

SLOVAK "INAPPROPRIATE" FILMS AFTER 1989: CENSORSHIP OR BAN?

MARTIN PALÚCH

Institute of Theatre and Film Research, Slovak Academy of Sciences, Bratislava

Abstract: This study focuses on forms of censorship that appeared in Slovak authorial documentary film after 1989, with investigative documentary being the most afflicted genre. In the introduction, the author describes institutional forms and mechanisms of state censorship, which was used as an effective ideological tool to suppress "inappropriate" information in Slovak film production during the existence of the first Slovak State (1939 – 1945) and in the former Czechoslovakia (1948 – 1989). Residues of such institutional censorship later also appeared in democracy (1989 – 2015), namely in the form of politically or religiously motivated pressure exerted on audiovisual production and its authors by the representatives of the ruling (government) parties and their nominees.

Keywords: censorship, Slovak film, documentary film, contemporary film

Censorship¹ is a mechanism designed to regulate and restrict "inappropriate" ideas. It is used in order to influence public opinion and drive it in the desired direction. It also serves as an information control tool. Censorship is usually created and inflicted by state, religious organisation, army, business management, etc. It is used to retain ideological monopoly, preserve state, business or military secrets, or to protect the proclaimed moral principles. The sphere of censorship practices varies depending on the type of establishment within which it is applied. The most oppressive manifestations of censorship appear in totalitarian eras, however, they are also present in liberal democracies. It mostly concerns the publicly presented opinions, but privately displayed opinions are also censored during the periods of totalitarianism. Censorship is often complemented by the criminalisation of those who attempt to circumvent it. These are all part of power-politics practices inherent for any era.

Censorship practices take on many forms and are applied in a broad range of areas, with art not being an exception. In general, we can define censorship as an official inspection or examination (or consequent restriction or prohibition) of published or presented texts, TV and film works, stage plays, and so on, on the basis of moral, political or state argumentation. In international context, an extensive anthology entitled *Silencing Cinema: Film Censorship around the World* (2013) offers a significant contribution to the issue of film censorship. Among other things, it states: "We treat film censorship as the attempt to hinder or limit the free expression, creation, production, distribution, exhibition, and reception of films. We avoid a narrow prescription in favour of a view that recognizes various forces from a wide range of influences. This

¹ The term *censorship* originated from Latin expression *censor*, which was used during the Roman Empire period to denote a clerk in charge of census and morals (the so-called Roman censor).

means, (...) that film censorship is a much wider phenomenon than the one linked to the workings of state, private, or industry-related institutions whose prime task it is to look over film content and morality... (...) This idea of the “multiplicity” of censorship includes the entrance of many more institutions, which for a variety of reasons have worked (and in some cases still work) upon cinema. The chapters in this volume illustrate that next to film censorship boards, other organizations and their representatives such as criminal courts and other juridical institutions, governments, diplomats and embassies, police forces, local states, municipal and city councils, the press, religious organizations and other pressure groups, along with market mechanisms, restricted the free production, distribution, and consumption of cinema.²

State censorship of film during the 1939 – 1990

Slovakia has abundant first-hand experience with censorship of publicly disseminated works of literature, theatre, as well as film. Being the most mass-oriented, most influential and rapidly disseminated means of opinion-making mass communication, during both totalitarian periods in the 20th century, (Slovak) film was subject to continual censorship by power and political structures.

In the period of state-run film production and consequent nationalisation of cinema during the existence of the Slovak State (1939 – 1945), the so-called Office of Propaganda was established. Along with other activities, it also produced propaganda material, censored undesirable content, compiled blacklist indexes of inconvenient works and authors, and prohibited or amended existing texts designed for public dissemination.³ Following the example of USSR, reinstated Czechoslovakia continued in these practices after 1948. In 1953, a state censorship office was established in Prague. Initially operating as the Central Press Supervision Administration (in Czech: Hlavní správa tiskového dohledu, or HSTD), it was renamed to Central Publishing Administration (in Czech: Ústřední publikační správa, or ÚPS) in 1996. For a brief period, censorship was officially cancelled in 1968. Its practice was restored following Czechoslovakia's invasion by the Warsaw Pact forces in August 1968. The institution's name changed again to the Press and Information Bureau (in Czech: Úřad pro tisk a informace), and operated until 1989, when the Communist regime ended in Czechoslovakia.⁴

² *Silencing Cinema: Censorship around the World*. (Edited by Daniel Biltereyst and Roel Vande Winkel). New York : Palgrave Macmillan, 2013, p. 4. Available at <https://www.google.sk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=8&ved=0ahUKEwiNlKwjrnOAhUDuhQKH3BisQFgg4MAc&url=https%3A%2F%2Fsitep.ualberta.ca%2F-vruetalo%2FSarli-Bo%2520Research%2FSilencing%2520Cinema%2520Book.pdf&usq=AFQjCNElvrh8Kf51oT0ooQJP720MeNk6A&cad=rjt>.

