



THE BATA EMPIRE AT CROSSROADS

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ABSTRACT

This study delves into the pivotal moments in the history of the Baťa (Bata) company and the Baťa family, with a keen focus on the first half of the 20th century. It scrutinises seven critical “crossroads” that significantly influenced the company’s trajectory – including the death of Tomáš Baťa, the disintegration of Czechoslovakia, the threat of war, a tax amnesty, the creation of offshore entities, accusations of collaboration, and post-war nationalisation. Through an interdisciplinary approach that intertwines legal, historical, and economic perspectives, the paper aims to present a comprehensive view of the intricate relationships and decisions that shaped the Baťa family’s business amidst dramatic social changes. Key themes include the strategic responses to political and economic threats, legal structures safeguarding family wealth, and the complex legacy of the company post-WWII, including accusations of collaboration with Nazi Germany and subsequent legal battles over property and reputation. The study underscores the remarkable resilience of the Baťa business, its profound influence on the Czechoslovak economy, and its global expansion despite significant political upheaval.

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1. INTRODUCTION

The protection of property has long been considered a fundamental value, particularly during the era of humanism.¹ Beyond its constitutional implications, individuals have an inherent interest in safeguarding their own and their family's assets. The Baťa family was one of the wealthiest Czech families, if not the wealthiest.

This study analyses critical moments in the history of the Baťa Group and the Baťa family during the first half of the 20th century. It delves into the legal, economic, and political factors that influenced their business. The research examines seven pivotal “crossroads” in the company's history, including events such as the passing of Tomáš Baťa, the dissolution of Czechoslovakia, the looming threat of war, the tax amnesty, the establishment of offshore entities, allegations of collaboration, and post-war nationalisation. Methodologically, the study relies on a critical analysis of primary historical documents, legal statutes, court rulings, and contemporary correspondences, complemented by secondary literature and scholarly works addressing the history of the Baťa Concern (enterprise) and its impact on the Czechoslovak economy. This interdisciplinary approach integrates historical, legal, and economic perspectives to furnish a comprehensive understanding of the complex interrelations and decisions that influenced the destiny of the Baťa family and their business within the context of significant societal transformation.

1 Koldinská, 2002, p. 612.

2. BATA AS A THEME

The Baťa family rose to prominence as one of the most affluent families in Czechoslovakia during the 1930s. While some sources went as far as to claim that Baťa was the wealthiest Czech,² there is no conclusive evidence to support this assertion. Nonetheless, there is no denying that the Baťa family, alongside the Petschs and Schwarzenbergs, wielded significant economic influence. Additionally, Baťa represented Czechoslovakian capitalist success during the interwar period, when the country was among the world's leading economies.³

The origins of the Baťa family during WWII were impeded by a mix-up between Wallachia (in Czech Valašsko) and Italy (in Czech, historically Vlašsko⁴), which led to a diversion in research efforts. Records indicate the presence of the Baťa family in Zlín dating back to the period just after the Thirty Years' War, beginning with Lukáš Baťa (1645?-1708?) and spanning five subsequent generations [Pavel (1669?-1724), Martin (1697?-1761), Šimon (1755-1830), Antonín (1802-1858)],⁵ ultimately leading to Antonín Baťa (1844-1905). His marriage to Anna Minaříková (1839-1884) in September 1870 is noted;⁶ she was a widow at the time, her first husband František Bartoš (1830-1867) having met a violent death. Before their union, František Bartoš had been widowed and had two sons from his first marriage to Františka Baťová (1833-1861). Their younger son, Josef (1859-1942), fathered eight children, and his daughter Marie Bartošová (1896-1989) married František (Frank) Muška (1892-1942) in May 1922. Following Františka's passing, František Bartoš then married Anna Minaříková, with whom he had twin daughters, Josefa (1864-1916) and Františka (b./d. 1864). Josefa, through her second marriage to Hubert Klaus (1863-1918), had three children, while Božena (1896-1978) married Dominik Čipera (1893-1963) in February 1920.⁷

2 *Czech Shoe King Has Free Hand*, 1939, p. 10.

3 Kolumber, 2023, p. 199.

4 Huml, 1863, p. 17.

5 Kolumber, 2024, sheet 1.

6 *Ibid.*, sheet 3.

7 *Ibid.*, sheet 5.

The marriage of Antonín Baťa and the widowed Anna Minaříková gave rise to five children: Ludvík (b./d. 1870), Anna (1872–1936), Antonín (1874–1908), Tomáš (1876–1932), and Marie (1878–1880). Subsequently, after Anna's demise, Antonín entered into marriage with Ludmila Hrušáková (1857–1939) in 1885. Their union bore several offspring, including Leopold (1887–1920), Bohumila (b./d. 1889), Bohuslav (1895–1959), Jan Karel (later Jan Antonín; 1898–1965), Ludvík (1891–1893), Rajmund (1894–1897), Jindřich (1900–1946), and Marie (1903–1954). Marie married Josef Hlavnička (1897–1943) in February 1924.⁸

Alongside Dominik Čipera, František Muška, and Josef Hlavnička, the Baťa family lineage also included Hynek Baťa (1898–1968) and František Malota (1900–1984). Hynek's grandfather, František (1840–1912), was the brother of Tomáš and Jan's father, Antonín. Notably, František Malota's great-uncle was Tomáš Baťa, through the line of Anna Minaříková. Interestingly, on the brink of WWII, Hugo Vavrečka (1880–1952) stood as the lone member of the top management of the Baťa Concern who lacked a blood relation.⁹ Despite the family ties, internal relations within the closest management quarters (except Hlavnička) were frequently tense, if not outright cold.¹⁰

The roots of the Baťa Concern trace back to September 1894, when Antonín Baťa (1874–1908) established an independent trade.¹¹ Both Anna and Tomáš played significant roles in the business, contributing financially and personally. However, it was Antonín's name that formally represented the enterprise. This entity later evolved into a public trading company in 1900, with Tomáš Baťa's official involvement. In 1931, through an agreement with the Czechoslovak government and the Ministry of Finance, Tomáš Baťa founded in Zlín a joint stock company (Baťa, a. s.), assuming the position of sole shareholder.¹²

