

## When Modern Monuments are an Act of Autoplagiarism. A Case Study on Objects from Lesser Poland (2017–2018) to Observe Reworking Public Space onto State Agenda

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### Abstract

This paper discusses the autoplagiarism of monuments as a system for the reworking structure of the public space in the interdisciplinary meta-analysis. The research rises the problem of blocking art and art activism in the region. The theoretical part focuses on Polish legislation (acts of 1994, 1997, 2003, and 2016), the opinions of historians on the division between the terms “places of memory” and “places of gratitude” (Oźóg 2011; Czarnecka 2015; Jach 2018), and an overview of the classification of monuments in artistic theories (Krauss 1993; Lacy 1995; Kwon 2004; Ranciere 2004; Walsh 2013; Taylor and Altenburg, 2006; Bellentani and Panico, 2016). Insights into psychological theories related to aesthetic judgment are also presented as supportive statements (Ishizu and Zeki 2013; G. E. Vaillant, M. Bond, and C.O. Vaillant, 1986; Reicher 2003; Le Bon 1929). The research covers six case studies of erected and removed monuments in the area of Smaller Poland during the period from the end of 2017 to the first part of 2018. All samples are related to the stakeholder's reactions to the past Soviet presence in the area and their current aims. The conclusions suggest strategies which could be helpful to strengthen the public space and classification for the autoplagiarized monument.

**Keywords:** monuments, system, society, legislation, autoplagiarism, strategies, public space, contemporary Poland.

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## Introduction

From the second half of the 20th century, monuments were quite often seen by post-modern art historians and theoreticians as objects of power of the state (Kwon, 2004: 30-31). Scholars often based their ideas on theorems of the Freudian idea of fetishism to build “a backup theory,” resulting in the aesthetic object ‘independence’ (Walsh, 2013). For Krauss (1993:, 244-245), that independence lies in non-functional and non-figurative dimensional objects founded on the artists' aim to stand beyond aesthetical functionalism. Furthermore, Ranciere (2004: 41) expanded on the approach described above and openly discussed aesthetics as a form of political oppression. It would also be reasonable to mention also Foucault (1967) and his utopian and heterotopia concept of public space. In the post-modern era, monuments recognized as quasi-figurative transformations of human personifications with devoted symbols such as guns, helmets, and hammers have become contradictory to “real art” objects (Kuspit and LeWitt, 1975: 45). Therefore, in a way, the discussion on monuments in the Polish background has become utterly divided into two groups: those looking for a relationship between social realism as a function of the state and those who simply do not bother. The first group has become strongly analytical and occupied with the fundamental question about the “value” of the monument in the context of its message. The writings of Ożóg and the actions of Szarek involved in saving sculpture by Władysław Hasiór, the Organs, from the aggressive populists could be presented as an example (Ożóg, 2011: 39). The monument was reclassified as sculpture after the earlier attempts by populists to remove the object from Snożka Pass. Redefining the sculpture resulted in the monument existing longer than it might have otherwise. On the other hand, the historical works of Czarnecka (Czarnecka, 2015: 84) and Krüger (Krüger, 2016: 81) focused on the “product placement”—if we may call it that way—of the monuments during the “NATO vs. CMEA” era. The thesis on ‘Pomniki wdzięczności” Armii Czerwonej w Polsce Ludowej I w III Rzeczypospolitej’ by dr Czarnecka was written to overcome some parts of the agreements between Poland and Russian Federation on ‘places of memory’. The purpose was to inject a new term: ‘monument of gratitude’ as non-artistic, non-educational and non-commemorative physical objects. The IPN (Instytut Pamięci Narodowej - Institute of National Remembrance) uses her work to target the objects for removal, although in the opinion of some lawyers like Adriana Jach has no legislative right to do so. The classifications used by Czarnecka differ from the classifications by Ożóg. She used territorial and functionalist aesthetics in the responsive mode to the political background, where the subject what was ‘Soviet’, or what was “totalitarian” was declared *per automata* as a non-Polish object of culture. There is no place for consideration about tendencies regarding responses by using arguments on the fluid reality at that moment. Such an approach would only end with a logical fallacy defined as an argument for moderation. The point is that we speak about two areas of structuralized knowledge: the language of aesthetics and language of history. Both are non-falsifiable in their taxonomies, and they may not guarantee such a level of saturation that would allow us to speak about a Popperian waypoint toward refutable knowledge (Popper, 1963). Rather, what is left seems more intriguing, particularly the following question: When does a monument start to be a monument, and why is a monument not the same as a public sculpture?

This inquiry began in the context of physical placement and codification of the object called a ‘monument’ before the aesthetic judgment was made. To this end, the following

section contains an overview of the following aspects: ownership of the idea, ownership of the physical space, a realization process, and a contextualization process. Sources from the legislation on public monuments serve as a basis for a specific taxonomy. The subsequent section juxtaposes information from those sources with case studies of removed monuments and newly commissioned ones. In conclusion, the contradictions are summarized to present the possible solutions to avoid autoplagiarism in the process of realization or removal of modern monuments in Poland.

### **Legislative taxonomy of monuments in Poland**

Monuments—in the context of the Polish legislation when it comes to building or removing one—do not exist as “sculpture.” Merely mentioned in the Building Law Act of June 7, 1994: (Ustawa) z dnia 7 lipca r., [1994: 2 and 36] Kancelaria Sejmu, the monument is classified simply as ‘building construction . . . in the context of construction works on the territory of Holocaust memorials’. The topics include assignment to the land as a building, an artificial object, and that object’s assignment to history. The second topic requires more attention: history does not mean “memorization,” although, in the first moment, we may be deluded by the subjective context around the term “places of memory” in *Umowa między Rządem Rzeczypospolitej Polskiej a Rządem Federacji Rosyjskiej o grobach i miejscach pamięci ofiar wojen i represji*, Kraków, 22 Feb 1994 *Dziennik Ustaw* Nr 112, Poz.543, [2012]. We speak about an aesthetic “waypoint” that is used only as a relation between at least two sets of abstract concepts related to the subject of time. Does this law is responding to aesthetical needs? According to Ishizu and Zeki, when it comes to aesthetic judgment, we rather speak about an irrational decision-making process (Ishizu and Zeki, 2013). That process may be related to risk-taking and predictions regarding the future in the context of survival. Finally, it was worthy to mention the subject of the whole palette of defense mechanisms: the structures in a mind that lead to “conscious” decision making. (Vaillant, Bond, and Vaillant, 1986: 786–794). Therefore, what we see becomes related to the previously implicated knowledge set related to what we may predict about the experienced object. An example worth mentioning is the concept of the monument proposed by Hansen, Jarnuszkiwicz, Pałka, and Kupiecki for Auschwitz in 1958 (Pietrasik, 2010: 45-47). In this research, the conceptual monument *The Road* moves from the definition of a monument related to the memory of the place. The concept turns the attention of the viewer from the aesthetics toward the focus on the place where it is built. That “in-site” project might give the impression that responders were not in the past for the organized genocide. They could be “in” Auschwitz as it is, beyond past and future. In that sense, that anti-sentimental concept of site relation differs from the definition of the places of memory. Politically innovative, *The Road* ran out of historical capital and was finally rejected by of ex-prisoners of the camp as not representing their own experiences. Hence, the survivors wanted to tell their story, while organizers of the commission wanted to give a warning signal for the future generations.