³ See MIHÁLIK, Peter. *Vznik slovenskej národnej kinematografie*. Bratislava : SFÚ, 1994; also MACEK, Václav – PAŠTEKOVÁ, Jelena. *Dejiny slovenskej kinematografie*. Martin : Osveta, 1997.

⁴ “In effect, preliminary censorship applied in years 1953 – 1968 by HSTD and ÚPS intervened without limits in public life, distorting and tailoring everything that the ruling Communist Party did not like. This way, zealous censors significantly influenced development of not only the Czechoslovak cinema and television, but of the entire culture, regardless of the fact that prevailing majority of them certainly did not have any artistic ambitions. In a way, they also became ‘artists’, but unwanted and unwelcome, the ones whose activities caused immense damage comparable perhaps only to the legendary ‘ferocious destroyers of Czech books – the Jesuits’. BARTA, Milan. *Censorship of Czechoslovak Film and Television during 1953 – 1968*. In *Securitas Imperii.10. sborník k problematice vzťahů čp. komunistického režimu k „vnitřnímu nepříteli“*. Praha : Office for the Documentation and the Investigation of the Crimes of Communism, 2003, p. 50. Available at [file:///C:/Users/User/Desktop/2015/Securitas_Impერი_10%20\(2\).pdf](file:///C:/Users/User/Desktop/2015/Securitas_Impერი_10%20(2).pdf).

What is the aim of information censorship? By means of suppressing ideologically or politically inappropriate information, and via dogmatic enforcement of moral and ideological principles, a state-run propaganda is being established. In former Czechoslovakia, censorship was exerted by HSTD officials, who were in charge of publishing facts on the basis of the ambiguous concept of "public interest". "From the very beginning, there was a rule for interpreting 'public interest', according to which it was not acceptable to allow for dissemination of things, information and news, or even covert attacks that would be damaging to our state, our party. (...) Interpretation of 'public interest' depended primarily on political maturity, general knowledge, and abilities of the individual HSTD officials, which resulted in various negative aspects."⁵ Decisions by Czechoslovak censors were not based on any firmly determined rules: without stating any specific reasons, 'public interest' allowed censors to prohibit anything they did not like or understand. As was observed by writer Jiří Taufer: "Censorship criteria are extremely subjective and arbitrary."⁶

The system of film censorship was at its most effective during the 1950s. The ideological pressure from the environment of the Communist Party's ruling and political structures, which dictated the ambiguous doctrine of socialist realism in art, significantly contributed to the situation. Regarding the film censorship practices during this period, Petra Hanáková writes: "The most important function of censorship – prevention – was actually performed by film dramaturgy, which evolved into the most important ideological body in the early 1950s, producing the final form of any given film."⁷ Despite the fact that the intensity of dramaturgic control changed over time, "(...) the nationalised cinema quickly built multi-layer control mechanisms that were put to work not at the end of the 'production cycle', but at its beginning, i.e. at the stage of the film's dramaturgic preparation."⁸ Thus, in effect, regulation afflicted the very choice of topics or themes. Finding themselves under ideological pressure, authors approached their work with a degree of self-censorship. Consequently, the state-run film production was able to create works solely on the basis of political demand. Such controlled restriction of both authorial and production freedom resulted in a "kind of processual work of art, which gradually lost its author in the process of its origin and approval, since its original intention – having suffered the interventions and co-authorship inputs from various film and extra-professional individuals – was reduced to a bare torso. In the end, the starting point for making films was not the artist's internal need (self-fulfilment), but rather a thematic plan, on which was based the entire complicated procedure of gradual approval and reshaping of the original to the final work, in fact, generated by ideological demand."⁹

During the 1950s, such censorship interventions produced collective and politically correct works, which in essence did not have an author *per se*, and from the aesthetic point of view possessed neither any particular message, nor the individual filmmaker's style. This trend was overcome only during the politically and socially

⁵ From a report for the Political Bureau of Central Committee of Communist Party of Czechoslovakia, 15 October 1956. See BÁRTA, Milan. *Censorship of Czechoslovak Film and Television during 1953 – 1968*, p. 8.

⁶ Ibid.

⁷ HANÁKOVÁ, Petra. *Paľo Bielik a slovenská filmová kultúra*. Bratislava : SFÚ, 2010, p. 107.

⁸ Český hraný film III. National Film Archives, Prague 2001, p. 12. Also cited in HANÁKOVÁ, Petra. *Paľo Bielik a slovenská filmová kultúra*, p. 107.

⁹ HANÁKOVÁ, Petra. *Paľo Bielik a slovenská filmová kultúra*, p. 107.

much more relaxed 1960s, when a large number of author's films were created by significant and respected filmmakers.