8 Ibid., sheet 3.

9 Kolumber, 2021, p. 71.

10 Wohlmuth Markupová, 2022, p. 54.

11 Kolumber and Kolumber, 2023, p. 134.

12 Kolumber, 2016, pp. 14–17.

3. CROSSROADS ONE: DEATH OF TOMÁŠ BAŤA

Fifteen months after the establishment of the joint-stock company, on 12 July 1932, Tomáš Baťa was scheduled to inaugurate the factory in Möhlin, Switzerland. Möhlin is an emblem of Baťa's response to trade restrictions and tariffs. When protective measures hindered product exports from Zlín, the Zlín concern shifted its focus to exporting entire factory complexes. Consequently, factories were established in various locations, including Borovo Naselje (Yugoslavia, today Croatia), Ottmuth (Germany, today Poland), Chełmek (Poland), Möhlin, Bataville–Hello-court (France), East Tilbury (Great Britain), Batadorp–Best (the Netherlands), Batanagar (British India, today India), Batawa (Canada), Belcamp (USA), and Martfű (Hungary).¹³

Despite adverse conditions, Tomáš Baťa intended to travel to Möhlin via a private plane from Baťa's airport in Otrokovice (near Zlín). Tragically, the plane crashed into a factory chimney in fog soon after take-off,¹⁴ resulting in the loss of a pilot and Tomáš Baťa, who was referred to as a “super-salesman tycoon” by *Time* magazine.¹⁵

There was consternation in the group's inner circle. The economic crisis was reaching its peak, and it was clear that the inheritance fees for the survivors could not be paid, as none of the survivors (and the company itself) had such liquidity.¹⁶ The stoic Dominik Čipera, who was one of the top managers, spoke of the hopeless situation after the news of Tomáš's death and destroyed equipment at home. However, he returned a few hours later – icy calm.¹⁷ Tomáš Baťa had a solution to the situation.

On the day of Tomáš's tragic death, Dominik Čipera, in the presence of notary Hugo Förster, Tomáš's brother-in-law Alexander Menčík, Hugo Vavrečka and Jan Antonín Baťa, opened Tomáš's safe, which had been inaccessible during his lifetime. The safe also contained two envelopes,

13 Ševeček and Jemelka, 2013, p. 35.

14 Holan, 1935, p. 89.

15 *End of Bata*, 1932, p. 20.

16 Kolumber, 2018, p. 68.

17 Kolumber, 2022a, p. 77.

“My will” and “J. A. Baťa”, containing documents dated May 1931 (a letter issued on 10 May 1931 and a will made on 19 May 1931). Then, Tomáš was to undergo a medical procedure. The letter’s contents were a statement that Tomáš Baťa was selling all his property to Jan “even if not listed here”, except for real estate, for CZK 54 300 000. Jan stamped the letter with the addendum “I agree, and I buy, or I agreed, and I bought”, as he was advised by others present.¹⁸

Tomáš’s last will provided for a contractual claim against Jan Baťa. Jan was to pay 8, respectively, 22 million crowns to Tomáš’s surviving wife Marie (Marie T. Baťová; 1893–1954) and son Tomáš Jan (1914–2008). Jan then had the company pay them significantly more.¹⁹

In December 1932, Jan Antonín Baťa notified the tax authorities about the property acquisition. The local tax office turned to the Ministry of Finance because the amount seemed unreasonably low. The Ministry’s investigation valued the property between CZK 210 million and CZK 690 million. On 6 June 1933, the widow Marie T. and Tomáš J. Baťa announced that they ‘accepted the contract of 10 May 1931 and have no objection to it’. A few weeks later, on 20 June 1933, the Ministry concluded an agreement with Jan on payment of the fee, thereby accepting Jan A. Baťa’s ownership of the property.²⁰

Under the Austro-Czechoslovak doctrine of civil law, the letter from T. Baťa constituted an offer, to which J. A. Baťa gave his acceptance, thereby validly establishing the contract upon the offeror’s acknowledgement of the acceptance.²¹ Given T. Baťa’s decease, it is imperative to consider his legal successors. The presence of the widow, Marie T. Baťová, at the safe’s opening, as documented by the notary,²² indicates her immediate awareness of the acceptance, while the surviving son was likely informed shortly afterward. It should be noted that in July 1932, the surviving son was still a minor, necessitating an evaluation of events subsequent to his attainment of legal age as determined by the court. Evidently, both legal successors, namely the surviving wife

18 Kolumber, 2016, pp. 82–83.

19 Kolumber, 2022a, p. 78.

20 Kolumber, 2016, pp. 83–85.

21 Kolumber, 2022a, pp. 77–78.

22 Förster, 1932, p. 3.

and son, affirmed the contract's effects in a statement to the Ministry of Finance in June 1933. This indirectly substantiates the receipt of the acceptance. Despite some non-legal sources disputing the sale's implications on the grounds that J. A. Baťa purportedly used company funds for the purchase, such contentions lack legal significance, as the origin of the funds is immaterial.²³ Furthermore, non-payment of the purchase price does not render the sale void but may entitle withdrawal from the contract. Consequently, Jan A. Baťa lawfully acquired all of T. Baťa's assets (except real estate) and assumed ownership thereof.

Moreover, the widow and son repeatedly confirmed Jan's ownership after 6 June 1933, notably at the general meetings in April 1934, June 1934, November 1940, and December 1941. Jan even authorised Tomáš Jan Baťa to vote as part of his exercise of rights.²⁴ Thus, ownership was not disputed by any of the relevant actors.

