

DK - DIALOG

This *Bulletin* is for the internal purposes of the *Democratic Club*.

A topical word about the Democratic Club

Ratification of the Statutes of Democratic Club as a civic association acquired legal power on May 15, 1990. The actual Statutes are under preparation. Currently, the Club has more than 600 members in 34 states of all the Continents. Members of the Club are personages of various distinctions within the overall extent of the democratic political spectrum and of various professions, from those working manually, rank and file administration employees and students, up to top management members and academics. As one of only three civic associations in Czech, the Club has the statutes of an organization associated to the U.N. Department for Public Information (UN DPI/NGO). Establishment of local, professional and interest DC groups is being presumed at any place, where at least 5 members apply, both in Czech and abroad.

The DC membership starts through the receipt of a member's application by the proper Club authority. Necessary condition here requires the new member to accept doubtlessly the basic ideas of the Club as given in the application form. The amount of a member's fee, being actually the only Club money resource, has been stated at 3 ‰ of the total net yearly income for the economically active members, ie., 3 CZK (Czech Crowns) of each 1,000 CZK, a minimum fee recommended being 500 CZK. For those non-active (students, housewives and not working pensioners) a recommended yearly minimum fee is 100 CZK. Members over 80 can contribute voluntarily only.

At the VIII-th Democratic Club plenary session, on November 28, 2015, a 15-member Central Committee was elected; the Committee elected Ivo Budil (prof., RNDr., CSc.) the Club President. According to the Statutes, current Club activities are covered by the Executive Council under the President (members: Jitka

Nováková (RNDr.), Mária Polesová (Bc.), Ivan Sládek (RNDr., CSc., secretary), Milan Zapletal (Ing.). Hubert Maxa (Ing.) was appointed Central Audit Committee chairman, Jan Friedlaender (Ing., CSc.) chairman of the Political Committee, Zdeněk Kalvach (doc., MUDr., CSc.) was appointed responsible editor of the Dk-Dialog, Ondřej Wagner (Mgr.) was appointed moderator of the regular Club Prague meetings, and Zdeněk Pavlík (Prof., Ing., DrSc.) was appointed political adviser to the Executive Council.

At the meetings of Club members and guests (organized on regular basis in Prague and irregularly in other Czech cities and abroad), discussions take place concerning various current political topics. The meetings facilitate obtaining more detailed information by the members as concerns problems connected with the Club's general mission; a special advantage of these is the chance to ask questions in a cultural environment and in a cultural manner, to express one's own opinion and doubts and to offer suggestions towards the Club Standpoints edition. Among other activities, organizing of lectures can be mentioned, of meetings with foreign members, etc. The Club members participate in Club activities according to their possibilities and interests. The participation is not a member's duty.

The Democratic Club publishes the Dk-Dialog bulletin (in Czech and sometimes in English, too). So far, 65 Club Positions have been published. More detailed information on the Club can be also obtained on the Club website <<http://www.demokratickyklub.cz>> Inquiries and requests for meetings in person are also acceptable by telephone or e-mail (address in the colophon). You can meet the Democratic Club actualities on *Facebook* and *Twitter*, too.

In joining the Democratic Club and supporting its activities you can contribute to satisfaction of the claim for the „reasonable and honest policy“ (TGM).
(August 2017)

I - Official Views of the *Democratic Club*

The Democratic Club Position No. 64

On the Question of the Composition of Public Media Councils

Currently, a draft of amendment to the law on public media councils became a subject of discussion. According to the proposal, which was mainly drawn from the experiences of the German federated state of Bavaria, a substantial reduction of influence of political parties on the composition of the councils should occur, as the parties would henceforth be only a small part of the group of organizations that would decide on the councils' composition. Practically, this would mean that the

composition of the councils would not be a mere projection of the results of the parliamentary elections. The Democratic Club considers that the idea of the proposal is correct. Public media, which are financed by all citizens of the state from their own resources, should not get into the sphere of influence of political parties, albeit indirect. The current system favours the winners of the election and with the money from all people prepares continuation of electoral success of the winners in the following period. We therefore recommend that Members of Parliament and Senators accept the ideas of the proposal and allow thus the fairer handling of the fees from citizens. We also recommend reconsidering the structure of the proposed organizations, in particular to strengthen the representation of some spheres, such as economics, justice, and organizations from which we can expect a healthy critical attitude, e. g. arts colleges.