Therefore, when the monument is recognized as the place of memory, two documents warrant attention: the *On the Prohibition of Promoting Communism or Other Totalitarian Regime by the Names of Organizational Units, Auxiliary Units of the Commune, Buildings, Public Facilities and Facilities, and Monuments Act* from April 1, 2016: *Ustawa z dnia 1 kwietnia 2016 r. o zakazie propagowania komunizmu lub innego ustroju totalitarnego przez nazwy jednostek organizacyjnych, jednostek pomocniczych*

gminy, budowli, obiektów i urządzeń użyteczności publicznej oraz pomniki, Kancelaria Sejmu, Dz.U. [2016] poz. 744, as well as "256 Article" of the penal code from June 6, 1997, on Promoting Fascism or Other Totalitarian System or Inciting Hatred: Dz.U.2017.0.2204 t.j. - Ustawa z dnia 6 czerwca 1997 r. - Kodeks karny. In both of those acts of Polish Law, the texts lack a strict and clear definition of communism, fascism, and totalitarianism. That opens the door to deviate of the law and, subsequently, subjective definitions of places of memory. It can be noticed already on that level of investigation that the subject of the "monument" is no longer a matter of site but of the historiosophical definition given to that site, what means after Voltaire (1765), a philosophical approach to the historical circumstances and occurrences related to each other. Therefore, both acts of law require the incorporation of the strategies based on the opinions of the specialists: mostly historians who define who or what might be related to the subjects described in those acts. The second option is to understand those acts to refer to the common act of law and follow to the *vox populi*. However, is it safe after Le Bon to take the risk and claim that custom is always contradictory to rational decision making? The tendencies of the crowd change rapidly. Le Bon stated, that the crowd needs religion or ideology. The crowd does not like changes to their customs (1929: 116-117). What could be considered as the "customary" definition of communism by the mass population? Both acts are in the state of interior conflict regarding their taxonomy. The conflict between that naturalist and positivist approaches to the monument in law on the abstract level did not start in 1997 or 2016 when those acts of the law were implemented. It could be even suggested that communism never existed. Hence, the idea of "Communism" as a certain target was directly engaged by the leftists. Besides that, the NEPs - New Economy Policy formed by Lenin in 1921 - did not resolve the problem of monetary exchange in the period of revolutionary Russia (Panasewicz-Deryło, 2015: 81-88). International exchanges of iron with the US-based on lend-lease agreements declassified USSR as just "communists" (Harrison, 1993). We can be only sure about a political strategy, where such ideas were used for military purposes (Kołakowski, 1970: 175). Such strategies are used today in certain forms of subversion (Iwasiński, 2015: 25)(Poisel, 2013: 110). The classifications of the monument concerning the public space are not aesthetically justifiable. Paragraph 3 of "256 Article" of the penal code clearly states that anyone doing artwork or educational work about communism or fascism is not breaking the law. That document, in the comparison with Act from April 1, 2016, formed to 'ban on the promotion of communism', states that monuments are not the objects of art or education. They are only "historical places." That situation creates a certain type of legislative paranoia: in the context of the cultural grants held by the Polish Ministry of Culture and National Heritage, the subject of the "history of a place" is widely exposed. The monuments commissioned by the art commissions in the Orońsko Sculpture Center and held under the auspicious role of the same ministry are considered to be culturally innovative ([www.rzezba-oronsko.pl](http://www.rzezba-oronsko.pl), 2018). In that sense, the monuments commissioned by the former political power are artistic objects, whereas the monuments constructed under the People's Army and Peasant's Battalions re not, although both sets of monuments stem from the emanation of power by the state. Another issue coming from that juxtaposition of Polish acts of law is the fundamental "73 Article" of the Polish Constitution. The article stands for freedom of artistic, educational, and scientific acts of the citizens. Again, the Act of April 1, 2016, stands as avoiding the subject of artistic

merits compared to the aforementioned article of the Polish Constitution. First, the Article 5b point 1 of the Act of April 1, 2016, states that the Voivode (local governor in Poland) knows the definition for any monument. Second, the decision of the IPN is requested to confirm or reject the decision of the Voivode. The decision on the monument is made without any public interference. The Act of April 1, 2016, imposes and limits the process of the research conducted by any type of interested party to the authoritarian decision of one political body: the IPN. Such a situation stands openly against the basic rule of the law, which holds that the judgment must be made on the case. Therefore, in this particular option there is only a decision-for-decision process (Jach, 2018).

Back in the Building Law Act from June 7, 1994, there are two suggestions regarding the monument. Point 12 of Article 29.1 of the Act of June 7, 1994, states that certain types of temporary construction objects do not require special permits to be built, including objects of cult and so-called minor architecture objects, such as statues. That potential limitation for temporary minor architectural objects opens the practical use of the public space for the monument. The definition of “cult” is not specified. The subject of “statue,” from one side, limits the aesthetical possibilities and, from another, simply provides a certain possibility for a successful implementation. Once implemented, it must be noted that the space of implementation changes in terms of its value and quality. The responsibility for that place, the target, and the time processes related to that location all change. It seems that subject of “intention–action” has somehow escaped the attention of urban planners. The Society of Polish Urban Planners (TUP) website provides a comprehensive definition of the public space-based, among others, on Article 2. of the Planning and Spatial Development Act of March 27, 2003 (Ustawa z dnia 27 marca 2003 r. o planowaniu i zagospodarowaniu przestrzennym) states that public space is a significant place for the satisfaction of the needs of its users ([www.tup.org.pl](http://www.tup.org.pl), 2018). The TUP developed a certain logical fallacy by further development of that thesis as a fundamental argument. The Public Space Card (Karta Przestrzeni Publicznej) brought by the TUP in 2009 does not stand against 2 Article of the Act from March 27, 2003. The document is a collection of *pro bono* affirmations toward the better management of public spaces. However, the overall argumentation fails to address a fundamental issue: What existed before that public space? What was that physical space before it was used to fulfill the urgent needs of the public? The argument that significant space always existed and we only remodel that space by adding or removing objects like monuments is a fallacy. We may speak about an owned space that becomes multi-purposed and shared by its users, but still, the owner remains the owner. Therefore, the fundamental issue lies in the focus on who owns that space before and after it is called “public” (Lacy, 1995: 23).