4. CROSSROADS TWO: THE DISINTEGRATION OF CZECHOSLOVAKIA AND THE THREAT OF WAR

While the Czechoslovak elites in the second half of the 1930s believed in fostering ideal relations with minorities, though, some minorities experienced a contentious relationship with the state, which Adolf Hitler exploited in his broader plans.²⁵ The Group's directorate began to analyse the potential threat of another war conflict in 1936. Near year's end, the Swiss attorney²⁶ George Wettstein wrote Jan A. Baťa that in the event of war complications, there were two main areas where Baťa's foreign interests needed to be protected, namely the claims of Baťa a.s. (Zlín) on foreign Baťa companies and the capital participations in these companies in which Jan Antonín Baťa was president or vice-president

23 Kolumber, 2022a, p. 78.

24 Kolumber, 2016, pp. 85–86.

25 Kolumber, 2022b, pp. 352–362.

26 The term “attorney” is used here in the sense in which it appears in the cited sources (primarily U.S. usage), i.e. as a general designation for a legal professional. In UK terminology, the closest equivalents would be “solicitor” or “barrister”, depending on function.

of the board of directors. The lawyers did not foresee issues in neutral countries such as Switzerland, the United States, the Netherlands, and Scandinavian countries but stressed vigilance in other regions where complications could arise. In countries where Baťa had not yet secured his interests, the lawyers advised him to resign as president of the company and entrust management to competent, caring, and trustworthy citizens of the countries concerned. These individuals should be authorised to act on behalf of the company. In certain situations, it was advised that Baťa consider resigning from his role as vice president and potentially from the board of directors if national conditions necessitated such action. Concerning Baťa a.s.'s claims abroad, the attorneys recommended expediting their collections. If immediate collection was not possible due to the financial situation of foreign companies or clearing problems, they proposed two alternative strategies. The first option was to sell the receivables to a bank in a neutral country, which would provide a guarantee for their repayment. This guarantee would be notarised, and the bank would take legal ownership of the receivables and only pay once it had received payment. The second option was to negotiate with the Czechoslovak National Bank, which could assist in resolving these claims. The lawyers also suggested that Baťa should consider setting up a holding company in Switzerland or the USA, similar to what his competitor Bally had done. Such a company could serve to protect the company's shares and assets. Whether the Czechoslovak, Swiss, or U.S. national banks could be included in this holding company remained a question. Regarding shares in foreign companies, the lawyers warned that if Baťa wished to keep his shares, he would have to consider the question of confiscation in the event of war. To avoid this, these shares were proposed to be transferred to a neutral holding company, such as Switzerland. Setting up such a company in Switzerland might have had the advantage of arranging to relocate some of the employees from Zlín to live and work in Switzerland.²⁷

Right after the Sudeten Crisis escalated in September 1938, the Baťa Concern management, at that time comprised of Jan Antonín Baťa, Dominik Čipera, Hugo Vavrečka, Josef Hlavnička, František Malota,

27 J. A. Baťa personal archive, 1936, pp. 1–4.

and Hynek Baťa, started taking measures to protect the organisation's interests.

As early as 24 September 1938, the concern transferred its properties in the border region to its employee Friedrich Kröner. His family was also involved because, after his death on the Eastern Front in 1944, his survivors dragged out the inheritance proceedings until the end of the war. Then, the transfer was declared invalid; a dispute then arose over whether the property should fall under nationalisation, as it belonged to Baťa, a. s., or confiscation as the property of an ethnic German.²⁸

On 29 September 1938, the concern requested the possibility of transferring Jan's shares from Czechoslovakia to Switzerland by a plane. The concern had excellent relations with the central bank and even had foreign exchange autonomy. At an extraordinary National Bank of Czechoslovakia meeting on 4 October 1938, the governor, Karel Engliš, announced that the shares had already been sent "when we thought there was going to be a war so that they would be across the border". The transfer was arranged by Johannes Gammeter from Möhlin on 30 September 1938. While the unspecified banking house was not allowed to transfer, Baťa, because of its "enormous assets", was given permission, but on the condition that the values were to be deposited with the Swiss National Bank in the name of the lawyer Charles Jucker and that the National Bank of Czechoslovakia had the right of disposal. The list indicated that they were shares in foreign companies, primarily several versions of Baťa and notably a company called Bavé.²⁹ On 11 October 1938, the company Cikta was established in Komárno, to which the Baťa shops in the territory that was to be part of the Hungarian occupation were transferred a few days later.³⁰

28 Kolumber, 2016, pp. 17, 134.

29 J. A. Baťa personal archive, 1970, pp. 2–7.

30 Kolumber, 2016, pp. 18, 74.

5. CROSSROADS THREE: PRESIDENT

In early October 1938, Czechoslovak President Edvard Beneš abdicated, plunging the nation into a period of uncertainty. The hunt for a new president was initiated, but the president's election was (unconstitutionally) delayed due to Slovak political representation demands.³¹ The nation awaited a strong individual who would bear the weight of extraordinary responsibility in the present difficult circumstances.³² It was widely speculated that this candidate would be Jan Antonín Baťa, a realistic contender as suggested by a concerned periodical.

Jan A. Baťa responded to the offer by calling together six of his closest associates (it is known that among them were Dominik Čipera and Marie T. Baťová), with whom he consulted on the matter. He then decided not to accept the post,³³ and he spoke pretty strongly against other similar incentives. Baťa's candidacy, however, caught the attention of the Germans. The German authorities in Prague suggested in early November 1938 that it would be appropriate for Baťa to request an audience with Hermann Göring. The pretext was to address the concern's interests in the Sudetenland. Baťa did indeed meet with Göring, and Baťa himself described the content of the negotiations as unimportant but reported them to the government.³⁴

Three weeks later, at the end of November 1938, Baťa was arrested by the Gestapo in the Sudetenland. The Sudeten German newspaper *Die Zeit* broke the sensational news that the arrest was due to the attempted smuggling of 164,000 pounds from Litoměřice to Czechoslovakia.³⁵ Baťa was transported to Karlovy Vary, where it turned out that he had been arrested on the basis of earlier instructions. Here it was shown how Baťa (himself as well as the concern) could exploit the German mentality. Baťa, showing remarkable resilience, resisted sharply during the interrogation, pointing out that it made no sense to him why he had

31 Kolumber, 2015, p. 803.

32 Baxa, 1938, p. 1.

33 Cekota, 1985, pp. 144–146.

34 Baťa, 2008, pp. 143–146.

35 Schuhkönig Bata als Devisenschmuggler, 1938, p. 3.

been greeted by an honour guard at Tempelhof in early November and met with Göring, only to be arrested three weeks later. As soon as the Germans verified the information, he was released, claiming that there had been an “unpleasant oversight”,³⁶ and the German media immediately denied the news of Baťa’s arrest.³⁷ This incidence was not unique; Baťas were referred to a meeting with Göring, the details of which the Germans never dared to verify. The negotiations’ content and the Germans’ demands were later adjusted to suit the demands of the time,³⁸ which eventually backfired in the post-war period.