Prague, February 26, 2017

The Democratic Club Position No. 65

On the Necessity of Observance of the Constitution of the Czech Republic

The Democratic Club fears, that just as in the case of the formation of the new government of the Czech Republic after the last elections to the Parliament (2013), the current government crisis will lead to attempts to apply an interpretation of the Constitution that is contrary to its spirit, especially as regards the questions about the Czech president's right to reject the Prime Minister's proposals on the composition of his government or possibility to maintain in office a government (or some of its members) which have no confidence of the Parliament. It is in the interests of the citizens of the Czech Republic that all parties to the dispute respect the spirit and the letter of the Constitution of the Czech Republic. Its distorted interpretation, if applied, would mean the end of the Czech parliamentary democracy.

Prague, May 10, 2017

II - Articles, Dk Activities

Romani in the Czech Sociolinguistic Space

Introduction and goals

Multilingualism as a social strategy, motto and political agenda demonstrating tolerance of human rights has been promoted at European Union ever since it adopted and ratified the European Charter for Minority Languages' Protection (EC) in 1992. Its agenda calls for living with several languages in today's global and

personal spaces as desirable and normal. Sociolinguistic and cognitive research into multilinguals' behaviors reveals complementarity of languages used in relation to socio-cultural domains. But is Romani, the language of the dominant and traditional minority, acceptable as a language in the profile of a bilingual living in the Czech Republic? The goal of the study is to point out critical issues situating Romani in the Czech sociolinguistic space and argue the need of its rehabilitation. Rehabilitating and revitalizing Romani so that it is accepted as a named language worthy of learning, teaching, maintaining and representing speakers is necessary in order to raise its prestige, which would positively affect its speakers' identity and in turn stimulate an attitudinal shift and social change. It has been established that attitudes toward languages reflect attitudes towards ethnic groups whose social evaluation has direct consequences for the status of the languages (cf. Fasold 1984). Does Romani stand a chance of being revitalized in a culture driven by standard language ideology, aversion to plurality and inimical attitudes towards the Roma? And if it does not, should it be standardized as an academic subject and stabilized as historical database? A particularly disturbing question is whether Romani will live on despite speakers' distancing themselves from Romani dialects and ethnolects as expressions of unique cultures but, at the same time, also social and economic disadvantage. Languages are not only objective, socially neutral instruments for conveying meaning, but are linked with the identities of social or ethnic groups (Appel and Muysken, 1987, 16). Romani's existence and future in the Czech space is interlinked with that of the Roma themselves.

Specific obstacles to implementing and attaining positive outcomes from planning Romani appear to be as follows: (1) the standard Czech culture opposes diversity and assumes homogeneity; (2) standard Czech ideology renders Romani a stigmatized language of disadvantage; (3) the task to improve the status of Romani was not engendered locally but supranationally through EU structures and policies, was greeted with lukewarm public reception and mostly ignored by the Roma; (4) in several locations Romani culture and language show signs of low vitality and salience; and (5) congregation of the Roma in degraded housing is an incentive to Romani and its Czech "ethnolect" voicing identity and symbolizing resistance.

Conclusion: Predicting Romani's future

The situation of the Roma in Macedonia is diametrically different from that in the Czech Republic from the legal, historical, political and social perspective. One could argue that Roma in Macedonia have been fully integrated over the period since the 1930s when local Romani gained social approval and proved itself a fully functional language. Since then it has gained an official political status and legal prestige. Today the Roma there may still be weak socioeconomically but are not

penalized for their ethnicity and language. They may form an ethnic community occupying a specific geographical space but have not been marginalized. Their Šutka district and shopping market is multicultural and frequented by the non-Roma. Roma across the spectrum of social strata have lived in its houses, since those who have achieved economic success do not feel the need of shedding their ethnic identity or giving up membership in their clan. The disadvantaged situation of the Roma gives rise to the empathy and social support.