On 1 January 1967, HSTD was replaced by a new organisation entitled Central Publishing Administration (ÚPS), with censorship being actually legalised for the first time after fourteen years: "The censor was authorised to suspend publication of state, economic or official secrets; with regard to matters of public (and namely general) interest, the decision also depended on the opinion of the editor-in-chief."¹⁰ For several months in 1968, censorship was cancelled altogether. However, after 1968, the situation changed again back to its previous state: "In Communist Czechoslovakia, provisional censorship ceased to be applied. However, it was inconspicuously – yet all the more effectively – replaced by self-censorship of the individual editors-in-chief and journalists, who themselves bore the responsibility for what they were publishing."¹¹

During the so-called normalisation era, dozens of inconvenient films from past and present started to be literally locked up in a vault. During the entire existence of Czechoslovak Socialist Republic (ČSSR), artists were punished or disciplined, and various bans were issued, which during the 1970s led for example to reassigning filmmakers from the Live-Action Film Studio to the Short Film Studio (production departments).¹² In real life, this meant that the affected filmmakers were not able to make feature-length movies. In addition, unofficial bans were also being applied with increasing frequency, determining who was allowed to make films, and who was not. Censorship applied not only to producing films, but also to their public screening.¹³ Appropriate films (e.g. the Soviet ones) had good screening times, but the less convenient (e.g. western productions) received unattractive screening time-slots. The films that were deemed inappropriate were excluded from distribution altogether due to regulatory mechanisms.

Censorship in Czechoslovakia was officially lifted as late as 1990, when Act No. 86/1990 Coll. was enacted that laying down the inadmissibility of censorship was passed.

Fig leaf for inappropriate topics in documentary film after 1989

Nevertheless, censorship practices comparable with those from the past started to be commonly applied even after the transformation to a democratic state establishment. They can be found after 1989, or after 1993, following the birth of a democratic Slovakia. The manipulation of public opinion in free mass media was present from

¹⁰ "On 25 October 1966, Act No. 81/1966 Coll. 'on periodicals and other mass-information media' came into effect, with its § 16 sect. 3 stipulating that 'the publisher, editor-in-chief and author bear the responsibility for protecting the society and citizens from the abuse of freedom of expression, speech and press'". BĀRTA, Milan. Censorship of Czechoslovak Film and Television during 1953 – 1968. In *Securitas Imperii. 10. sborník k problematice vztahů čp. komunistického režimu k „vnitřnímu nepříteli“*, p. 8.

¹¹ *Ibid.*, p. 21.

¹² In Slovakia, this concerned directors like Juraj Jakubiska, Peter Solan or Eduard Grečner.

¹³ "Artists who were in the regime's disfavour suffered really hard times. In 1958, the very first Slovak film *Varúj* [Warning] made in 1947 was not re-approved for screening because one of the characters was played by actress Jiřina Štěpničková. BĀRTA, Milan. Censorship of Czechoslovak Film and Television during 1953 – 1968. In *Securitas Imperii. 10. sborník k problematice vztahů čp. komunistického režimu k „vnitřnímu nepříteli“*, p. 29.

the very beginning. Examples of residual censorship can be found in all election campaigns. However, our study will not focus on this aspect, but only on film.

Since the very beginning of the free Slovak cinema, a new and until then unknown phenomenon has appeared – privacy protection (in Slovak literally “protection of personality”). On the basis of this principle, authors, publishers or broadcasters can face legal action for failing to acquire sufficient publication rights from a protagonist, a state institution or an interest group that might be portrayed critically in the film. Based on subjective ideas of the modern censors, decision to use the imaginary ‘fig leaf’ to conceal inappropriate or inconvenient passages, topics or whole films is being made continually.

In democracy, new forms of censorship appear at various levels and are applied especially during evaluation of fragments or completed films. In a situation when no one can prevent an author from making the film, the threat of a lawsuit became the only measure that is currently applied to “inappropriate” films. Changes in completed films are most frequently requested by various involved business or professional associations, organisations and interest groups (politicians, churches, judges, filmmakers, distributors, etc.), institutions, (most notably management of the Slovak public broadcaster RTVS), or individuals (protagonists).

Thus, even though authors are free to depict a topic of their own choice, in the case of socially or politically engaged documentaries, the old-new pressure reminiscent of censorship practices from the totalitarian era reappears. The following types of censorship are most frequent in film and public television:

- a) political censorship – restriction of spreading ideas that could discredit government politics,
- b) religious censorship – restriction of spreading ideas that contradict religious doctrines,
- c) self-censorship – disseminated information is censored by the author him/herself, most frequently in order to prevent being criminalised or fined.

Nevertheless, modern forms of censorship are ubiquitous in democracy. Its forms include, but are not limited to:

- a) selecting information and its sources,
- b) (political) party or lobby group interpretation,
- c) agenda-setting in private and public media,
- d) influencing by owners or publishers,
- e) corrupting journalists and media,
- f) covert publishing of paid content as standard journalistic content (PR articles/advertorials).