6. CROSSROADS FOUR: TAX AMNESTY

In 1939, the World Exhibition was to take place in New York, and the Baťa Concern ensured that the Czechoslovak pavilion was sufficiently representative. Czechoslovakia, however, ceased to exist in the meantime, with Slovakia declaring independence on 14 March 1939, Carpathian Ukraine following on 15 March, and on 16 March, the Protectorate of Bohemia and Moravia was established as an “autonomous” part of the German Reich. Because of this development, the Group’s exhibition became the dominant feature of the “Czech-Slovak” pavilion.³⁹ Jan Antonín Baťa also headed to the World Exhibition and arrived in New York by ship on 5 July 1939.⁴⁰

During the early stages of WWII, a decree was enacted on 3 October 1939 (RGI. I, 1939, p. 1997), specifying that individuals holding membership in the Protectorate of Bohemia and Moravia and residing abroad could have their membership revoked if their actions were deemed detrimental to the interests of the Reich or the reputation of the German nation. Upon receipt of the summons to return, their assets could be seized and forfeited to the Reich. The seizure and forfeiture process was

36 Baťa, 2008, pp. 157–158.

37 *Bata auf Geschäftsreisen*, 1938, p. 2.

38 Kolumber, 2016, p. 20.

39 Štýbrová, 2008, pp. 189–191.

40 *New York City Immigration Records: List or Manifest of Alien Passengers for the United States*, 1939.

publicly announced through official gazettes and required the approval of the Reich Protector in collaboration with other Reich ministers. Properties seized in this manner were deemed non-negotiable and could not be disposed of without approval from the authorities.

In July 1939, the Protectorate government announced a tax amnesty aimed at stabilising the Protectorate's public finances, which had been significantly disrupted by the autumn of 1938 events. This amnesty allowed for the declaration of property values from any point in the past.⁴¹

Jan Antonín Baťa had no intention of returning to the Protectorate, and German representatives hinted at the application of the German regulation to the company. On 10 October 1939, the management of the concern in the Protectorate, mainly represented by Malota and Vavrečka, approached Jan Baťa from Trieste with the request that he sell all or part of his shares to them. However, a more advantageous solution was devised by Čipera, a member of the government in Prague since December 1938, due to the tax amnesty. Subsequently, on 13 October 1939, Josef Hlavnička sent a telegram to J. A. Baťa, referencing an arrangement conceived in the summer of 1932, which led to the transfer of a 25% stake in the company to several individuals based in the Protectorate.⁴²

Despite this, the Germans remained dissatisfied, and on 25 October 1939, Malota contacted Jan A. Baťa again, intimating that the transfer was insufficient and expressing further concerns. It was insinuated that a family member should return to the Protectorate with more shares. As a result, before the conclusion of the tax amnesty, Marie T. Baťová was announced as the owner of another block of shares, supported by a document dated 20 July 1932, claiming that J. A. Baťa had granted her 25% of the company's shares. Subsequently, a declaration was to be signed by Marie T. Baťa, Čipera, Vavrečka, Malota, and Hynek Baťa, affirming that the shares would be returned to J. A. Baťa after the war.⁴³

41 Leipert, 1939, pp. 765–769.

42 Kolumber, 2022a, pp. 72–73.

43 Ibid., p. 73.

As of the end of October 1939, Jan A. Baťa owned 40% of the shares of Baťa, a.s., Marie T. Baťa had 25%, and each of Dominik Čipera, Hugo Vavrečka, Josef Hlavnička, Hynek Baťa, and František Malota held 7%. The demise of Josef Hlavnička had repercussions on the ownership structure, with his heirs transferring his share to Čipera, H. Baťa, F. Malota, and H. Vavrečka as per the agreements, a process finalised in January 1946 during the succession proceedings.

The share transfers from J. A. Baťa to his associates in July 1932 raised several questions, as printed shares remained unavailable until 1940. The apparent reward given to employees who were not part of the top management at the time is of particular interest. In contrast, Josef Blažek, the sole top manager with the official title of director, did not receive a similar allocation. On the other hand, by the late 1930s, Blažek held an honorary position as a liaison with official offices in Prague, essentially sidelined and performing a redundant, purely formal role.

Following WWII, Malota denounced the transfer as fictitious, asserting J. A. Baťa as the valid owner. Additionally, Vavrečka, Hynek Baťa, and Dominik Čipera expressed their willingness to either return the shares to the state or waive compensation. In a separate statement, Čipera claimed ownership of the shares and refuted any knowledge of the alleged fictitious transfer. Further complicating matters, Interior Minister Nosek reported a notarised agreement to transfer the shares back to Jan Baťa after the war.⁴⁴ While references to a 1940 deed are frequent,⁴⁵ the original document remains undiscovered. Speculation exists that the absence of this document may be linked to the unrecorded extractions from former archives during the communist era by the State security.

7. CROSSROADS FIVE: OFFSHORE ENTITIES

In 1929, Tomáš Baťa teamed up with Georg Wettstein, a lawyer and financier from Zurich, Switzerland. Under the instructions and guidance of

⁴⁴ Kolumber, 2016, p. 87.

⁴⁵ Vojta, 1980, p. 29.

