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# Arnošt Lustig Foundation: Articles of Association

## PREAMBLE

“The aim of art, and it is truly an art, is to civilise human beings. At least a little bit, a millimetre a day. To act as an animal is extremely simple for humans. We are animals who humanise themselves every day. And we may lose that humanity in a number of seconds. This was demonstrated by the concentration camps.”

—Arnošt Lustig

We the undersigned have decided to set up this Foundation with regard to the significant contribution our father, Arnošt Lustig, made to cultural heritage the world over. The Foundation is carrying on where Arnošt Lustig finished. The founders are the writer’s daughter and son, brought up in the belief that *“life is an enormous privilege of Man and his greatest asset”*, that *“the good in Man expresses itself through action”* and *“that hope is the finest of all feelings we know”*.

## The Arnošt Lustig Foundation:

- **draws on** Arnošt Lustig as a never-ending source of inspiration;
- **takes on board the timeless legacy** of his work as well as the **spiritual legacy** as regards Man's substance, i.e. about us and what is most important in life;
- **takes on board the significance of the timeless legacy** based on moral principles and humanism which is reflected in today's developments and (in all probability) will be reflected in the future regardless of geographical borders;
- **and with this message it accompanies all** who are trying to or manage to find *“a path to freedom without which a human being is just a well-dressed and human tongue (of sorts) speaking animal”*.

Arnošt Lustig was three times sentenced to death by the Nazis, once given a custodial sentence by the Czechoslovak communists, a forbidden author in his homeland for more than twenty-one years. He was born into a poor family and had a tough life but took from from it the positives. With his creative work he sought to find *“the mystery of life, that wonderful earthiness which lifts Man above the stars and forces him down into Hell. What makes Man the greatest of what's emerged in the Universe? What makes him good and in what way is he worse?”*

Arnošt Lustig dedicated his work to the victims of the Jewish tragedy – Shoah. And to all who are capable of saying NO to totalitarian regimes. To those capable of distinguishing between good and evil. To those who are capable of making a decision. To those for whom the word democracy represents the redress of mistakes, a way of life.

As a universal depiction of Man, reflections about his invincibility, about refusing to give up even when outnumbered, but also about morality, civilisation, learning from history and about literature, – they all clearly express and define the Foundation’s raison d’etre. *“You shall not humiliate anyone”* is its Eleventh Commandment.

Literature, as perceived by the Foundation, is according to Arnošt Lustig *“its emotional memory and the emotional history of a human being... an electrifying amalgam in an adventure we call life. Writing is, in fact, a human being’s struggle with memory as well as a struggle for beauty and high-mindedness; the experience of one which enriches many others; an expectation as well as a warning that what happened before can happen again.”*

We base ourselves on these humanitarian principles, values and scholarship of Arnošt Lustig:

*“Each and every human being is irreplaceable ... without one elder, child, man or woman, the life of all is poorer. With each one who departs something within us also departs.”*

- **Justice:** *“The world seems to me terribly unjust as regards many people and in many aspects. I am obsessed by justice. If I was a judge I’d try, at least a little bit, to improve things.”*
- **Morality:** *“It’s a fundamental problem of politics and literature. Politics influences people’s mutual co-existence and culture enriches people. Morality is what humanises us. If you were the most moral person in the world yesterday you can’t be forgiven if you’re amoral at this moment.”*

