

## **DEFENDER OF THE UNJUSTLY PROSECUTED**

**Ján Čarnogurský (\*1944)**

The lawyer and politician Ján Čarnogurský was born on 1 January 1944 in Bratislava. His father Pavol had served as a deputy in the parliament of the Slovak state created in 1939 as a result of Nazi aggression and subordinate to Hitler's Germany. Following the war he was imprisoned. From 1948 until the fall of communism he was harassed, as were his family. Ján Čarnogurský got excellent grades at elementary school but because of his father's political past did not receive a recommendation to study further. Nevertheless, he eventually made it into secondary school in Kežmarok. From there he later transferred to Bratislava, where he graduated in 1961.

Thanks to the political liberalisation of the 1960s he was accepted at university. He first attended Bratislava's Construction Faculty, where he met his future wife Marta, with whom he had four children. He soon transferred to law, which he studied in Bratislava and later at Charles University in Prague. After graduating in 1969 he made a short trip to the UK with Marta, studying English and finding casual work in a hotel kitchen. It was his last journey to the West for a long time.

In 1970 Čarnogurský joined a law office. There he was trained by Dr. Sarkány, who represented people who had lost their jobs in normalisation purges. One of the first cases he worked on involved Perla Karvašová, who produced successful shows on Slovak radio but was fired after not passing a political screening. *"In the Labour Code there was an article at the time under which everybody who violated the socialist system could be dismissed from their job. In the court there was a kind of formal presentation of evidence, during which Mrs. Karvašová also gave testimony. It must have been clear to everybody in the courtroom that she was an especially intelligent and well-read woman. The court rejected our appeal against her dismissal – in the justification of the verdict the judge wrote that editor Karvašová had displayed extraordinary intelligence, which therefore made her violation of socialism very grave,"* is how Ján Čarnogurský described normalisation-era injustice in an interview with the online Bratislavské noviny (24/11/2018).

A few years later he defended two Catholic priests who had signed Charter 77 and also distributed it among other clerics and parishioners. He gradually became a well-known lawyer, including in Bohemia and Moravia, where he had many clients, representing people who were unjustly prosecuted for political reasons. Among them at the turn of

the 1980s was Drahomíra Šinoglová, who was convicted of copying and circulating samizdat publications. The show trial sparked attention as the pregnant Mrs. Šinoglová went into hiding for a number of months and was in the end dragged away from her children and forcibly escorted to prison. In connection with this case Čarnogurský was struck off as a lawyer overnight in 1981. *“It was a turning point, to a certain degree. For instance, I had not become a Charter 77 signatory as I thought it was more important that I be able to defend those who did sign it. When they threw me out of the law profession I no longer had to conceal and keep secret my illegal activities.”*

Unable to practice his profession, he worked as a driver for the enterprise Doprastav. He later worked for a brief time as a lawyer for Domáci potřeby (Household Needs) and then at a collective farm in Slatinské Lazy, where he was *“everything from labourer to lawyer”*. He was increasingly active in the opposition. He visited dissidents in Prague (including Václav Benda and Václav Malý) and published in the West and in samizdat, as well as working on the illegal magazines Bratislavské listy and Náboženstvo a súčasnosť. He was repeatedly summoned for questioning by the State Security, who also searched his home. Due to the StB’s interventions he was unable to find employment; this was extremely unusual in Czechoslovakia as working was compulsory. *“They sent me to various interviews from the labour office, but when I applied for a place corresponding to my qualifications as a lawyer nobody took me. My wife Marta was working as an engineer and we mainly lived off her salary. I sent some texts to the priest Anton Hlinka and he got them either to Voice of America or Radio Free Europe. For that I received fees that kind people brought me in cash from Germany. So I earned a few crowns and somehow survived.”*

Čarnogurský was involved in planning the important Candle Demonstration, in which thousands demonstrated for civil rights and religious freedom on the Bratislava square Hviezdoslavovo náměstí on 25 March 1988, which was Good Friday. The protest was known about by *“perhaps every Christian in Slovakia, and they came to Bratislava in great numbers on that memorable day. But František Miklošek and I were summoned for questioning – and while we were sitting where it was warm and dry the Christians were standing in the rain [...] with lit candles in their hands while also getting sprayed by police vehicles [water cannons were used against the demonstrators – author’s note].”*