Tomáš Baťa and his successor Jan A. Baťa, Wettstein and his legal associates, Charles Jucker, Hans Berger, and Wilhelmine Meier (known as “Swiss Trust”), acted as depositary for the funds received from Tomáš Baťa and others whose names have never been made public.⁴⁶ During WWII, Tomáš J. Baťa himself stated that he was not aware of the circumstances of the creation of the trust,⁴⁷ nor were there any other documents relating to its creation. Although Tomáš Baťa was undoubtedly an extraordinary businessman, it can be assumed that the whole construction must have been devised by someone more legally orientated, probably someone from the New York law firm Campbell, Harding, Goodwin & Danforth, with which Baťa had already cooperated through the establishment of the Lynn plant (1919, but soon closed⁴⁸) and which had long represented the Baťa interests in the USA.

The Swiss Trust had the means to provide financial assistance for the development of existing Baťa companies and the organisation of later Baťa companies in various countries worldwide. This association of lawyers was also involved in the organisation and management of the various Baťa companies. The Swiss Trust acted under the instructions of and on behalf of Tomáš Baťa until July 1932 and, after that, respected the succession of Jan Antonín Baťa.

Shortly after the formation of the Swiss Trust, Wettstein formed a Partnership and a Consortium, both of which were to be used to implement the plans of the Swiss Trust. In general, Partnership and Consortium have the same legal meaning. The Partnership and the Consortium had members identical to those of the Swiss Trust. The policy of the Swiss Trust was to organise various companies to serve as holding companies for the shares of Baťa’s operating companies. The first of these holding companies was Leader AG, established on 5 February 1931 in St. Moritz, Switzerland. The capital of this corporation was two million Swiss francs, all provided by Tomáš Baťa. Shortly after the formation of Leader AG, the Swiss Trust organised another holding company,

46 J. A. Baťa personal archive, 1943, p. 2.

47 J. A. Baťa personal archive, 1942, p. 13.

48 Ševeček and Jemelka, 2013, p. 38.

Transoceanique SA, which was established under Luxembourg law but also operated in St. Moritz, Switzerland.⁴⁹

The officers and directors of Leader AG and Transoceanique SA were the same personnel as those in the Swiss Trust – the Partnership and the Consortium – specifically Wettstein, Jucker, Berger, and Meier. Later, the Swiss Trust established other holding companies: N.V. Hollandsche Handelsmaatschappij Bavé (Bavé) in the Netherlands to hold shares in Baťa's operating companies in Europe and New World Investment Ltd. in London to hold minority interests in Transoceanique SA, Bavé, and later in Westhold Corporation. Before 1940, Leader AG, Transoceanique SA, and Bavé became crucial elements of the holding company structure that controlled shares of operating companies in continental Europe and the British Empire.⁵⁰

On 21 February 1938, Swiss Trust formed Anchor Mercantile Company Inc. under the State of New York laws, with its principal place of business in New York City. This company was formed initially to conduct import and export business for the Baťa companies but also traded in various commodities for various accounts in this country and South America. In April 1938, a few months after the founding of Anchor Mercantile Company, Inc., the political situation in Czechoslovakia was uncertain. Representatives of Kotva (in English, Anchor), an export company controlled by Baťa, a. s. (Zlín), were trying to move as many Baťa assets out of Czechoslovakia as possible. Representatives of Kotva sent large quantities of leather and other goods to Anchor Mercantile Company, Inc.

In March 1939, representatives of the Bata Shoe Company, Inc., New York, and Baťa, a. s. (Zlín), consulted in Zlín on the construction of a factory in Belcamp, Maryland. Agreements were made whereby Baťa, a. s. (Zlín), which was controlled by Jan A. Baťa, transferred loans and supplied raw materials, equipment and machinery to establish the plant in Belcamp, Maryland. Shortly after its completion, various loans were obtained from Leader AG and other Baťa companies through Jan A. Baťa and František (Frank) Muška, who acted on behalf of Jan A. Baťa as

49 J. A. Baťa personal archive, 1943, pp. 2–3.

50 Ibid., pp. 3–4.

financial advisor to the Baťa companies. These loans soon represented 67% of the liabilities of Bata Shoe Company, Inc.⁵¹

In 1939, Britain entered the war. Baťa, a. s. (Zlín) supplied grants to numerous Baťa companies in the British Empire to purchase hides, skins, rubber, and wool. At the outbreak of war, Jan A. Baťa and Frank Muška ordered the transfer of these claims to Jan A. Baťa (\$537,289.14), expecting the British would seize these assets because Baťa, a. s. (Zlín), was considered an enemy concern.⁵²

On 3 October 1940, the Swiss Trust formed the North River Securities Corporation under the laws of the State of New York, with its principal place of business in the offices of the Baťa Companies on Wall Street in New York City. This corporation was to manage the stock held by Transoceanique SA and Leader AG. The shares of North River Securities Corporation were held in a voting trust whose trustees acted for and on behalf of the Consortium as members of the Swiss Group. On 25 January 1940, the Swiss Trust established Hidena Inc. and Ataman Inc. as operating companies in Belcamp, Maryland. Hidena Inc. was formed to serve the Baťa Companies in purchasing raw materials and equipment. Ataman Inc. was formed to provide technical and financial consulting services to Baťa companies in the United States and Canada.

Fearing a Nazi occupation of the Netherlands, the Swiss Trust arranged for the transfer of all Bavé assets from the Netherlands to the United States. On 5 April 1940, the Swiss Trust, through Wettstein, founded the Westhold Corporation in accordance with Delaware state laws. Its principal place of business was in the offices of Campbell, Harding, Goodwin & Danforth – the Baťa Company's lawyers on Wall Street in New York. Immediately upon its formation, Westhold Corporation issued 1,000 shares of stock, which it sold for \$10 to Leader AG, Transoceanique SA, and New World Investment Ltd. in exchange for all of the Bavé capital held by these companies. Bavé's assets, consisting of shares in Baťa's operating companies in Europe, were transferred to Westhold Corporation, which assumed Bavé's liabilities and agreed to pay Bavé \$212,520. Subsequently, Bavé turned into a corporate shell with a