- **Decency:** *“It’s not hereditary. Nobody is able to save it up. One can only restore it through deeds here and now.”*
- **Dignity:** *“It’s viable same as hope. It’s a creation of Man, of civilisation, of ten thousand years – it’s a fundamental, most important of virtues. It’s possible to take a man’s life but difficult to eliminate his dignity.”*
- **Joy:** *“Now and then a human being should make someone else happy ... The neglect of joy is a transgression in terms of sound mental health. A transgression in terms of keeping balance without which one couldn’t walk more than a few paces before stumbling over. (Indeed, sometimes it’s necessary to wring out a little happiness the way you wring out water from wet clothes.)”*
- **Friendship:** *“We all need somebody who’d keep telling us how wonderful we are and then behave as if he believed it.”*
- **Human Being:** *“May prevail over others but the hardest thing is to prevail over the disagreeables within oneself.”*
- **Freedom:** *“Every individual from whom they take freedom away, shave away or endanger his rights, must defend himself.”*
- **Right and Duty:** *“To defend ourselves is our right and duty. Even the powerless must defend themselves. And if there is greatness in Man it’s very much in him defending himself.”*
- **Civilisation:** *“The problem of our civilisation is that it’s growing slowly, inch by inch, and you can scrape off its thin veneer within a week or a month... It’s easier to destroy civilisation rather than enhance it, same as it’s easier to find enemies rather than friends... Greatest writers should expand civilisation by at least an inch.”*

- **Experience:** *“If in a Man there is something guileless and pure even in adulthood and old age, they are sometimes just the finest residues from his childhood days.”*
- **History:** *“Repeats itself... It’s a consequence of Man’s activities. As long as we live and will go on living Man repeats himself in every future generation. What changes isn’t human nature but social systems, conditions which Man attempts to improve some way (or make worse)... We must guard diligently to ensure that what happened before isn’t repeated.”*
- **Society’s Ailments:** *“Are still left hanging in the air. Society’s illnesses such as racism, nationalism, fanaticism shouldn’t be underestimated. The danger has increased. I fear for my children.”*

We face our responsibility in carrying on with Arnošt Lustig’s meaningful endeavor for a more humane world. We establish this Foundation with respect, inevitability and joy. We wish to be useful and have an opportunity to offer society more than we take from it.

- 1. Name, residence and time scale of the Foundation:**
  - 1.1. Name: **Arnošt Lustig Foundation** (hereon “the Foundation”)
  - 1.2. Municipality where it resides: **Prague**
  - 1.3. The Foundation is being established for an **indefinite period**.
- 2. The Foundation’s aims and its activities**
  - 2.1. The Foundation is being established with the aim of preserving, disseminating, and studying the complete works of the

writer and survivor of the Jewish tragedy (Shoah), Arnošt Lustig, and his spiritual and academic legacy in the Czech Republic as well as abroad.

2.2. In terms of fulfillment of its objectives, within the terms above, it may carry out any form of appropriate and effective activities such as:

- financially and otherwise support literary, publication, library, lecture, film, theatre, media, music, dancing, research and philosophical activities including those of other people;
- support the development of creative talent as part of Arnošt Lustig’s academic legacy (e.g. residential programmes, scholarships, awards, educational programmes, competitions etc.);
- support other initiatives focusing on the dissemination, development and support of culture, art and education (e.g. museums, camps, audio-visual resources etc.);
- organise, finance or otherwise participate in the organisation of cultural, educational and artistic events and programmes, exhibitions, festivals, conferences, fairs, workshops, discussion meetings, award presentations and other similar activities;
- from the Foundation’s assets provide financial contributions or other payments (hereon “the Foundation’s contributions”) to natural persons or legal entities;
- support humanistic and human-rights oriented programmes, philanthropy and help the socially excluded, handicapped, deprived and those with health issues or organisations working in this field.

2.3. The Foundation is also entitled to engage in business pursuits as a peripheral activity in accordance with valid existing legislation.

### **3. Financial Contribution to the Foundation**

3.1. The Foundation's founders are:

- Eva Lustigová
- Josef Lustig

The founders will provide the Foundation a financial contribution of 100,000 CZK (one hundred thousand Czech crowns) before its formation, each providing the sum of 50,000 CZK (fifty thousand Czech crowns). The founders have appointed Eva Lustigová as the administrator of the financial injections.

3.2. The founders will transfer the financial contribution in its entirety within 60 days (at the latest) from the day the Foundation is founded to a bank account specifically set up for this purpose by the administrator.