The clock cannot be turned back on the Roma in the Czech Republic. It is unlikely that their situation is going to improve any time soon. The historical reasons of migration and attempted assimilation have aggravated their sociolinguistic standing. They migrated from Slovakia into social and geographical spaces abandoned after the WWII genocide of Czech Roma and ethnic removal of Sudetenland Germans. In an effort to integrate them, the communist system provided housing, financial social support and jobs, often at the expense of the non-Roma. This induced ethnic animosity and constructed historical memory impacting negatively today's coexistence of "Czechs" and the Roma. Trauma of forced assimilation generated a deep distrust that continues to be passed on in vernacular narratives (Hübschmanová, 1999 and Beranek 2011). The trauma is too recent for the Roma to join institutional initiatives. In addition, school segregation created a population layer incapable of functioning on par with the majority society. Today the Roma still have no political parties or noticeable representation and hide their identity. They cannot ever integrate successfully under such conditions.

Outcomes of anthropological research showing disproportionately high segregation of the Roma in urban dwellings indicates what the future holds for Romani (Toušek 2003). The Roma will gain a valid integration permit only when several conditions are met: (1) The school space be reformed so as to guarantee fair socialization of all children; (2) Romani be rehabilitated by acknowledging its right to exist as a real language, spoken and passed on; and (3) economic support be provided in the form of adult education and other measures.

Among the issues and challenges of European multilingualism, Schjerve and Vetter (2012) placed emphasis on enlarging the pool of school-taught foreign languages to include those of minorities and on knowing "two plus one [mother tongue]" languages. Although Czech Ministry of Education has prescribed the study of two foreign languages at school as of Fall 2013 rather than just one, their selection from among the standard vehicular languages and relatively late start of learning them confirm the characteristics of the Czech sociolinguistic space. The legislation failed to take advantage of local and neighboring languages, and to allow language choices in school districts to benefit minorities and immigrants locally (cf. <http://vasiljev.blog.idnes.cz/c/328625/Jazyky-na-zakladce-Jak-na-to.html>). The Ministry missed an opportunity to formulate the FL requirement so as to include

Romani and thus endorse its maintenance, which requires institutional support. As Gal (2006) observed, monetary value of Romani can only be provided through state intervention, unlike that of English or German that can be easily seen as commodities, and that of Saami, Gaelic or Basque that have an imagined monetary value as exotic place markers (p. 178). But the value of Romani rests in the Roma's tying it to self-identity and the value of its teaching rests in raising the prestige of Romani.

The study sought to reveal sociolinguistic complexity of the contentious issue of Romani subsisting in the Czech sociolinguistic space. A factor relevant to predicting outcomes of the plan and the coexistence of Czechs and the Roma is the alignment of standard language culture with power. Will institutional planning and public reception of multilingualism accept the status of Czech standard modified by the reality of multilingual spaces, Romani as a language operating mostly in the domain of family lacks this power. Teaching and a meaningful intercultural communication framed by the practice of bilingualism can empower it. Aside from mutual learning of Czech and Romani there are few options for reducing social conflict, building respect among the non-Roma for the culture and history of the Roma, negotiating mutual values and expectations, and instituting multilingualism. However, transformation of the Czech homogeneous identity into a pluralistic one is ambiguous given the current instability generated by economic crisis. Verschueren (2008) suggests that when ethnic and cultural diversity is fully recognized and acknowledged without a homogeneistic reflex, negotiability will become a fully accessible option (p. 34). The main issue for the majority society is thus to lift the stigma from Romani and attach positive value to it. Its cultural resignification would be conducive to the overall resignification of the Roma as a people. Roma parents and families will not be persuaded by teachers and policy makers to resume the practice of speaking Romani to children at home unless they have practical reasons to do so.