Here, we reach the next factor significantly related to the process of the happening of the monument, which is the act of commission. The process of building (or buying) the monument, by the nature of the law, must be stated by the owner of the space (not exactly the public one). The Public Commission Act of January 29, 2004, is probably one of the most overused legislative acts in the process of building monuments in Poland (Ustawa z dnia 29 stycznia 2004 r. Prawo zamówień publicznych). The origin of that abuse may come from the copycatting of the term “building” related to the monument. If the commissioner wants to use the Public Commission Act as a formal basis, then a single potential sculptor has almost no chance to even successfully compete. All that is

required to prevent a potential artist from taking part in the competition for the commission is to formally ask for the bail by referring to Article 36.1 subpoint 8 of the mentioned act. It is difficult to find a single artist who can invest a potential sum of several thousands of Polish złoty (PLN) to take a part in the commissioning process. Another possibility would be to announce the commission in a short period with a requirement of a complicated visualization of the monument. All that could be needed as bid-rigging, is to illegally inform the potential winner to prepare the visualization before the commission will officially begin. Non-cartel participants may be unable to respond on time, or rejected on any other reason. The problem with transition of secured information on conditions of public commissions had been described by Miąsko (2019: 76, 86) in his analysis on methodology of economic crimes in Poland. Although the wide observation of the problem by specialist in economic law in Poland (Molski, 2009: 68-69; Szostak 2018: 60-61) and the direct actions of EU against cartels in case of public commissions (EU Directive nr 5201/PC0896; KOM/2011/0896; Article 30 point 2b), the similar acts happens (Rybak, 2016 et.al.) The subject of pushing ethical barriers in commissioning of monuments is not new in Poland and was already in the eye of the Supreme Court in the case of commission of Monument of the Warsaw Uprising by defending the statement of critics against the commissioners, by stating, that the criticism in such cases is necessary for the greater public good (LEX nr 9043, case CR 436/90, 1990). According to Paul Van Slembrouck from the Traction Interactive Advertising Agency, the preparation of general visualization takes a minimum of three weeks ([www.quora.com](http://www.quora.com), 2018). That suggestion is related to the agency where the team is focused only on that task. In the case of competitions for monuments in Poland, it is not likely that the potential creator will focus only on one commission proposal for a minimum period of three weeks. The average period for presentation of the visualization with a potential maquette of the monument in Poland is between two to three months ([www.zpap.pl](http://www.zpap.pl), 2018). The Public Commission Act states, in Article 4d.2, that it is not required to refer to the legislative commission procedures if the commission is related to “cultural acts.” Next, in Article 4.3e, it is stated that research and development services are not subject to start special commission procedures. Here, the subject of the monument jumps off the aesthetic criteria again and holds to the Public Commission Act only—and only as building construction. Technically, it is not required to follow the articles of the Act of January 29, 2004, in the commissioning process if the monument is defined as a cultural act. The problem of quality to commission procedures related to sources and timing in that particular case should take actions toward better and compulsory commissioning procedures (Ziółkowska, 2014: 4) Moreover, the process of implementation of the monument should start from the research and become a form of development of the public space. However, using the Polish Public Commission Act in the process of implementation of the monuments literally and legally declassifies those objects from the generally understood area of culture. Monuments are not, in any way, objects of development of public spaces but building constructs without a relation to the site. Again, we meet a lack of clear language: Usually, a commissioner urges for the development of the existing public space through the construction of the monument. However, using the procedures from the Public Commission Act structurally declassifies that potential monument into some sort of building construction. Therefore, in Poland, only the “private” commissioner who directly follows the definition of the ownership law and asks for the monument to be

considered as a cultural act without setting up a competition is acting logically according to the letter of the law (Ustawa z dnia 23 kwietnia 1964). The final passage on the letter of the law in the context of the monuments is an insight into Article 261 of the Penalty Law, which defines the situation where the monument can be insulted (Ustawa z dnia 6 czerwca 1997 r). According to this law, a poorly sculpted monument of a person in the aesthetic sense is not an insult of that person. However, any action toward the monument can be used by the state as an attack on that state but not exactly the public space, ([www.wyborcza.pl](http://www.wyborcza.pl), 2018).

### **Public space or public good in the context of IPN performances with the monuments**

There were several attempts to improve the public spaces through a referendum, but all were a failure ([www.referendumlokalne.pl](http://www.referendumlokalne.pl), 2018). Due to the insufficient level of interest of the local communities in the engagement to directly govern their urban areas because less than 30% of the population took part in the voting. In Polish Act from 1995 on referendum (Dz.U. 1995 nr 99 poz. 487), if less than 30% of population took a part in referendum (in some cases more than 60% is required) then is considered as non-binding. Moreover, the Supreme Administrative Court of Poland holds the decision that a local referendum cannot be a legal way to make decisions about urban planning ([www.rp.pl](http://www.rp.pl), 2018). However, that information may not mean that the strategy regarding the reduction of the auto plagiarism of monuments in public spaces is not possible. Simply stated, we do not have enough information on the possible involvement of the administration and local communities in the sharing of urban spaces. That analysis must come before any decisions on the urban space are made by a financially independent legal body-related directly under the coverage of the state based on free speech. In that context, it is difficult to separate the term “public good” from the term “public space.” However, it is illogical to state that both of these terms always refer to the same type of location. The ideas can be discussed but cannot be judged the same as human deeds. General accusations about removed ‘Soviet’ monuments are, that the carriers of the ideas, like ‘communism’, is the idea. However, monuments classified by the IPN are not objects of art for that institution and do not extend any form of living culture. Any monument named in Polish law is not an art object and does not have any cultural impact for the local community until that community reclassifies that object for its own sake (e.g., the monument for fallen Łemkos). The abuse of term “communism” by the IPN is at least equivocal in the context of political relations, as the relationship of the IPN, Voivode, and political dissidents in the context of the Act of April 1, 2016, demonstrates. It seems on the contrary that the IPN does not publish any official list of monuments to be removed. IPN did not respond to any emails since 2016 to present the full list of monuments to be removed. In the telephone discussion with one of IPN representatives in 2017 the information was given, the list, does not exist and decisions are made on the basic data provided by Czarnecka in her thesis which was sponsored earlier by the IPN.