### **4. The terms and ways of providing the Foundation's contributions**

4.1. The Foundation's fund may provide financial support solely in accordance with the aims of the Foundation's fund.

4.2. The Foundation's contribution can be provided to any person or institution which is developing activities which focus on and assist the fulfillment of those aims for which the Foundation is being established and which requests in writing the provision of the afore-mentioned fund contribution and which fulfills the conditions and parameters as set out by the Foundation and whose life and values, which it advocates

and supports, are in accordance with the conditions and parameters of the Foundation's values supported by the Foundation's fund.

- 4.3. The Foundation's contributions are, as a rule, offered in the form of financial assistance. But if taking into account the objective whereby the Foundation's contribution is more appropriately delivered, otherwise the Foundation's contribution can be offered by other means.
- 4.4. The Foundation's contributions may take on the form of a one-off payment as well as one that is repeated in accordance with the conditions and parameters established by the Foundation as well as with its values.
- 4.5. There is no legal requirement for the financial contribution to be provided.
- 4.6. The provision of the Foundation's contribution will be determined by the Executive Board.

## **5. The Foundation's Formal Bodies**

- 5.1. The Foundation's formal bodies are:
  - Executive Board
  - Auditor
- 5.2. The Executive Board has the power to decide to create new bodies of the Foundation (e.g., an International Board of Trustees, an Expert Advisory Group, etc.), limit their activities, number and term of office of its members as well as determine rules regarding their appointment.



## **6. Executive Board**

- 6.1. The Executive Board is a statutory organ of the Foundation, it controls its activities and rules on all matters relating to the Foundation. The Executive Board may (in writing) delegate a precisely defined part of its scope of authority to other organs of the Foundation for a specified period with the exception of decisions regarding the Foundation's strategic management.
- 6.2. The Executive Board has 3 (three) members.
- 6.3. An Executive Board member is elected by the existing Executive Board with the provision that the person elected can only be elected with the prior agreement of both founders (assuming they are living). In the case where one of the founders is no longer alive the agreement of the remaining living founder suffices. Members of the Executive Board elect their Chairperson.
- 6.4. The founders have determined that the first members of the Executive Board will be:

  - Eva Lustigová
  - Josef Lustig
  - Petr Zahradník
- 6.5. The Executive Board may make decisions outside of an established meeting in writing or by technical means.
- 6.6. The Executive Board may upon it being agreed prior to by the founders and the auditor to change the Foundation's legal status as well as a fusion with another charity or philanthropic organisation.

## **7. Auditor**

- 7.1. An auditor is the Foundation's supervisory authority.
- 7.2. An auditor is elected and dismissed by the Executive Board.
- 7.3. The Foundation's first auditor is: Dita Říhová

## **8. Foundation's statutes**

- 8.1. With the aim of setting up the Articles of Association more detailed regulations of the organisation and the Foundation's management is to be established including more detailed rules for the provision of the Foundation's contributions, the statutes of the Foundation.
- 8.2. The statutes and its changes are approved by the Executive Board after prior agreement by the founders. In the case where one of the founders dies the consent of the remaining founder is sufficient.
- 8.3. If the statutes' provisions are in conflict with the Articles of Association precedence have the provisions of the Articles of Association.

## **9. Representing the Foundation**

- 9.1. The Foundation is represented independently by the Chairperson of the Executive Board or two members of the Executive Board jointly.
- 9.2. Signatures on behalf of the Foundation take place insofar as the Chairperson or two members of the Executive Board add their signature(s) to the Foundation's name or the Foundation's official stamp.

## **10. Changes to the Articles of Association**

10.1. Any changes to the objectives of the Foundation or the Articles of Association are decided by the founders. In case where only one of the founders is living, the remaining founder can decide on his/her own on any changes to the Foundation's objectives or the Articles of Association.

10.2. In case where neither of the founders are living the changes to the Foundation's objectives or Articles of Association can be decided by the Executive Board.