Is diversity attainable in the Czech sociolinguistic space? Will the locally practiced Romani ethnolect stabilize into a Czech Roma vernacular and even develop a local Romani standard? The answer depends on whether the Roma challenge the space granted by the "white society" and cultivate a distinct ethno-linguistic identity or yield to the governmental strategy of integration. Although the strategy of Romani revitalization and rehabilitation remains uncertain, planning to achieve these goals for the language through its teaching is not only a strategy of its institutionalization but a road to socio-ethnic diversity of the Czech society that cannot be not taken. Teaching Romani is a must for the Roma to achieve pride in their ethnicity so that they cultivate it and ascribe prestige to their language once rid of negative evaluations and connotations. Providing space to the Roma means granting access to the Czech sociolinguistic space from which they were excluded as

an “alien, deviant and unadaptable group that lacks a proper economic function in terms of the capitalist mode of production” (Toušek, 2011). To standardize and maintain Romani is a long-term plan that is cost-effective since the Roma are part of the Czech sociolinguistic space.

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Eva Eckert, August 2017

(From the article Romani in the Czech Sociolinguistic Space. 2016. International Journal of the Sociology of Language 238, 59-83, editorially shortened.)

Poland and Europe or what is democracy

I.

Immediately after Poland's parliamentary elections, in which Law and Justice Party achieved absolute victory, new Polish government has taken decisive steps to control public media and to make changes in the Constitutional Court, allowing to paralyze its operations or to make its decisions conform with the government's targets. The new government has found itself thus in the dispute with the European Commission and the European Parliament which evaluate these steps as a retreat from the values on which the European Union is found under the Lisbon Treaty and under the previous basic treaties.

By the time this text is written, the relevant negotiations have just started. It is however not difficult to predict their outcome. Certainly, Poland will not be punished and it is for following reasons:

1. The text of the treaties requires from the Member States creation of democratic and legal states which respect fundamental human rights and freedoms. But it does not contain any detailed specification of a democratically conformist position of the Constitutional Court nor of the public media. Legal positivists can therefore assert that no EU principle is violated.

2. Even if in the assessments of the situation in Poland juspositivists do not predominate, there is a simple fact that for any sanctions all of the remaining n-1

countries would have to vote. But this cannot happen, because Hungary, which grossly violates rules of democracy and whose leaders expressly reject liberal democracy, would not allow any sanctions.

3. Furthermore, a number of Member States may prefer to maintain the unity of all current Members of the Union before the observance of fundamental principles.

4. The arguments against the government of PiS (*Prawo i Sprawiedliwość*) will be weakened by the fact that even under the previous government some transgressions against the Union's principles occurred.

However, although the fact that the outcome of the dispute in the form of its non-solution cannot be doubted, we are free to formulate an opinion on the matter in dispute. Primarily, because the wave of the so-called illiberal democracy, rolling through Europe from its Middle Eastern part and pushed from its East, surely will soon appear at our door. For that, however, it is necessary to reach some consensus on what the democracy is and with what it is incompatible.

II.

No "officially" accepted definition of democracy is known to me. In that case we must derive meaning from the translation of the Greek term. Since *demos* means *people* and *kratein* to rule, the Czech translation is positively *people's government* or *government by the people*. We must always bear this in mind, because many people consider democracy as a rule of the *majority*. This is, however, substitution of the whole with a part. Rule of the majority should have to be called *pleocracy* (*pléon* = majority). It goes without saying that if citizens have various opinions on an issue, e. g. some bill, (and it is almost always so), it is correct to accept a solution that is promoted by the majority. But with one important condition: it must not be in disagreement with the Constitution, international treaties concluded by the State or with other superior standards, while for many essential decisions the existence of a qualified majority, often significantly higher than the simple majority is required. This condition represents the participation of minorities in the government, whether it is a political, ethnic, social or any other minority. This is moreover the protection of minorities, which by a simple pleocracy might be subject even to legal physical liquidation. Something like that is prevented by the Charter of Fundamental Rights and Freedoms, which is part of the constitutional order and whose application is required by the Lisbon Treaty.