In comparison with the totalitarian censors, the democratic ones have a tremendous advantage – namely the lack of transparency in information and sources, which offers opportunity to spread false news or nurture conspiratorial theories. In addition, the inability of today’s recipients to orient themselves in the plethora of information sources is partially to blame, too. However, censorship practices can also be applied covertly – via officially supported, created or promoted works of art that are politically correct, or ones that promote government policies or religious doctrines, or those that in a positive sense popularise activities of control bodies and institutions.

The connection between modern forms of censorship and film production in our country were most distinctly demonstrated in the area of documentaries, but to

a lesser extent, they are also present in live-action cinema. Today, we bear witness to a situation that is quite opposite to the one from the 1950s. The decision whether or not to distribute a completed film is primarily made at the time of its release. Even if the filmmakers succeed in releasing their work, the consequent reaction of the involved parties can lead to its conclusive ban. The fundamental argument against the distribution of a film applied in democracy is the threat that the film's author, holder of its rights, or broadcaster or distributor could be sued. More often than not, however, it only serves as a pretext for putting a ban on the public distribution of an "inappropriate" film, which in essence strongly resembles censorship.

Political censorship in documentary film during the 1990s

Since the establishment of Slovakia in 1993, increasingly, concrete films have been banned from public distribution due to the objections raised by their protagonists. Even though they had initially consented to feature in the film, they eventually changed their minds. Usually, they were either dissatisfied with the final result, or disagreed with their portrayal in the given context. If the filmmakers fail to gain additional rights from the protagonists, they have no other choice but to make editing changes, or release the film *as is*, being aware they might consequently face legal action.

After 1993, investigative authorial documentaries became the most problematic genre in Slovak cinema.¹⁴ Usually, these are works that are inconvenient due to being politically or religiously incorrect, dealing with corruption, uncovering topics that used to be taboo in the past, or portraying background of Slovakia's show-business. In doing so, they are not necessarily tabloid or sensational films, but artistic, authorial documentaries with engaged creative inputs from filmmakers.

The first "banned" film appeared as early as in the transitional 1990. It is the case of an investigative portrait by Ľubomír Štecko entitled *Stanislav Babinský – život je nekompromisný bumerang* [Stanislav Babinský – Life Is an Uncompromising Boomerang]. It had been produced by the ALEF production company, which, several years later, transferred its broadcasting rights to the then-called Slovak Television (STV) public broadcaster. In the film, its protagonist Stanislav Babinský – who was convicted of stealing socialist property – describes corruption practices of top politicians and highest representatives of the Communist Party. The film's investigative approach to this topic could have appeared to be politically incorrect towards other Communist Party representatives, who have strived to retain political influence in Czechoslovakia even after the fall of communism in 1989.

Štecko recalls: "The film had an interesting aftermath. After his release from prison, Babinský sued us for damaging his reputation."¹⁵ What is striking about this conflict is that Babinský appeared in the film even after his release from prison. This means he must have participated willingly. In addition, the documentary gave him opportunity to defend himself, since he claimed his corrupt actions were coerced by

¹⁴ See BRANKO, Pavel. Keď je filmár zved a bojovník. Investigatívna dokumentaristika po roku 1989. In *Film.sk*, 2012, Vol. 13, Issue 11, pp. 28 – 30. Available at http://old.film.sk/show_article.php?id=7109.

¹⁵ ŠTECKO, Ľubomír. Niekoľko poznámok o slovenskom dokumentárnom filme posledných päťdesiatich rokov. In *Kino-Ikon*, 2008, Vol. 12, Issue 1, p. 124.

the then top politicians. Thus, the film, in fact, speaks in his defence. Nevertheless, Babinský sued the filmmakers, by which he achieved the film now cannot be broadcasted or distributed. However, it would be naïve to think the documentary is inconvenient only for the protagonist. To a much greater extent, it attacks representatives of even today politically active Communist Party. The prospect of a legal action that could be updated as necessary caused that this investigative documentary was aired by STV only once, after which it was shown in cinemas on just two occasions as a part of specialised seminars focusing on the socialism era.

The most intense pressure was exerted on filmmakers and attempts to reinstall the unofficial "state" censorship were made during the third government of Vladimír Mečiar (1994-1998). The ruling party installed its nominees into STV's top management, who started to produce politically demanded state propaganda, applying censorship at all levels, much like prior to 1989. Politically motivated objections were made also against the film that would eventually become the last feature-length documentary produced for movie theatres in the 1990s – *Papierové hlavy* [Paper Heads] by director Dušan Hanák (1995). Václav Macek comments: "The film's circular composition caused rejections from supporters of Vladimír Mečiar's authoritarian style of government, who saw "Paper Heads" as a criticism of the new leaders' departure from democratic principles."¹⁶