51 Ibid., p. 8.

52 Ibid., p. 9.

claim of \$212,520 against Westhold Corporation. In addition to the stock of the Baťa companies previously held by Bavé, Westhold Corporation acquired from the Swiss Trust in June 1940 the entire stock of Hidena Inc., and Ataman Inc., the operating companies of Baťa in the United States. Westhold Corporation then effectively replaced the Swiss Trust in providing financial assistance to the existing Baťa companies in the United States. Although Westhold had nothing formally to do with Baťa, the company's president, Edward N. Goodwin, stated that he recognised that Jan A. Baťa controlled the Westhold Corporation and the law firm had a duty to accept his instructions.⁵³

To transfer funds between Baťa's companies in Canada and the USA, Muscamo Corporation was formed on 4 April 1941, based on powers of attorney from Jan A. Baťa and Baťa, a. s., František Muška. However, this corporation's activities ceased after Muška's death in July 1942.⁵⁴

Tomáš and later Jan Antonín Baťa were, therefore, the owners of a considerable concern, some parts of which were controlled through offshore companies. During WWII, however, the Swiss trust ceased to respect Jan Antonín Baťa's instructions thoroughly, and the situation was further complicated by the sudden death of František Muška and, in 1945, by the death of Wettstein. In November 1946, Jan A. Baťa invited Jucker to confirm Jan's ownership of Leader AG, which Jucker refused. The fundamental issue was that the 1931 contract did not explicitly mention any of the major companies, which is unsurprising, given that Tomáš Baťa's assets were sold as a whole, with only minor exceptions. It undoubtedly included the individual holding companies, which, for obvious reasons, were neither listed nor could have been listed, as doing so would have contradicted their purpose – to conceal the actual ownership structure. It should be added, however, that according to the notary Förster's protocol from July 12, 1932, in the safe, in addition to the mentioned envelopes containing the will and the offer for J. A. Baťa, there were also 1,800 shares of the company Leader AG.⁵⁵

53 Ibid., pp. 6–11.

54 Ibid., p. 6.

55 Förster, 1932, p. 2.

8. CROSSROADS SIX: “HE THAT HAS AN ILL NAME IS HALF HANGED”

Following the Nazi takeover in Germany, the company had to restructure its operations in the Reich. In August 1938, the Baťa family was still identified as Czech Jews,⁵⁶ and their alleged Jewish origin likely contributed to Jan’s brief internment a few months later.

During the construction of Belcamp, Baťa received support from Senator Millard Tydings, whom Baťa in turn financially and publicly supported in the presidential primaries against F. D. Roosevelt. Baťa encountered significant opposition from local American shoemakers, which gained further official backing following Roosevelt’s victory, resulting in close and unfavourable scrutiny of Baťa’s activities.⁵⁷ In the late 1930s, Baťa proposed a project in Czechoslovakia to support forty million people while expressing a belief in Brazil’s greater development potential. Subsequently, Baťa, a. s. (Zlín), acquired commercial companies from the Sloman brothers of Hamburg, thereby securing extensive land ownership in Brazil. At the invitation of Brazilian President Vargas, J. A. Baťa moved from the U.S. to Brazil, assuming control of Brazilian companies, while the Baťa of Zlín paid the brothers in Germany 2.6 million marks.⁵⁸

The representation of Czechoslovak exile sought support from Baťa; however, it did not align with the expectations of the exile government.⁵⁹ Throughout WWII, J. A. Baťa and his company expressed support for foreign action and anti-Nazi resistance. Nevertheless, Jan A. Baťa refrained from openly endorsing the exile representation, leading to tensions with the Czechoslovak government-in-exile.⁶⁰ Baťa’s employees engaged in international initiatives to obtain passports for business activities were met with disapproval from the government-in-exile.

56 *Aryan Footwear*, 1938, p. 31.

57 Ševeček and Jemelka, 2013, p. 79.

58 Kolumber, 2016, p. 99.

59 Němeček et al., 2011, p. 324.

60 Němeček et al., 2014, p. 798.

In June 1941, Jindřich Baťa was even interned in Africa,⁶¹ and many Baťa employees conducted themselves in the foreign military forces more as commercial agents than as true allies fighting for the cause.

Although Jan A. Baťa cited concerns for his family and employees in occupied Europe, the government-in-exile dismissed his reasons and highlighted other similar situations of those who supported the exile.

In May 1940, Jan Baťa and his companies were considered enemies of Britain in Latin America following the scrutiny of intercepted cablegrams and correspondence. Later, in 1941, Wettstein cautioned Baťa against actions that could harm the governments, as the British government had become aware of Baťa's activities through intercepted correspondence.⁶² The British authorities believed that Baťa's loyalty and actions were driven solely by his personal interests and saw no issue with his company trading with Czechoslovakia, Hungary, and Southeastern Europe. They cited instances of Baťa's deceptive practices, like labeling shoes as "Made in Yugoslavia" when they were actually produced in Zlín, and manipulating intercompany accounts to receive payments from England under Dutch or Scandinavian pseudonyms. The British expressed doubts about the validity of powers of attorney granted to Baťa's agents and were convinced of his determination to do business with the enemy while opposing cooperation with the British.⁶³

In May 1942, the government-in-exile labelled Baťa as Hitler's assistant and prohibited embassies from assisting Jan and his associates.⁶⁴ A December 1942 report from the U.S. Consulate General in São Paulo, Brazil, revealed that a German bank had provided Jan A. Baťa with a significant loan and that he had received a passport from the German Reich in June 1939.⁶⁵ However, based on information provided by U.S. immigration officials in early summer 1939, it can be inferred that Baťa was considered a Czechoslovak citizen and possessed a passport issued in Paris on June 24, 1939. From the combination of these details, it can be deduced that Baťa's passport likely followed the original Czechoslovak

61 Ibid., p. 736.

62 J. A. Baťa personal archive, 1941, pp. 1–2.

63 J. A. Baťa personal archive, 1943, p. 13.

64 Kolumber, 2016, p. 89.

65 J. A. Baťa personal archive, 1943, pp. 13–14.

template; otherwise, he would have been considered German during the immigration process, since during the Protectorate, German passports with Protectorate stamps were used. The claim that Baťa supported the German regime based solely on his passport is misguided, as the Czechoslovak foreign resistance had not yet been established in June 1939.⁶⁶ Although not conclusively proven, it is highly likely that Baťa held a Czechoslovak passport in the summer of 1939.

