growing in the entire sphere of "western" civilization. In the Czech context it is as if – as sociologist Daniel Prokop puts it – a rash of "blind spots" has been gradually appearing, ones which the photoreceptors of the social sciences somehow fail to register, as if it did not see a whole score of compounding problems and crises, or have elucidated them incompletely, dogmatically, or ideologically.³⁷ The social sciences, too, are now becoming the domain of culture wars, which in effect divert attention from the key issues of the world – problems these sciences have only paid attention to so timidly as to have become themselves their very victims.

Acknowledgement

The author wishes to thank Jan Hornát, Daniela Kolenovská, Zuzana Lizcová, Tomáš Nigrin, Eliška Tomalová, Jiří Vykoukal, and Tomáš Weiss for their valuable input during the preparation of this report.

Miroslav Kunštát

doi: 10.14712/23363231.2025.10

³⁶ Eight seminars thematically concerned with the main routes of Czechoslovak and Czech foreign policy after 1989 with Václav Havel were held at the faculty's headquarters on the Smetana Embankment (the Hollar building) between 7 October 1999 and 30 March 2000. Wide-reaching and listener-friendly, his exposés were carefully recorded and were repeatedly considered for publication in book form. However, Václav Havel, did not have time to edit these texts during his lifetime, so the idea never panned out.

³⁷ Daniel Prokop, *Slepé skvrny. O chudobě, vzdělávání, populismu a dalších výzvách české společnosti* [Blind Spots: On Poverty, Education, Populism, and Other Challenges Facing Czech Society], 2nd ed. (Brno: Host, 2020), 15–21.

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Published by Charles University,
Karolinum Press, Ovocný trh 560/5, 116 36 Praha 1
Czech Republic

www.karolinum.cz, journals@karolinum.cz

Prague 2025

Typeset by Karolinum Press

Printed by Karolinum Press

MK ČR E 18588

ISSN 1213-4449 (Print)

ISSN 2336-3231 (Online)