Political pressure on film and media started to mount. Situation in the area of original/authorial film production aggravated and many film professionals left for Czech Republic, where they found work in the Febio production company, established in 1991 in Prague by Slovak filmmaker Fero Fenič. The ruling HZDS party took control over STV's top management.¹⁷ Anyone who disagreed with it had to leave. Lubomír Štecko, who was appointed to the position of the head dramaturg of STV's Department of Documentary and Journalism (HRDP) in 1995, remembers that period this way: "Eventually, the new approach brought consequences for me personally, too. After several months, I was stripped of my position and sacked, along with ten other reporters from the investigative journalism group, which had been established just shortly before. The reason was that being the dramaturg in charge, I approved several films for broadcasting that dared to criticise certain practices of the ruling parties. The then director of STV Jozef Darmo himself came to announce the verdict and explain the reasons."¹⁸ The manipulative and propagandistic practices in STV during the period of Vladimír Mečiar's last government is expressively described also by the then news reporter "J." (sign of self-censorship) in Marek Kuboš's short documentary

¹⁶ MACEK, Václav. *Dušan Hanák*. Bratislava : Fotofo, SFÚ, NKC, FTF VŠMU, 1996, pp. 127 – 128.

¹⁷ "The previous situation in STV, including its financial, programme and managerial problems, is the responsibility of the political representation, which did not manage to let go of its direct influence on this institution and created neither legislative nor economic conditions for its independent existence. STV is not the only large institution in Slovakia that needs effective management. However, television is a much too influential tool for politicians to relinquish their grip on it willingly. Undoubtedly, passivity within the public and STV's internal environment was a contributing factor. Perhaps it is also due to the Slovak mentality – we do not continually defend values like freedom, democracy, creativity or independent thinking. We rebel only when our lives are literally at stake." ŠMATLÁK, Martin. Každý začiatok sa stane minulosťou a každá tvár raz zostarne. In *Hospodárske noviny*, 11. 6. 2004. Available at <http://hnporadna.hnonline.sk/civilizacia/47322-martin-smatlak-kazdy-zaciatok-sa-stane-minulosťou-a-kazda-tvar-raz-zostarne>.

¹⁸ ŠTECKO, Lubomír. Niekoľko poznámok o slovenskom dokumentárnom filme posledných päťdesiatich rokov, p. 132.

from 2001 entitled *Taká malá propaganda* [Just a Small Propaganda]. After the 1998 election, the Council for Broadcasting and Retransmission stated *ex-post* that the pro-Mečiar STV repeatedly broke the law.

Regarding the situation in Slovak cinema during the years 1994 – 1998, filmmaker Ivan Ostrochovský states it was comparable with the one prior to 1989: “After the onset of Mečiar’s ‘legislative-rule democracy’ in the autumn of 1994, members of the Committee for Cinema and Video were selected on the basis of the general trend, where only those who joined or supported the ruling party were preferred. It was increasingly difficult to maintain objectivity and transparency in decision-making. (...) In line with the legislative amendments of 1995, the culture minister was authorised to decide on the fate of individual projects regardless of the opinion of the respective committees.”¹⁹ This again resembles the arbitrary and subjective censorship practices from the era of Czechoslovak state censorship prior to 1989. As Ostrochovský adds later: “When an author does not collaborate with the regime, he or she is sentenced to doing nothing.”²⁰

The atmosphere within society at that time is also illustrated by a personal experience of director Marek Kuboš with his “banned” thesis film *Hlas 98* [Voice 98] (1998). Even today, it is restricted from being publicly screened, as it contains samples from election campaign videos for HZDS. Kuboš failed to acquire relevant rights for publishing them within the context of his film, which was critical of the government, even though the very same videos were prominently presented on TV screens. In addition, Marek Kuboš also failed with his “Voice 98” to pass the final exam at the Film Faculty, Academy of Performing Arts in Bratislava. However, Ostrochovský is drawing attention to the completely different context of the problem with this failed exam: “Fear of response from HZDS to Marek Kuboš’s film probably caused it to be banned, which can also be interpreted as an act of self-censorship on the part of the Department of Documentary Film. Ironically, since no one was brave enough to admit to the lowest of motives, the discussion about this film’s ‘eligibility’ was brought to ethical level. ‘Voice 98’ was not questioned because its content would jeopardise the school and its pedagogues, but because it misinterpreted respondents that appeared in it.”²¹ For these reasons, “Voice 98” was never officially screened in public.

Religious censorship in documentary film after 2000

While most cases during the so-called “Mečiarism” era were never covered by media due to objective reasons, the situation changed with the reinstated democratic style of governing public institutions. The public started to respond more sensitively to problematic topics also in connection with the possible censorship. Such cases immediately attracted general interest and received a broad media coverage and were debated by the public at large.

Perhaps the most exemplary case, which the press openly identified as censorship, is the film by Dušan Hudec entitled *Miluj bližneho svojho* [Love Thy Neighbour]

¹⁹ OSTROCHOVSKÝ, Ivan. *Hlas 98* [dissertation]. Bratislava : Film and Television Faculty, Academy of Performing Arts, 2006.

²⁰ Ibid.

²¹ Ibid.