### **The Monument as the Object of Autoplagerism**

It is required to mention a specific condition the research was taken when speaking about found and chosen theoretical sources. The sample was taken from the population

different from the population in the UK or the USA – generally considered as the ‘global West’. When speaking about some last findings of monuments and memory, we may spot on certain general directions: it is a usually figurative or transfigurative aesthetical act of the official culture sponsored by the state to establish moral attractors (Jezernik, 2012: 182); transgenerational discourse over group identity (Hamilton, 1990:103-104); an act of external, collective memories whom may vary in own perception causing even serious conflicts (Christian, 2012:5) or racial – capitalist transgressions (Mitchell, 2003:727-728). All those sources are based on philosophical interpretations of the authors, on how probably the monument and memory are linked together. Moreover, most of the sources will give the State a certain position. The trace linking them all is the solid view on the role of the State in the production of the monuments, fundamentals of the public space (Habermas, 1962) and the same rules in methodological research. Meanwhile, speaking about the modern Polish condition it is hard to contribute does the decisional process of removal/implementation of the monuments is driven by the interest of the State or what the State for the Poles could be. Many factors are referring to that situation. Perhaps observations made by Evans on the subject of public space and aesthetics in the context of post Council for Mutual Economic Assistance countries in Central Europe (Evans, 2018) may explore the problem bit closer. Evans pointed out, that philosophers like Ranciere, Derrida, Heidegger, Sartre, Benjamin, Lyotard, Lefort, Badiou are dealing with, what he called 'space' where the monument is put on/removed from and there are still more questions than answers. That state required to keep democracy in the Global West might be not even developed yet in the area of Poland. Evans noticed, that post-Eastern Block still has not too many local theoretical sources on the subject, and not enough practical applications. Indeed, there is no representative institution of the Arts Council in Poland, or one percent for art scheme (Krzysztof, 2018). Therefore, comparing the removal of Soviet monuments in Poland with the removal of e.g. Serra work from Federal Plaza in New York (Kwon, 2004:13-14), or detachment of Confederate generals' monuments (Mitchell, 2003) would be a fallacy. Therefore, looking at the sources by the Polish authors, the reader might deal with re-worked sources which originated from the West or deal with personal opinions about the public space, e.g. Jakub Banasiak on Althamer work 'Brzoza' dealing with a reception on memorization processes around aviation catastrophe in Smoleńsk from 2010 ([www.magazynszum.com](http://www.magazynszum.com), 2018). It is worth to add, that first, translations of Rosalind E. Krauss work *Sculpture on Expanded Field* (Krauss, 1979) with her other essays become published in less a decade ago in Poland thanks to individual work by Monika Szuba in 2011 (Krauss, 2011). Therefore, this paper on monuments in that, population and has nothing to do with terms of post-postmodernism or post-social realism - although many theoreticians in Poland would like to have such a relation to express how 'European' that country is. I would recommend at this moment to look at Hofstede indexes (Hofstede, Hofstede & Minkov, 2010; Hofstede, 2011) were for Poland uncertainty avoidance compared to the USA and UK is the highest among those three and individualism is the lowest. In Hofstede's observation, Poles have a low certainty index and that links to their views on the future. What is consistent with observations of Lasch (Lasch, 1991:21), that described by him narcissistic attitudes in the high-rate consumption societies are equally not interested in their future as in their past. Please take under consideration as well, that some sources used in Poland could be plagiarized texts from the West (so-called copyfraud) and universal typology is literary, not possible for now with plagiarism widely visible at the

Polish universities (Wroński, 2018; Heitman, Litewka, 2011). In that context, Foucault's 'dystopia' as the term could be justified but, what we could do with similar sources at that moment? Global West is not Poland and we should be aware of it, especially if we would like to search for universal typologies.

The legislative subject has been limited to the most significant examples. The procedural aspects of Polish law in the context of monuments can stand separate from the taxonomy about their function. Professor James E. Young, in an interview by Adi Gordon and Amos Goldberg, stated that monuments may also serve as counter-memorials in the way Mai Lin's work was produced ([www.yadvashem.org](http://www.yadvashem.org), 2018). However, he did not mention the buzz about Hart's work on the same subject commissioned independently by Vietnam war veterans (Wolfe, 2000). Young divided the memorial-monuments of past regimes such as the Soviet Union from memorial monuments made today to commemorate the victims of those totalitarian systems on a political basis (function) but not an aesthetic one. Young noticed that the forms of the modern monuments often fall into schema and copycats of quasi-totalitarian aesthetics. Yahaya Ahmad, in his research about heritage, pointed out that the concepts "tangible" and "intangible," in the context of the memory of the site, are not globally structuralized. The guidelines by UNESCO and International Council on Monuments and Sites - ICOMOS - developed over the last 40 years include the subjects of "cultural heritage" and the physicality of the space (Taylor and Altenburg, 2006:299). Simultaneously, the views on heritage by UNESCO, ICOMOS, and TUP present consistent patterns, and come from appeals that public space always "was there." However, starting from Habermas we should talk about the evolutionary process of the public space (Habermas, 1962) 'to happened or to be lost', where artistic object will always be a political statement (Mitchell, 1990:889). Therefore, the preservation of public space by institution like those mentioned, may turn to the act of attack against them although their best intentions just because of the existence of any institutionalized perseverance to protect the public space in our modernity (Bauman, 2000:42-60). Researchers such as Julieta M. Vasconcelos Leite go back to the socio-spatial concepts of the 1960s to structuralize both the memory and monument onto one semiotical area. By referencing the non-scientific theories of collective memory by Maurice Halbwachs, Vasconcelos Leite focused on justification of the value of the public space to raise its significance (Leite, 2007:27). However, Billig, in a critique of so-called "common sense" in-group dynamic theories, pointed out that externally observed object-memory relation is not enough to constitute a scientific proof (Billig, 2015:703). It rather seems that a subject of the monument in its memorial aspect lies beyond the issue of the site and belongs to the area of the temporal probabilities related to risk-taking (Reicher, 2003:186-187). Therefore, the whole strategy of implementation of the monument is based on the aspects of interpretation, ownership, and function. For Federico Bellentani and Mario Panico, the process of interpretation is the most significant in the meaning-making process for the monument. The researchers proposed that re-classification of the monument as a concept may be the key to better incorporation of the object into public space structures (Bellentani and Panico, 2016:40-41). Therefore, it could be stated that terms such as "site-specific" or "memory-based" monuments are nothing more than a semiotic construct through which attention is given by the actions toward the object in the past. If the same interest group would copycat not the idea but the purpose for the monument, then it could be stated that we witness an act of autoplagerism of the monument. Such an act would be recognized as repetitive intention to push own agenda by possessing the land

first and finding aesthetical and ideological attribute in the form of the monument to justify that possession second. Therefore, the autoplagiarism of the monuments is not straight related to propaganda. It is rather reasoning for manipulation with history, by repetitive actions starting by changes in the law and land ownership where the voice of the artists or the viewers are limited to legitimate that act on the end of the process.