In 1940 and 1941, the Baťa, a. s. (Zlín), along with Jan A. Baťa, found themselves included in the so-called blacklist, initially compiled by the British and subsequently by the Americans. This registry primarily targeted entities suspected of consorting with the enemy; however, in the case of Baťa, it is conceivable that the desire to eliminate competition also played a contributing role.⁶⁷

Jan Masaryk and Vladimír Hurban felt that Jan A. Baťa had seriously damaged the Czechoslovak cause and set a negative precedent for others by refusing to publicly support it after Munich and March 1939, despite being a prominent Czechoslovak industrialist.⁶⁸ It is important to mention that Baťa made a substantial anonymous financial donation to the exiled government.⁶⁹ The Zlín Company, with the probable consent of Jan A. Baťa, also extended support to the national liberation movement, notably the Slovak National Uprising.⁷⁰

Moreover, critical investigations of Baťa's actions and decisions during WWII have been conducted by different authorities, focusing on their perceived impact on the Czechoslovakian cause. Jan A. Baťa, declining to endorse the resistance publicly, faced post-war censure from his nephew Tomáš Jan Baťa and his own close associate, Jiří Udržal. Following WWII, several Baťa representatives were subjected to reprisals, with Jan Antonín Baťa being convicted in absentia and sentenced to 15 years on May 2, 1947. Despite an error in the convict's date of birth, the sentence was based on a notably unusual trial.⁷¹ In 2007, the court

66 Kolumber and Beňa, 2022, pp. 11–18.

67 Honsová, 2013, pp. 60–62.

68 J. A. Baťa personal archive, 1943, p. 15.

69 Honsová, 2013, p. 70.

70 Kolumber, 2017, p. 639.

71 Letková, 2017, pp. 437–447.

invalidated the 1947 National Court judgement and dismissed the criminal case. However, a legal conundrum emerged when the National Court issued its ruling based on a decree applicable solely to the Czech lands, which Slovakia, having been subject to the application of the Czech judgement during the Czechoslovakian era, declined to annul.⁷²

In the post-WWII context, Jan A. Baťa faced allegations regarding his Brazil development initiative, which purportedly formed part of an arrangement with Göring.⁷³ The attempt to use this encounter to advance the interests of the concern ultimately had adverse repercussions. Nevertheless, despite the peculiar evidence presented at the National Court, no conclusive proof of Jan's involvement in the Nazi resettlement planning was established. The advancements in Brazil did not escape notice, and in 1957, because of that, J. A. Baťa was even considered a candidate for the Nobel Peace Prize.⁷⁴

9. CROSSROADS SEVEN: NATIONALISATION

Following WWII, the Baťa shoemaking empire experienced a significant decline, particularly in Eastern Europe due to waves of nationalisation. In the autumn of 1945, Baťa Concern companies were nationalised in Czechoslovakia under the Presidential Decree No. 100/1945 Coll., marking the largest nationalised complex in the country. This resulted in the creation of 34 new national enterprises from the original Baťa assets, with 107 other entities being incorporated into Svít (the name of the Baťa shoe part from 1949).⁷⁵ In Poland, nationalisation occurred in three phases, starting in 1946. Baťa's Polish enterprises were nationalised in the second and third phases, during 1946 and 1947, resulting in the rebranding and integration of Baťa factories into newly established state-owned enterprises.⁷⁶ In Yugoslavia, the nationalisation process began in 1946, leading to the expropriation of Baťa enterprises,

72 Kolumber, 2016, pp. 89–94.

73 Budín, 1947, p. 159; Kisch, 1949, p. 15; Kubáň, 1970, p. 8; Brož, 2002, pp. 54–57.

74 Svatopluk, 1957, pp. 16–17.

75 Kolumber, 2016, p. 135.

76 Ibid., pp. 75–78.

including the factories in Borovo.⁷⁷ In December 1947, legislation was put into effect to nationalise 36 industries in Bulgaria, encompassing the local companies of Baťa.⁷⁸ In Hungary, the process of nationalisation differed slightly, as the Hungarian state obtained ownership of the Cikta Company, in which Baťa held a stake, through a confidential additional protocol negotiated with Czechoslovakia.⁷⁹ Similarly, in Romania, the nationalisation process commenced in June 1948, with the Drata Company being the primary Baťa enterprise to be nationalised. Furthermore, several enterprises were confiscated without formal procedures but later recovered through interventions.⁸⁰

Notably, compensation for nationalised property was expected to be received by the former owners, except for those who were punished in retribution or who allowed such individuals in leadership. As a result, Jan A. Baťa and later Čipera, Malota, and Vavrečka were convicted in retributions in peculiar trials between 1947 and 1948, rendering them ineligible for compensation.

Meanwhile, in the Western sphere, former owners of nationalised companies claimed compensation, asserting that nationalisation represented a punitive confiscation without adequate compensation for their properties.⁸¹ This argument was also presented in the case of Baťa, a. s.⁸² Finally, in December 1948, Jan held a general meeting in Belcamp that relocated the headquarters of Baťa, a. s. from Zlín to Batatuba, Brazil. However, this move was declared null and void by the Czechoslovak authorities, despite confirmation by the Brazilian authorities.⁸³ In the USA, disputes involved the national administration of Baťa, a. s. (the legal shell of the original company), Svit, n. p. (the property substrate of the original company), and Baťa SA (the company transferred to Brazil).