(2004). It was an authorial documentary that addressed a sensitive part of Slovak history by openly speaking – through the words of Jewish protagonists – about the contribution of the catholic population living in the Slovak town of Topoľčany to the pogrom on Jews following their return home from concentration camps in 1945. From the approximately 3,000-strong community of the deported Jews, barely 550 returned to their hometown after the war. Acting on the basis of disturbing rumours, citizens of Topoľčany, including the so-called “*Arisators*” (translator’s note: persons taking part in the process of Aryanisation) and former guardsmen (translator’s note: members of the Hlinka Guard) started uncontrolled lynching of and pogrom on Jews directly in city streets. Instead of appeasing the situation, when guards arrived, they joined the attackers. Order was restored only after an intervention by a larger garrison.²² Due to its problematic content, the film was rejected by the then top management of Slovak Television – which actually produced the film – including director Richard Rybníček. This was another attempt to “prohibit” a completed work from being broadcasted.

This happened despite the fact that Hudec fairly presented a number of arguments why the incident actually took place. He searches for mistakes made on both sides – by Catholics and Jews alike. This film’s case has been covered in detail in numerous articles and interview with the filmmaker. Scores of official letters, complaints and public statements exist. Even a special TV discussion was created in order to report on the film’s case. This is another example demonstrating the interconnection between public media and politics, or the influence of the church and the then ruling Christian Democratic Movement (KDH) party on applying restrictive measures against independent film production.

The officially presented pretext for putting a ban on the broadcasting of a film that portrayed the pogrom on Jews in Topoľčany after 1945 was the following statement featured in the film: “Jews, Gypsies, that is the grossest scum under the Sun; remember this, until they exist in this world, there will never be any order.”²³ The protagonist consequently added: “Mark my words! But you won’t put it in the film, anyway.”²⁴ The film’s director used this response, and that caused problems for him. As has later transpired, it was only an excuse to suspend this “inappropriate” film. Ľuboš Machaj, the then member of the Council of STV, commented on the issue with the problematic expression: “The sentence connects the past with the present. It is important to show that such trends still exist, even though many might find this provoking. That is because it is easier to come to terms with the past.”²⁵ Later, he adds: “Lawyers disregard the context. At any rate, I still think that that sentence has its meaning, and I approved the film without any objections.”²⁶

After the film was approved for broadcasting at a specific date by the Council of STV, the director was unexpectedly faced with a requirement by STV’s director to

²² See KLUBERT, Tomáš. Situačná správa o protižidovských násilnostiach v Topoľčany [Situation Report on Anti-Semitic Violence in Topoľčany]. In *Pamäť národa*, 2010, Vol. 6, Issue 3, pp. 53 – 56.

²³ Citation from Love Thy Neighbour.

²⁴ Director’s citation from: KÚDELOVÁ, Kristína. Miluj blízneho svojho zastavila jedna veta. In *Sme*, 19 May 2004. Available at <http://www.sme.sk/c/1500132/miluj-blizneho-svojho-zastavila-jedna-veta.html>.

²⁵ KÚDELOVÁ, Kristína. Hudecov film Miluj blízneho svojho je viac ako historický dokument. In *Sme*, 24 May 2004. Available at <http://www.sme.sk/c/1604575/hudecov-film-miluj-blizneho-svojho-je-viac-ako-historicky-dokument.html>.

²⁶ Ibid.

edit out the mentioned sentence, or STV will back out of the contract. Hudec objected that his authorial freedom was being infringed without him knowing the standpoint of STV's legal department, or an explanation from the Council for Broadcasting and Retransmission how the problematic sentence was violating the law. Consequently, the Central Union of Jewish Religious Communities in Slovakia sided with the director by releasing this statement: "Actions of STV management give reasons for concern that STV's director might be closely linked to conservative church circles in Slovakia, which do not wish, even after fifty years, to know the truth about the post-WWII anti-Jewish pogrom in Topoľčany and its background."²⁷

Production of this film was problem-ridden from the very beginning. STV was not used to producing feature-length authorial films, but only short reports. Production was halted and re-started twice. In the end, the documentary was aired uncut in its original form on May 24, 2005, one week later than its planned premiere date, however, only as a part of a special issue of the *Pod lampou* [In the Spotlight] discussion TV show²⁸, in which the director refused to appear, saying: "I made a film that speaks for itself, I put my name in its titles, and I have no reason to change anything about it. I don't have any objections against it – if anyone does, they should express themselves openly, but that's not a reason for me to sit in a studio and listen. I made this film as best as I could and there is no reason for me to defend myself."²⁹ In the same interview, Hudec draws attention to another reason why his film, having withstood attempts to be banned completely – was not allowed to be broadcasted without the

²⁷ KERNOVÁ, Mirka. STV stiahla dokument o pogrome na Židov. In *Sme*, 19 May 2004. Available at: <http://www.sme.sk/c/1500119/stv-stiahla-dokument-o-pogrome-na-zidov.html>. Central Union of Jewish Religious Communities in Slovakia responded to the film's broadcasting ban with an official protest, which was re-published by several leading media in whole or at least partially. This resulted in a strong media response, with protest articles against the first post-November censorship in STV published by numerous sources. The press also published comments, together with verbal and written statements from influential people. Foreign media responded to the event with criticism, too.