Understanding of democracy as a rule of majority manifests itself quite "logically", so that even a number of prominent authors consider that for a state to be recognized as a democratic state is sufficient to hold elections of representatives. Deficits in anything other are then referred as the "low quality of democratism," "low level of democracy," etc. This corresponds, however, to some bureaucratic understanding of democracy, in short, everyone is allowed to insert an envelope into

the ballot box with his vote. According to me, however, we must insist that the voters should have the opportunity to get all information about former activities and programs of the candidates or groupings of candidates and to allow all democratic bodies to contest] when they wish to do so. Furthermore, we need to have a high degree of certainty that adopted decisions would be realized in the life of society without distortion, or, that there will be a rule of law. Only when these conditions are met, including respect for constitutionalism and fundamental rights and freedoms, the aiming of the voice of voters may be in accordance with their political will and therefore we can talk about democracy, otherwise the elections become an unnecessary costly technical act. I therefore consider that Fared Zakaria is describing? the lack of rights and freedoms as an illiberal democracy unnecessarily. The term *democracy* in such a case should not be used at all. Democracy can only be liberal.

When evaluating national systems, however, a difficulty arises that hardly ever would there exist a country where all the conditions in the area of rights and freedoms would be fulfilled one hundred percent. There is a whole range of disruptions, ranging from minor defects (Northern America, Northern and Western Europe) to their complete lack (North Korea). A question arises, how great a disruption is necessary that the country would be rated as undemocratic. I'm afraid that general answer cannot be formulated. Then, of course, it is necessary, albeit we do not love such too detailed legal institutions, that we should have to our disposition a list of minimum democratic standards imbedded in the law, for resolving disputes similar to that about Poland.

In the case of the current dispute, we are confronted with two serious disruptions of democratic principles in Poland. Paralysis of the Constitutional Court or its de facto subordination to the Parliament or to the government is a denial of the principles of checks and balances and mutual control of individual components of the political power. In such a situation the parliamentary majority and the government can legitimize anything regardless of whether it is or it is not in accordance with the Constitution, international treaties and the like. It is a clear transition from democracy to tyranny of the majority, the pleocracy. In this context, our press noted a remarkable statement of a member of the new Polish government: "The will of the people prevails over the law." Any democrat must indignantly reject such words and must defend the idea of Marcus Tullius Cicero, which in our country has always been emphasized. The constitutional judge V. Cepl wrote: "We do not need the rule of majority but the rule of law." It would be more accurate to say that the rule of majority must be subordinated to the rule of law, and only in this form does it resonate] with democracy. In the case of the constitutional courts, it means to require that their judges in their decisions would be more loyal to the law than to their political preferences. Modes of appointment of these judges are different in

different countries and it is good to remember that there is no one way, that would bring certainty of a good result. The choice of a mode can at most only increase its probability.

The second, equally serious offense against democracy, is the appointment of new CEOs of public media by the new government. To illustrate the importance of this aspect I'd like to recall how in 1988 our neighbour at the nearest cottage, a kind and nice lady welcomed us horrified with the question: "What do you say about those Chartists who set fire to sugar-factories?" We tried to convince her that it was not true, but she persisted on her position: "It's true, because they said it on TV." Public media are a very effective weapon in the political struggle; their management in a democracy cannot be confined to the winners of the elections, because it would likely lead to the extension of the mandate of the winners on more than one electoral period, which is a gross violation of the Constitution. Selecting leaders by media councils, as for example in the Czech Republic, will not guarantee a different outcome, but the alternation of the councils is not bound to the election period, allowing at least a delay in the projection of the election results. However, we must try to find a way to safeguard maximum independence of media with regard to the election results.

Finally, there are two observations: it is obvious that a negation of a democracy from the part of the constitutional court or public media may not occur just by their becoming assistant to the government majority, but also by helping the opposition. Even that must be fought against. Furthermore, as regards the constitutional courts there is a danger that they will try to decide not only constitutional but also political causes, which means that they would exceed their mandate, either in favour of the government or of the opposition. That would also mean a violation of democratic rules.