### The Monument Cases for Kraków for 2018—A Case Study

The table below presents some of the newly established memorial monuments erected in 2018 or the process of eventual realization in Kraków. The table includes the name of the monument, allotment (parcel) ID, the former status, eventual mortgage registration, the author of the monument, realization, the commissioner, and the legislative body issuing the building permit. The data on the allotment, mortgage status, and the former situation were gathered with Internet tools: [mapy.geoportal.pl](http://mapy.geoportal.pl); [znajdzksiege.pl](http://znajdzksiege.pl) and [googlemaps.com](http://googlemaps.com).

Table 1. The erected or in-process monuments in the Kraków area for 2018

Name of the monument	Allotment identification	Former status	Land and mortgage register	Authors	Realization	Commissioner(s)	The agreement is given by
Kukliński Monument on Jeziorański Plaza	126105_9.000 7.325/5	Erected in 2018	Lack of evidence	Czesław Dźwigaj and Krzysztof Lenartowicz	Megabud Kraków (Owner: Krzysztof Lenartowicz)	Stowarzyszenie im. płk. Ryszarda Kuklińskiego, Henryk Pach and Henryk Lassota; established on 04.01.2009	Uchwała Rady Miasta Krakowa z 4 listopada 2009 r and ZIKiT
Ribbon of Memory Home Army	126105_9.000 3.160/2 or 179 (two different cadasters. The identification should end with number '179')	In progress (2018)	Lack of evidence	Alexander Smaga	Not established (2018)	Budimex, RedisBad, Ribbon of Memory Foundation (fundacja wstęga pamięci) Alexander Smaga; established on March 8, 2016	City Council Act (signed by Stanisław Rachwał) May 26, 2010, ZIKiT)
Monument of President Julius Leo	126104_9.001 3.529/2 529/2	Erected in 2018	Exist (Józefińska street)	Karol Badya and Łukasz Podczaszy	Karol Badya and Łukasz Podczaszy	Gmina Miejska Kraków, Zarząd Infrastruktury Komunalnej i Transportu w Krakowie, SARP	ZIKiT, August 2017 (specific date not indicated)

### **Kukliński Monument on Jeziorański Plaza (allotment: I26105\_9.0007.325/5)**

The time to present the proposal for Kukliński's monuments was six weeks. The former plan of the commission included making the maquette. Eight months before the commission was opened, the Kukliński Society was established by Piach and Lassota, the ex-Mayor of Kraków ([www.mojepanstwo.pl](http://www.mojepanstwo.pl), 2018). Architect Lenartowicz and sculptor Czesław Dźwigaj won the competition. Lenartowicz's company was later the main investor in the realization of the object ([www.gazetakrakowska.pl](http://www.gazetakrakowska.pl), 2018). The first concept for Kukliński Monument by Dźwigaj was revealed in August 2009 and had nothing in common with the final realization of the 2018 concept. The ultimate destination for the concept of the monument by Dźwigaj was Rose Alley in Nowa Huta ([www.krakow.wyborcza.pl](http://www.krakow.wyborcza.pl), 2018). Of 22 members of the jury, seven were politicians, three were members of SARP, and the Kukliński Society was represented by Henryk Pach (Załącznik nr 2 do zarządzenia nr 2562 /2010 Prezydenta Miasta Krakowa z dnia 14/10/2010:11). There were no consultations with the local community. Both Lassota and Dźwigaj belonged to the Bractwo Kurkowe ([www.bractwokurkowe.pl](http://www.bractwokurkowe.pl), 2018) (see fig.1). Politician Bogusław Kośmider was one of the judges for Kukliński and had professional and political contacts with Dźwigaj before 2009. In 2006, Dźwigaj was chairman of the Program Council for the 750th anniversary of the location of the Capital Royal City of Kraków. During that meeting in 2006, Lassota was also active with his contacts with Dźwigaj (Komisja Głównej Rady Miasta Krakowa, 2006). The monument presents a large, bow-shaped metal construction, in which one end stays in the air over metal tables.

### **Ribbon of Memory Home Army (allotment: I26105\_9.0003.160/2)**

The decision regarding the AK monument in the designated site was made on May 26, 2010. The text of the act signed by Stanisław Rachwał (head of Kraków's planning commission) urged the mayor of Kraków to agree on the location of the monument. (Rada Miasta Krakowa, 2010) On March 8, 2016, the Ribbon of Memory Foundation was established with the CEO Alexander Smaga, an architect of Polish origin residing in Vienna ([www.wstegapamieci.com](http://www.wstegapamieci.com), 2018). Smaga also designed the aesthetic form of the memorial. According to a *Gazeta Prawna* article from April 19, 2016, the crowdfunding action brought the sum of PLN 310,000 ([www.gazetaprawna.pl](http://www.gazetaprawna.pl), 2018). Thus, in approximately eight weeks, a group of investors was found. The average rate of crowdfunding in the EU for heritage was 1% in 2013–2016 according to the European Commission (de Voldere, 2017:51). That would mean that the significant sum of money for the monument was gathered in extremely rare conditions. The main investors for the monument presented to the public opinion were the companies RedisBad (a producer of clothing using pro-nationalist symbols in a product placement manner) and Budimex—the main investor in housing development in Kraków. On the website of the foundation, it is proposed to carve the names of the main investors in the Numerical Control Machine (CNC) made plaquettes. According to the sum invested, the size of the plaquette varies. According to Smaga himself, there was a three-stage competition to win the build of the monument ([www.krakowniezalezny.pl](http://www.krakowniezalezny.pl), 2018), although Aleksander Gurgul from *Gazeta Wyborcza* noticed, that Smaga did not win the competition ([www.krakow.gazeta.wyborcza](http://www.krakow.gazeta.wyborcza), 2018). At the beginning of 2018, the maquette of the monument was incorporated into the area. In the consultations for the

monument made in the early summer of 2018, a total of 1,100 citizens had a negative opinion about the location of the monument. Simultaneously, the organizers of the action for the monument, including the Ribbon of Memory Foundation, brought between 3,300 and 3,400 signatures in support of building the monument. The signatures mostly came from the readers of the pro-nationalist *Gazeta Polska* newspaper. A further investigation done by the city council found that the exact number of signatures could not be confirmed (Urząd Miasta Krakowa, Miejskie Centrum Dialogue, 2018:13). Moreover, after the first decision of the commission announced by ZIKiT on July 10, 2018 (ZIKiT, 2018), there were no responses from construction companies ([www.tokfm.pl](http://www.tokfm.pl), 2018). The plan of the monument was based on the map of the eastern frontier of Poland from the years 1918–1939 and included the 500m-high light illumination.