²⁸ The TV show is described in a text by Jaro Franek entitled *Love Thy Neighbour*, published on August 7, 2011 at www.holokaust.cz. "Director of STV yielded to media criticism in a week. Changing his initial decision, he approved the film to be aired on May 24, 2005. The film was complemented with a discussion show, in which the following people confronted their opinions on the film itself and its ban from broadcasting: lawyers Ján Hrubala, Peter Kresák and Ján Čarnogurský, historian and production supervisor Ivan Kamenec, sociologist Martin Bútor, director Dušan Trančík, together with presenters Štefan Hríb and Juraj Kušnierik, and STV's director general Richard Rybníček. The discussion stretched long past midnight and offered notably different opinions. For example, Ján Čarnogurský criticised the documentary as being anti-Catholic. He argued the film featured several moments when the visual part of a person's testimony about the tragedy was interrupted with a cut to images of Catholic churches, crosses, etc. He claimed that connecting the creators of the pogrom's ideology with the Catholic Church was equally manipulative as if someone made a film about the communistic atrocities and showed images of synagogues. Historian Ivan Kamenec opposed, pointing to the high level of engagement and numbers of Catholic priests in the government apparatus of wartime Slovak Republic (1939-45). With the exception of Čarnogurský, all participants rejected the notion that the film could be considered as xenophobic and anti-Semitic. Director Dušan Trančík emphasised that the film's broadcasting was forced and was not a free decision by STV. Its director Richard Rybníček persistently defended his opinion that by airing the film, STV could break the law that prohibits xenophobic and anti-Semitic elements in its broadcasting. When the film was finally aired, it attracted huge and unprecedented audience interest. Scores of viewer responses resulted in a re-run two days after the premiere. It seems the documentary has the potential to speak to the Slovak society and present it with until-now subdued questions about what really happened in Slovakia during the period of 1939 – 1945." Available at <http://www.holokaust.cz/zdroje/clanky-z-ros-chodese/ros-chodes-2004/cervenec-8/miluj-blizneho-svojho/>.

²⁹ HOCHÉL, Jaroslav. Etická a morálna otázka. In *Film.sk*, 2004, Vol. 5, Issue 7 – 8, pp. 16 – 17.

discussion show. It was not only about that one sentence. "Love Thy Neighbour" is reflecting on the historic fact that took place twice, when "many Christians helped with expulsion of Jews. (...) I was trying to understand why Jews and Christians, who share the same principle of "loving thy neighbour", often act against it."³⁰ When the case stirred media interest, and the film actually received high viewer rates, it was broadcasted again shortly afterwards, however, again with a discussion show.

Hudec addressed the issue of the restriction on broadcasting his film without an accompanying "explanatory" discussion also in later interviews. However, he saw the origins and reasons for the ban elsewhere and in a different light. With regard to the problematic sentence, he said: "It was just an excuse. The true reason for the suspension was the fact that the film was critical of the moral failure of the Catholic Church not only during, but also after the Second World War. According to information published on the Internet, the film was suspended on direct order of the then speaker of parliament Pavol Hrušovský (KDH). I took it as a warning from government representatives that was addressed to all creative artists: if you keep digging up such topics, you will have problems. Those who rule today are not any better."³¹

In 2005, Dušan Hudec's documentary "Love Thy Neighbour" received the 2004 Igric Award for Best Documentary, with the jury praising its "in-depth probing into our nation's history and memory, as well as bravery in defending its authorial message." Again, the press picked up the film's story, with some comparing STV's attitude to censorship from before 1989. In her article published on June 12, 2005, reporter Miloslava Kodoňová states: "Hudec has not edited that sentence out, yet, STV management considers the problem solved. It serves as an excuse to still keep the film locked up in an archive."³²

³⁰ Ibid.

³¹ SZATMÁRY, Zuzana. Dušan Hudec – interview. In *Delet*, 30 January 2008. Available at <http://www.delet.sk/zivot-a-judaizmus/dusan-hudec-rozhovor>. At a different point in the interview, Hudec says: "Not to remain only on the level of mere statements, let me also make this comment: There are significant political and social forces in Slovakia, which strive to disable objective reflection of events related to certain moments in the modern Slovak history. These include namely the events proving the fascist and racist character of the Slovak Republic (SR) that existed in 1939 – 1945, but also inherent (not imported) manifestations of anti-Semitism. A significant taboo topic is drawing attention to the close interconnection of Catholic circles and the Slovak Republic's official 1939 – 1945 politics. I believe that the true reason for suspending the film were the testimonies that are inconvenient for some representatives of the Catholic Church (and, as it seems, also for STV's director general). Within the film's context, these witness testimonies represent an organic and, in the light of its overall message, also desirable component. The content of the sentences that were uttered cannot be evaluated without the contextual framework, as has been attempted by STV's director." Available at <http://www.holocaust.cz/zdroje/clanky-z-ros-chodese/ros-chodes-2004/cervenec-8/miluj-blizneho-svojho/>.