The second observation relates to the results of a democratic governance. Even the exemplary fulfilment of all formalities of democracy does not guarantee *good governance*, when there is not in the society a sufficient level of morality and knowledge. In that case, we cannot say that it is not a democracy, but such democracy is not for the benefit of the society and the majority finally removes through his voice Democracy (according to Cicero it would change into ochlocracy or government of the mob followed by monarchy, and only then can come Democracy). Even that could be prevented, but any attempt to limit outspoken ignorance and amorality in the political game will certainly be swept away by political correctness of contemporary mankind.

Jan Friedlaender, January 24, 2016

Announcement for Members who want to be (more) active

Everybody who wants to discuss Democratic Club activities, to bring new opinions and suggestions, let us know please as soon as possible at dklub@volny.cz, preferably by the end of the month, and we can inform you via e-mail on new prepared Positions and other topics and expect your feedback. And, moreover, we'll appreciate your feedback on our website, too.

Announcement concerning the Dk-Dialog Distribution

Everybody who wants to receive the Dk-dialog via e-mail and who doesn't want to receive the printed copy, please inform us at the address dklub@volny.cz. It is possible to read it on the Club web site and to print it from them, too.

Redaction

Activities of the Democratic Club

The Democratic Club has three main activities. We consider the formulation of the official positions aiming to affect political life and public opinion as the first one. These positions are distributed to representatives of political bodies (president, ministries, members of parliament, and other high level officers), sent to mass media and published in Dk - Dialog for better orientation of members. The regular monthly meeting of members (regularly up to now only in Prague) is the second activity, usually with an opening theme and the discussion concerning also other topics of democratic relevance. We could mention some of them occurring during the last year. European Union Problems (Edvard Outrata), Justice and human rights (Josef Kandert), 70 years since the expulsion of the German population from Czechoslovakia - a legitimate consequence of victory or arbitrary act? (Valentýn Plzák), Stalinism according to Roj Medveděv (Milan Zapletal), 20 years since the Czech-German Declaration (Václav Houžvička), The current situation in Turkey and the Middle East (Tomáš Laně), Harmonie Endowment Fund, a member of Sistema Europe (Jitka Nováková and Milada Cholužová), Scandinavia, the Nordic myth, and Nordic democracy (Ivo Budil). The publishing of the Dk-Dialog newsletter is the third main activity, currently three times a year. Its English version is published irregularly. The study of democracy and democratism belongs among other non trivial activities.

Redaction

Appeal to Members living abroad

We would be glad if you could acknowledge the receipt of the mail, e.g. by e-mail. We suppose the mail arrives unless it comes back, but we are not sure. Please, announce any change of your address to dklub@volny.cz.

Redaction

Did you know that...

...21st Forum 2000 Conference Strengthening Democracy in Uncertain Times will be on October 8–10, 2017, in Prague and other cities: The democratic world seems to be at a crossroads. Trust in institutions is declining. Belief in democracy and the willingness to embrace democracy are weakening. Democratic processes around the world suddenly – and quite paradoxically – seem to be turning against the very foundations of democracy. Traditional liberal ideas are losing self-confidence in the global competition. Has democracy, as we know it, expired? Is it in transition? To what? Are we facing a systemic change? Has democracy become distorted, is it out of control? Has it not been able to reflect the changes in the society and the technological developments? Registration will open on Tuesday, August 1, 2017: <http://www.forum2000.cz/en/homepage>

Jitka Nováková, July 2017

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Published by *Democratic Club*, Fr. Křížka 1, 170 00 Praha 7, Czech Republic

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Registered by the Ministry of Culture of the Czech Republic, No. 6795.

Editorial Board: Zdeněk Kalvach (chief editor), Jitka Nováková and Zdeněk Pavlík. Translation: Otakar Macháček, Jan Müller, Zdeněk Pavlík; English language editing by Michael Shapiro.

Contributions to Dk-Dialog by individual authors need not express the Democratic Club views; these are expressed only in the official, numbered Democratic Club Positions.