Ján Čarnogurský says that at the end of the 1980s he personally encountered a change in the secret police’s behaviour. Perestroika had begun in the Soviet Union and some StB officers seemed to have lost their toughness, at least toward him. *“In 1988, if memory serves, the police picked us up during a meeting of the ‘opposition team’ in Prague. We were held for a while. Actually they divided us up for a while at different police stations in Prague. Then they put me in a car and told me they’d drive me to Bratislava. But they*

*took me only around 50 kilometres from Prague then turned off the road and stopped in a kind of wooded park. They told me to get out. I thought things might turn hairy, but nothing happened. They just got out, stood for a while and got back in the car and pulled away, leaving me there. Later too [...] I sensed a certain respect, or at least uncertainty, on their part. I refused to cooperate in any way with the investigators, to testify, etc. And when later they wanted to take my finger prints I clenched my fist and said I wouldn't give them my prints because I wouldn't cooperate. They didn't dare force my fist open, which they definitely could have."*

Nevertheless, Čarnogurský was arrested alongside another dissident, Miroslav Kusý, in August 1989. He was imprisoned and charged with sedition for demanding free elections and issuing an appeal via foreign radio stations for people to bring flowers on 21 August to spots where Czechoslovaks had been killed as a result of the Soviet occupation. Čarnogurský was released in a trial in November 1989. However, the prosecutor appealed and he remained on remand. By then there were demonstrations in the streets, the Communist regime was collapsing and then president Gustáv Husák halted the criminal proceedings against him. He was released on 25 November 1989. The next day he addressed demonstrators and was part of a delegation headed by Václav Havel that held talks with federal prime minister Ladislav Adamec over the handover of power. *"The revolution had to come. It was only a matter of how it would occur in our case. Communism had already fallen in the surrounding countries. In Germany they'd knocked the Berlin Wall down on 9 November 1989. The Hungarians were letting East Germans into Austria. Poland was run by the government of [...] Tadeusz Mazowiecki. In the Soviet Union Mikhail Gorbachev had launched perestroika and even there huge changes had occurred. The isolated Communist regime in Czechoslovakia couldn't hold on."*

After the fall of communism Ján Čarnogurský entered practical politics. From 10 December 1989 to 6 April 1990 he was first deputy chairman of the Czechoslovak federal government of "national understanding" and from 6 April 1990 to 27 June 1990 was chairman of the federal government's legislative council. He later held Slovak government posts. He initiated the foundation of the Christian Democratic Movement, which he led until 2000. In November 1990 he briefly headed the Ministry of the Interior and from April 1991 to June 1992 he was Slovak prime minister. He was a supporter of the foundation of the independent Slovak Republic (Czechoslovakia split at the end of 1992). Between 1998 and 2002 he was minister of justice. He later set up his own law office and in 2014 ran unsuccessfully for the Slovak presidency.

Ján Čarnogurský has been a long-term supporter of Russia and has been head of the Slovak-Russian Association since 2006. In view of his past and the undemocratic, and in many ways unjust, nature of the Russian regime, the following quotation from his

interview for Bratislavské listy may be surprising. *“We managed to win the struggle against communism. I was in the victorious camp and the subject doesn’t interest me any longer. I don’t even have any disputes with today’s Communists and it’s no problem for me to enter a pragmatic alliance with them, for instance in demonstrations against NATO bases, which we’ve been protesting against for three years. Nobody can deny that the importance of Russia on the international scene continues to grow. For instance, it has pushed the United States out of the Middle East [...] and its influence in Central and Eastern Europe is growing. What’s more, today’s Russia isn’t a Communist country and during the totalitarian regime the Russian people sacrificed far more than us. And from the historical perspective the Russians have done us far more good than harm.”*

*Text by Adam Drda*