### **President Juliusz Leo Monument (allotment 126104\_9.0013.529/2)**

One of the participants had to be an architect (The co-organizer of the commission was SARP.). The competition organizers only invited the following artists to take part: Prof. ASP, Dr. hab. Karol Badyňa, Prof. Wiesław Bielak, Prof. Adam Myjak, Prof. Jerzy Nowakowski, Prof. Bogusz Salwiński, and Prof. ASP, Dr. hab. Jan Tutaj. The closed-form of the competition for the commission was based on Article 11. 8 of the Public Commission Act of January 29, 2004 ([www.zikit.krakow.pl](http://www.zikit.krakow.pl), 2018). The competition was won by Karol Badyňa—a sculptor and professor from ASP in Kraków—and Łukasz Podczaszy, an architect and the owner of the PPA company ([www.krakow.pl](http://www.krakow.pl), 2018). The secretary for the commission was Wojciech Kasinowicz, an architect and member of SARP. The monument stands on the allotment 529/2, which is the whole Józefińska Street on Podgórze quarter in Kraków. It is the only allotment from the pilot studies with the land and mortgage register for monuments erected in Kraków after January 2018. The monument is a classical bronze statue.

### **The Monuments Identified for Removal in Lesser Poland for the end of 2017 and 2018—A case study**

The table below presents some of the monuments classified as “communist” by the IPN that were removed or reclassified in 2018 and very late 2017 for the region of Lesser Poland (Małopolska). The table includes the former status of the object, ID, mortgage registration, basic information about the local landlord, the legislative body requesting removal, and the current classification. The list is incomplete and was based on political significance and allotment identification. The data on the allotment, mortgage status, and former situation were studied with Internet tools: [mapy.geoportal.pl](http://mapy.geoportal.pl); [znajdzksiege.pl](http://znajdzksiege.pl) and [googlemaps.com](http://googlemaps.com).

Table 2. Monuments for removal in the region of Lesser Poland between the end of 2017 and 2018.

Name of the monument	Allotment identification	Former status	Land and mortgage register	Author(s)	Landlord	Decision for removal	Classification
Gen. Karol Świerczewski	121105_2.0002.189	Destroyed in 2018	Exists; defined as agricultural parcel	Franciszek Strynkiewicz	Nadleśnictwo Baligród	IPN	Place of memory/Monument of gratitude
Formerly the monument of gratitude for fallen Łemko	20510_2.0018.265/6	Exists; Classification changed in 2018. Classification before 2018: The fallen volunteers of the People's Guard, Soviet Army, and the Polish Army from the Lemkos region in 1939–1945 who were killed in the fight against the invader.	Exists; type of land is not specified	the date of erection is not provided by the city officials to the public	Ujście Gorlickie	IPN	Changed into a religious monument commemorating Łemkos ethnic minorities
Memorial monument. Original text on the monument 1962–1985: <i>To Honor and praise the fighters who died in the struggle for People's Poland. Society of Wadowice.</i>	121803_4.0005.5041 and 1KDX.3 and PP.1.	Removed in December of 2017	Does not exist	n/n erected in 1962	Kalwaria Zebrzydowska	City council pledge to IPN	Classification changed in 1985: <i>Forgiving the Parisian Cross for the town in the name of partisans fighting against German occupants</i>

### **Gen. Karol Świerczewski Monument (allotment: 121105\_2.0002.189).**

The Gen. Karol Świerczewski monument was removed and destroyed on February 21, 2018, after an order by the IPN issued at the end of 2017 ([www.nowiny24.pl](http://www.nowiny24.pl), 2018).

The monument existed on an agricultural parcel belonging to the Baligród Forestry Department, which made no objections to removing the monument. Subsequently, a small kebab bar was established near the monument's former location (see fig. 2 and fig 3.) Close to the allotment, there is a tourist camping area, and a parking lot was built in

front of the monument's former location. The monument was erected in 1962 close to the place General Walter was shot during the operation Wisła campaign. The author of the monument was sculptor Franciszek Strynkiewicz. The sculpture consisted of a half portrait of the general carved in the obelisk-shaped stone structure. On the pinnacle of the obelisk, the Piast's eagle (without a crown) made from tank steel was exposed. After the destruction, the monument was taken by the IPN decedents to Rzeszów.

### **The Monument of Gratitude for Fallen Łemko (allotment: 20510\_2.0018.265/6)**

The monument currently called *In Memory of the Łemkos* (ethnic minorities) was named before: "Those who died in the fight against the invader—People's Army, volunteers of the Soviet Army, and Polish Army from the Lemkos region, 1939–1945." The monument was not mentioned by name in any document in the local plan of revitalization for the region in the years 2011 and 2016 written by the city office in Ujście Gorlickie (Rada Gminy Ujście Gorlickie, 2017:26). However, after an order by the IPN to demolish the artwork, the local mayor Dymitr Rydzanicz decided not to follow the execution. According to his words, the local community of Łemkos claimed that the monument presents their story: They were forced to join the Red Army or be removed to Siberia. After a discussion with the IPN, the classification of the monument was changed from a gratitude monument (in the opinion of the IPN) to a place of memory for fallen Łemkos ([www.gazetakrakowska.pl](http://www.gazetakrakowska.pl), 2018). Please note, that Google maps list the place as a "religious object". The monument is shaped as a vertical obelisk with an inscription in stone ([www.polskaniezwykla.pl](http://www.polskaniezwykla.pl), 2018).

### **Memorial Monument from Kalwaria Zebrzydowska (Allotment 121803\_4.0005.5041)**

The monument which stood in Kalwaria Zebrzydowska was originally erected in 1962 as a memorial of gratitude without a specific title. The table on the monument in the years 1962–1985 was as follows: "To honor and praise the fighters who died in the struggle for People's Poland. Society of Wadowice." In 1985, the table was changed: "For the participation of residents in guerrilla warfare with the German occupant. By a resolution of October 16, 1985, the Council of the People's Republic of Poland granted the Kalwaria Zebrzydowska the Parisian Cross." In January 2017 ([www.kalwaria-zebrzydowska.pl](http://www.kalwaria-zebrzydowska.pl), 2018), the IPN gave support to the opinion of Voivode Piotr Ćwik and political dissidents Tomasz Baluś, Jerzy Rojek, and Major Augustyn Ormanty from the City Council of Kalwaria Zebrzydowska—an opinion for the removal of the monument ([www.polskieradio.pl](http://www.polskieradio.pl), 2018). The decision of the IPN was full of illegalities, such as the statement that the monument was in "promotion of communism" or in "promotion of diversion" (ibid.). Major Ornaty stated that, after discussion with the local community, the plaza would be re-modified into a meeting place ([www.gazetakrakowska.pl](http://www.gazetakrakowska.pl), 2018). The monument was made from a three-part stone element. The main part presented a group of men in simplified poses (perhaps alluding to Dunikowski's Saint Anna monument). On the side of the monument, the table with an inscription was placed (see fig.4 and fig. 5).