77 Ibid., pp. 68–73.

78 Ibid., pp. 66–67.

79 Ibid., pp. 74–75.

80 Ibid., pp. 78–81.

81 Ibid., pp. 110–111.

82 Ibid., pp. 87–94.

83 Ibid., pp. 100–102.

10. CROSSROADS EIGHT: FAMILY DISPUTES

From 1933 to 1942,⁸⁴ Marie T. Baťa and Tomáš J. Baťa consistently affirmed that Jan Antonín Baťa was the rightful owner of the Baťa Empire following the passing of Tomáš Baťa. When Muška, whom *Time* referred to as an “obscure Czech refugee”,⁸⁵ died suddenly, it was discovered that he had various securities stored in safe deposit boxes around the world. It was only many years later that it was discovered that these nameless companies were actually the key to the Baťa Empire and the basis of the Baťa family feuds.

In 1945, Tomáš Jan Baťa was granted admission to the Swiss Trust by Swiss lawyers following discussions with British officials to ensure compliance with Allied objectives and secure removal from British and American blacklists. However, this move was contested by Jan Antonín Baťa, sparking a dispute over the beneficial ownership of assets stemming from Tomáš Baťa and administered by the trust. The management of the organisation descended into disarray, leading to a stalemate, as both Tomáš J. Baťa and Jan A. Baťa were unable to access the trust assets until the ownership matter was settled in court.⁸⁶ The involvement of North River Securities Corporation representatives Donald Hill Sr. and Donald Hill Jr. added another layer to the conflict by aligning with Jan A. Baťa’s interests.⁸⁷

In subsequent years, a series of legal disputes ensued, resulting in varied outcomes.⁸⁸ Despite uncertainties raised by American courts, Jan A. Baťa appeared to have the upper hand in certain instances.⁸⁹ Jan’s final procedural shortcoming stemmed from insufficient evidence. Based on current knowledge, it can be inferred that Jan A. Baťa was the owner of the concern and offshore companies. However, post-1945, he encountered challenges related to tax optimisation (property

84 J. A. Baťa personal archive, 1942, p. 13.

85 *Mystery of Muska*, 1950, p. 77.

86 J. A. Baťa personal archive, 1949, pp. 2–3.

87 J. A. Baťa personal archive, 1953, p. 2.

88 Kolumber, 2019, pp. 378–388; Kolumber, 2022a, pp. 73–76.

89 Fondy ABS, 1958, p. 38.

acquisition in 1931/32) and an attempt to conceal his legal ties (offshore companies).⁹⁰ Notably, the case law in the American Baťa disputes contributed to the development of collateral estoppel jurisprudence.⁹¹

The family disputes irritated the Czechoslovak authorities as well. They feared that a possible victory for Tomáš Jan Baťa could result in the challenges of the acts against Jan Antonín Baťa. Specifically, they were concerned that Tomáš Jan Baťa might be entitled to financial compensation for the nationalised property. Correspondence among various ministries, including Finance, Interior, and the Central Bank, revealed efforts to prevent Jan Baťa from successfully claiming against the nationalised factory while simultaneously resisting the acknowledgement of Tomáš Jan Baťa's ownership status.

11. CONCLUSION

The research meticulously documents the evolution of the Baťa Concern and its family during the first half of the 20th century, focusing on the legal, economic, and political forces that shaped their operations within Czechoslovakia and internationally. The aim was not only to analyse pivotal events impacting the company's destiny but also to provide a comprehensive context, elucidating why the specific circumstances of that era often influenced the Baťa family's decisions. The research establishes the Baťa family as one of Czechoslovakia's most significant business dynasties, emblematic of successful capitalist entrepreneurship in the 1930s.

The transfer of leadership to Jan Antonín Baťa following Tomáš Baťa's tragic demise in 1932 marked a critical juncture in the company's trajectory. The text confirms that Tomáš Baťa's foresight legally safeguarded the succession, empowering Jan to assume control and continue the company's expansion, albeit amidst challenges. The material delves into the method by which succession and financial stability were preserved in the face of the economic crisis and the associated inheritance fees.

⁹⁰ Ibid., pp. 76–79.

⁹¹ Ibid., p. 79.

The document demonstrates that the company's leadership transition proceeded smoothly through meticulous planning and the collaboration of pivotal managers such as Dominik Čipera, Josef Hlavnička, and Hugo Vavrečka.

Furthermore, the research comprehensively examines the political and economic landscape in the latter half of the 1930s, when the Baťa Concern grappled with the escalating spectre of war. It showcases the adaptability of the company's leadership, which began implementing procedures to protect overseas assets in the mid-1930s, using a variety of legal and financial structures, including offshore companies and trusts. These measures proved instrumental in upholding the company's stability during WWII, despite some controversial aspects of the strategy, particularly the links with German markets and production for Nazi Germany, which post-war triggered accusations of collaboration.

The study also delves into the intricate post-war scenario when the Baťa Concern underwent partial nationalisation as part of Czechoslovakia's retributive processes, and Jan Antonín Baťa was convicted of alleged collaboration with the Nazi regime. Despite his conviction and subsequent asset forfeiture, the study indicates that the trial was marred by political pressures and lack of evidence, culminating in his posthumous rehabilitation in 2007. Within this context, the study addresses the pivotal issue of post-war intra-family dynamics, marked by extensive litigation between Jan Antonín Baťa and Tomáš Jan Baťa over the concern's ownership. It is documented that these legal disputes, spanning the globe, were complicated by the structure of offshore companies and the absence of direct evidence of property rights, ultimately leading to the fragmentation of the Baťa Empire.

The work further underscores the significance of foreign legal structures and financial operations deployed by the Baťas to shield their assets. The formation of the Swiss Trust and other legal entities in offshore markets enabled the Baťas to safeguard a substantial portion of their assets from state authorities. These measures played a pivotal role in their management strategy during and after the war, mitigating the impact of confiscations, nationalisations, and legal disputes, albeit engendering protracted legal battles spanning several decades.

In conclusion, the paper accomplishes its objective by offering a comprehensive analysis of pivotal legal, economic, and political aspects influencing the operations of the Baťa Concern. It unveils the crucial mechanisms employed by the Baťa family to protect their business during uncertainty, delineating the repercussions of these measures on their post-war prospects. The study contributes to an enhanced understanding of the Baťa family's influence on the Czechoslovak and global economy while presenting invaluable insights for further research within business history and international legal frameworks.

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