³² KODOŇOVÁ, Miloslava. Igric pre Dušana Hudeca. In *Slovo*, 12 June 2005. Available at <http://www.noveslovo.sk/node/19387>. See also: "First of all, it has to be emphasised that eventually, no intervention into the film's content ever took place – primarily thanks to the author's attitude and public pressure. To me, this is clearly a positive development in comparison with the censorship by law and ideology enforcement bodies, or in comparison with the 'self-regulation' of numerous authors and journalists, especially during previous years. However, the 'intervention' that was made publicly by STV's director in the discussion show does not concern the film itself, but 'only' its public broadcasting. According to its statement, STV will always present the film only accompanied by the aired discussion. Such short-sighted attitude can eventually prevent the film from e.g. being acquired by the Czech Television, or from being distributed on other media. In addition, public broadcasting of the film only on condition of its presentation together with another film directly contravenes the copyright law. Now that is something that cannot be considered a positive development at all." ŠMATLÁK, Martin. Každý začiatok sa stane minulosťou a každá tvár raz zostarne. In *Hospodárske noviny*, 11 June 2004.

What is notably controversial about the film is mainly its last quarter. Through interviews with the involved Jewish citizens, Hudec faithfully reconstructs the pogrom's development in such a way as it is also described by historic research based on original reports from the incident scene by responding police members.³³ However, the images used in this segment are disputable, which carelessly depict Christian symbols linked with testimonies, implying a direct connection between Christians and lynching. These include shots of a church, its interior, altar, chapel and cemetery. By employing Catholic symbols, the visual element of this segment suggests an interpretation that the Catholic believers in Slovakia still display residual xenophobia and racism. Hudec is searching for answers to the question why the citizens harboured such hatred, both racial and religious, even despite the similar ethical norms held and cherished by both communities: "By showing Christian symbols in the film, we wanted the viewers to ask themselves questions and to consider to what extent, or whether at all for that matter, the Catholic church and its believers lived by the teaching of Christ, and to what extent they departed from it. There is a statue of headless Christ in front of the church in Topoľčany. I want to say that for me, this statue represents a kind of doubt – whether we, Christians, in the way we live and treat those around us, have not forgotten something really important. Perhaps that what is missing on the statue is also missing in our lives."³⁴ In another part of the film, a protagonist appears who openly admits to taking part in the pogrom and beating the Jews on that day. He was subpoenaed to court, he did not appear, and he was acquitted. It is then that he utters the above mentioned problematic sentence. From his attitude, it is apparent that he regrets nothing; on the contrary, even today he believes it [the pogrom] was supposed to happen that way and that his actions were right. From the dramaturgic point of view, providing space also for an opposing opinion in the documentary, which predominantly features Jewish survivors, was the right decision by the film's director. Within the film's context, the opponent's opinion turns out as pitiful and deplorable, however, it also points to the lingering presence of xenophobia and racism within contemporary society. Thus, the unpleasant truth about driving the Jews out of the town in the past (not even one remained to live in Topoľčany after the pogrom) connects with the present and has a striking, powerful effect.

In its conclusion, "Love Thy Neighbour" documentary poses numerous thought-provoking topics as well as uncomfortable questions, and – as any polemic work does – starts a discussion. It can be criticised and defended, but in its case, there were unambiguous reasons for the censorship-like measures taken against it. When asked whether Slovakia was able to come to terms with its past traumas, historian Dušan Kováč said: "Perhaps it actually does not want to. For example, we do not want to face the truth and admit anti-Semitism has its roots in our country. That does not have to end up in outright holocaust, true, but the two are certainly related. And anti-Semitism is here even today. It is the purpose of historiography to provide reflection on the society. The Germans had a very tough debate regarding the nation's guilt and responsibility for the war. But here, it was not an issue. Communism did not provide

³³ Ibid. see also VALIŠ, Zdeněk. Protizidovský pogrom na Slovensku v léte 1945 [Anti-Semitic pogrom in Slovakia in the summer of 1945]. Available at <http://virtually.cz/archiv.php?art=9272>.

³⁴ SKALSKÝ, Vladimír. Zabi blížneho svojho! In *Slovenské dotyky*, April 2005. Available at http://www.czsk.net/dotyky/4_2005/uvodnik.html.

opportunities for an exchange of ideas. That is why this issue has stayed alive in a certain part of society until today, as if there were two versions of history – one taught in schools, the other spoken about at home. In the end, the problem lies in the fact that entire generations have not had the opportunity to discuss this matter."³⁵

The study was developed within APVV project No. 0797-12 Slovak Cinema after 1989.

Translated by Tomáš Beňo

³⁵ Ibid.