## Conclusion

The research was based on information from the years 2017 - 2018. There were two focus groups: one group with monuments established and the second group with monuments to be removed in the same period of 2017-2018. In the limited amount of both groups, we can speak about the transitional process. That will include the case with Ribbon of Hope case and Monument of Gratitude for Fallen Łemko's. By using the strict language, it is difficult to name Ribbon of Hope as the monument while being only a 'maquette'. Similarly, in the case of Monument of Gratitude for Fallen Łemko's we speak about the change of classification. Regarding the issue of the research good practice in the context of chosen sources, it has been noticed that a wide range of them are internet-based. It is hard to evidence the limited amount of six cases in total for the area with the comparison to the other sites in the Global West with a similar amount of population. However, most of the data about monuments in Poland is available only by internet sources. Another difficulty is the lack of universal language in the publications regarding legislation on monuments in Poland. It should be considered that for a population of Lesser Poland the amount of actions towards monuments is in fact, low and focused on other subjects than aesthetics or local community needs. However, even with that data compared to gathered information on legislative taxonomy of monuments in Poland with a theoretical problem emerged since the complex idea of the Road by Hansen, Jarnuszkiewicz, Pałka, and Kupiecki and in the context of the subject what aesthetics would mean in psychological terms it could be suggested to find the subjects of monuments as the missing area to classify in the public space of Poland. Meanwhile, looking from the context of the Global West, the discussion on monuments by provided here theoretical sources like Bellentani and Panico; Young or Krauss (not to mention all sources from this text), focus on the knowledge exchange. Meanwhile, in Poland, we probably may deal with a force toward legislative strictness to make a monument a solid statement with simultaneously leaving any self-responsibility to a citizen. While as in the process to avoid autoplagiarism the researchers try to focus on expanding knowledge, contradictory, the cases of the monuments in this paper present rather reusing legal statements to obtain the public space or land by the groups of influence.

Therefore, it is worth identifying a certain direction toward the extension of the term "autoplagiarism" in the context of public monuments in Poland over the recent decade. Not as the matter of aesthetics, but the matter of self-replicatory purpose to overtake the public space. The paradigm of autoplagiarism in the monuments of that case study is based on replicative structures in planning and the attitude toward action based on several basic fallacies: the argument from authority (e.g. only the State know what the monument is), bandwagon, and dogmatism (e.g., we all should know what communism is or was), fault analogy (rejection of aesthetics as a part of a formal judgment on monument), and glittering generality commonly used in Polish monument historicism (as the connection of all the above). In the end, we should consider a question, is the matter of ideology what the monument stands for; or rather, it is what stands for the monument in the context of its owner.

### Note from the Author

The data exposed in the process of research on the case studies was not to point any accusations toward the third parties. The research was done in a good manner to hold an open discussion.

### Disclaimer

The designations employed and the presentation of material on this map do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries.

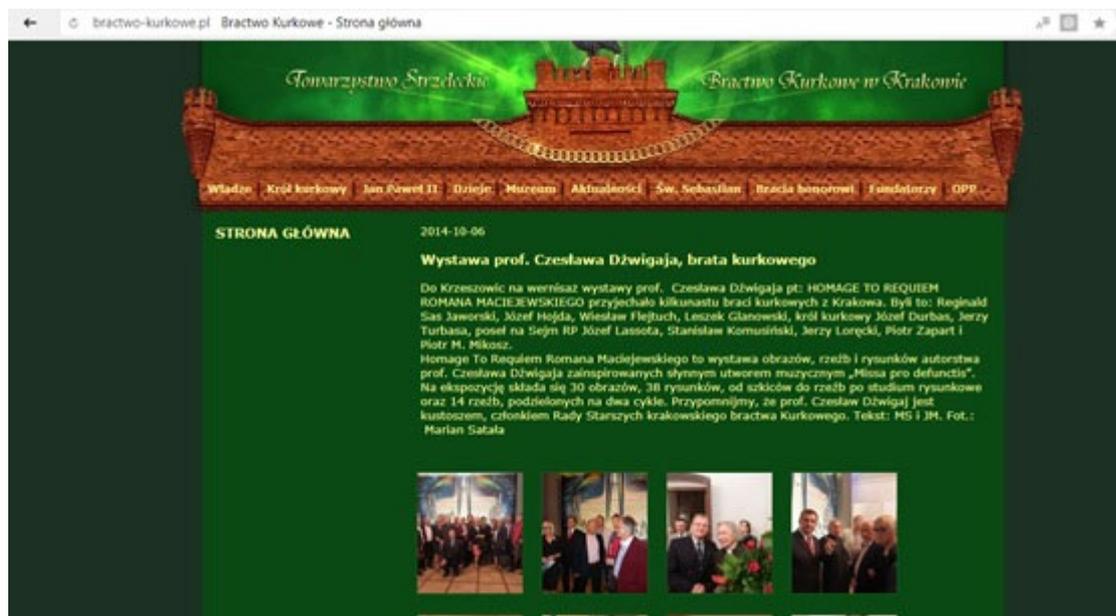


Figure 1. Website of Bractwo Kurkowe.

Avialable at: [http://bractwo-kurkowe.pl/pl/aktualnosci/wystawa\\_prof\\_czeslaw\\_dzwigaja\\_brata\\_kurkowego.htm](http://bractwo-kurkowe.pl/pl/aktualnosci/wystawa_prof_czeslaw_dzwigaja_brata_kurkowego.htm)



Figure 2. Area of the Gen. Karol Świerczewski monument in 2017. Map data ©2017 Google Map data: Google, Maxar Technologies

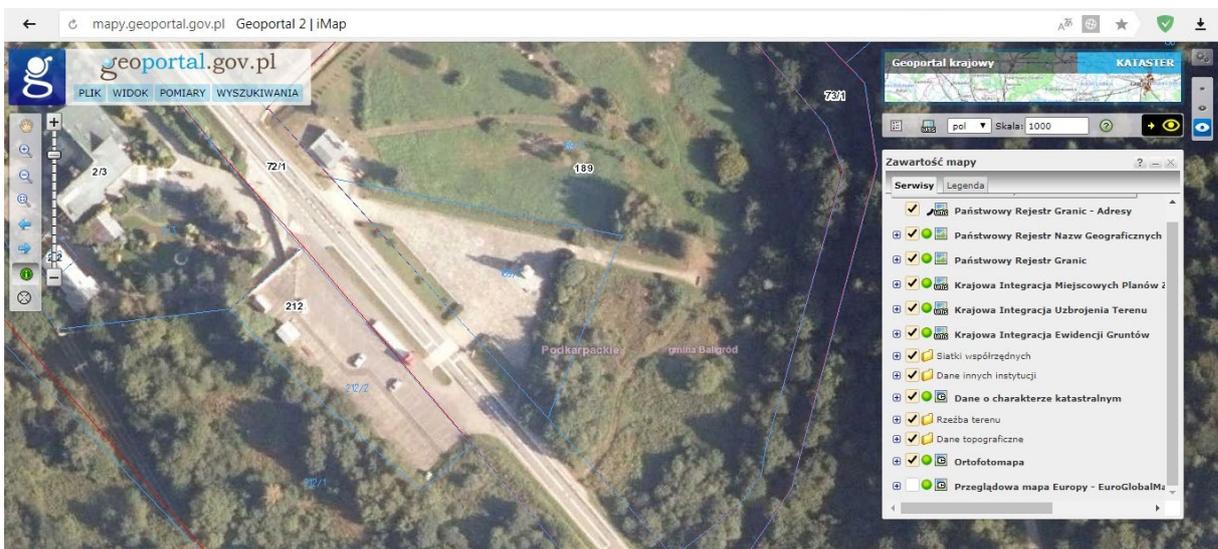


Figure 3. Area of the Gen. Karol Świerczewski monument in 2017. Although the kebab bar was on another allotment, the area of the monument had water, gas, and electricity connections. Source: Geoportals.gov.

When Modern Monuments are an Act of Autoplagerism

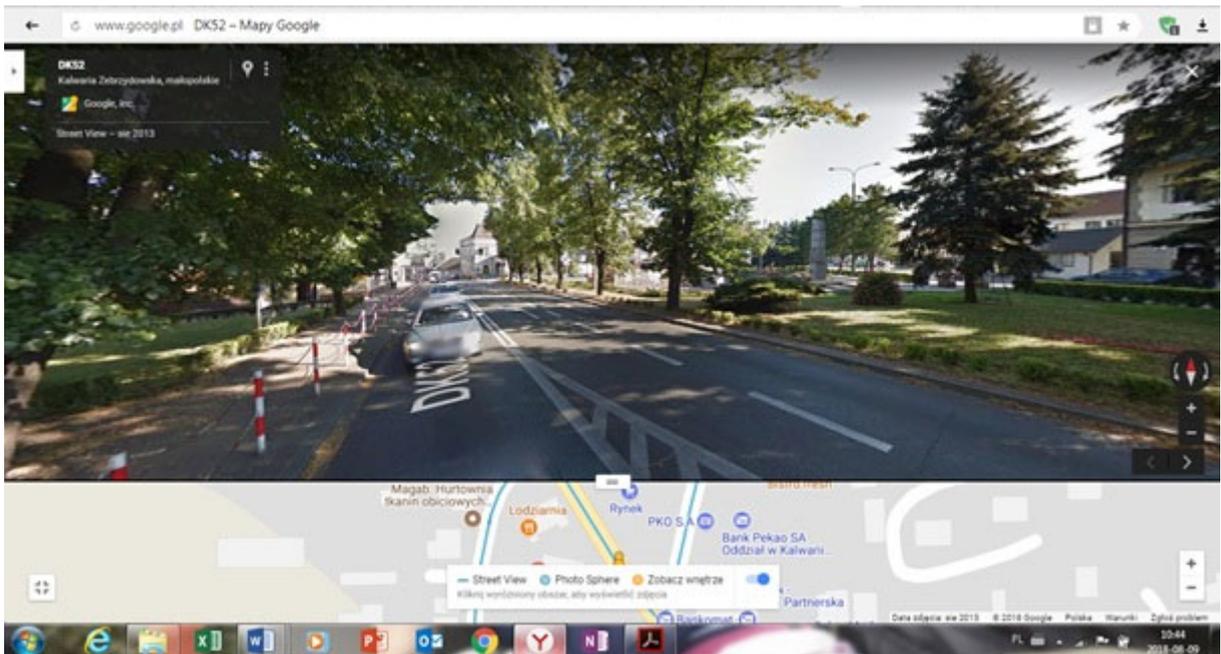


Figure 4. Area of the monument on the marketplace in Kalwaria Zebrzydowska. Status for the summer of 2017. Map data: Map data ©2017 Google Google, Maxar Technologies

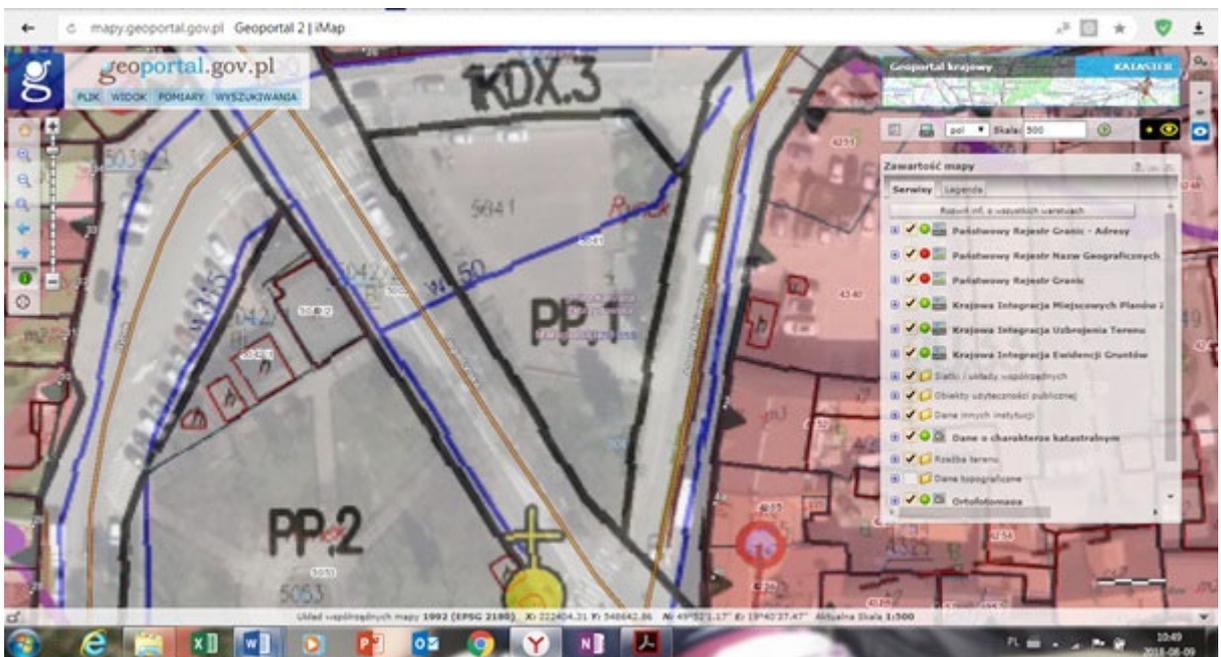


Figure 5. Area of the monument on the marketplace in Kalwaria Zebrzydowska. Please note that the allotment is not equal to the locally provided mortgage register: IKDX.3 and PP. I. Source: Geoportal.gov.

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