

New Background

1960

CWT

AMNESTY IN HUNGARY

F133

March, 1 April (Evaluation and Analysis Department, Hungarian Unit) -- On the occasion of the 15th anniversary of Hungary's "liberation" by Soviet troops, the Presidential Council following the recommendation of the Government has decreed a partial amnesty. It is the second such amnesty of the Kadar regime (cf. NTI dispatch, M-F and CND item, CN 134-135, 31 March). The first, granted in April 1959, on the occasion of the 14th anniversary of "liberation", was so limited in its scope that it was the object of criticism both in Hungary and in the free world.

The regime reacted violently to the general outcry coming from Western intellectual circles who missed among the arrested Tibor Déry, Gyula Háy and the other well-known personalities of the 1956 rising. At a conference of the People's Front held in June 1959 Kadar declared: "We have stated officially and unofficially in connection with the amnesty that nobody would be pardoned in this country so long as pressure was exerted on us from without or from hostile circles. If they want to have no amnesty in Hungary, so let them continue to bear pressure on us. When such pressure comes to an end and we consider the time ripe, there will be a certain amnesty."

This tough line was maintained unswervingly despite renewed appeals for the liberation of the jailed writers, in particular on the occasion of the Hungarian P.E.N. Club to the International P.E.N. organization in 1959. On the other hand, it was expected that the Kadar regime would display some leniency, if not earlier, on the 15th anniversary of the "liberation". The April 1959 partial amnesty was allegedly motivated by the strength of the regime. The Seventh Congress of the Hungarian Socialist Workers Party (December 1959) took place under the slogan of the still greater strength of the Party and Hungarian People's Democracy. Hence the granting of a broader amnesty was logically to be expected.

Some Sentences Only Suspended

It should be stated that the second partial amnesty involves a larger number of persons than the first, but on closer scrutiny it is still far from a real gesture of leniency toward the large number of imprisoned freedom fighters. The punishment of persons sentenced for anti-state crimes committed before 1 May 1957 to terms not more than six years is in fact not remitted, but only suspended. This means that the execution of the sentence is interrupted, but can be resumed any time if the person concerned violated state laws for which he was sentenced. In other words the person in question regains his freedom, but possible

CURT (1) AMNESTY... F134

re-impairment hevers above him as a sword of Damocles.

Conversely, former war criminals and persons who were sentenced for crimes against the people before 11 December 1952 and who have already served more than half their terms, are granted full pardon.

Following the recommendation of the Minister of Justice, on the basis of individual consideration, the execution of the sentences against Tibor Déry, Ferenc Donáth, Mihály Farkas, Wladimir Farkas, Ferenc János and Gyula Váradi, has also been suspended. In these cases we are confronted with prison terms over six years and therefore a special measure was needed. In fact Déry was sentenced to nine years, Donáth to 12 years, Mihály Farkas to 15 years, Ferenc János to 8 years and their sentences were officially revealed. As regards Wladimir Farkas and Gyula Váradi no similar official statement is available.

Tibor Déry Critically Ill

The liberation of Tibor Déry will be received with great relief by his friends both in Hungary and abroad. In restoring Déry's freedom the regime ostensibly merits a certain credit. It should be added, however, that the health of Déry has been so critical ever since his imprisonment that his death in jail might have become extremely embarrassing to the regime. Now this danger has also been averted. It is recalled in this context that the death in jail of Géza Lőwenzoy, after Imre Nagy the most vehemently condemned leader of the 1956 revolution, cast an ominous shadow on the Kádár regime.

Gyula Váradi was the other Hungarian writer whose liberation has been insistently requested by Western circles. He was sentenced to six years in prison in November 1957 (together with Déry). Why was his name not included in the above list? The likely answer is that no mention was necessary as his prison term did not exceed six years.

Ferenc Donáth and Ferenc János were sentenced with Imre Nagy in June 1956. Donáth was arrested in 1951 with János Kádár and had shared full in the latter's prison experience. Ferenc János is known to be Imre Nagy's son-in-law. During Imre Nagy's premiership he was secretary general of the Patriotic People's Front.

Gyula Váradi, a Hungarian Army general, became member of the revolutionary defense committee in October 1956.

The inclusion in this group of 1956 revolutionaries -- all of whom had distinguished records in the Communist Party -- of Mihály Farkas and his son Wladimir is at least puzzling if not insulting. Both of them were arrested on 17 October 1956 because of alleged grave violation of "socialist legality". It is known

CURT (2) AMNESTY... F135

X
120
that Mihaly Farkas, from 1945 to 1956 the third in command after Rakosi and Ger6 in Hungary, was charged with the persecution of leading, imprisoned Communists, among them Janos Kadar, Gyula Kallai, Ferenc Bonath and others, while Klacsins, a colonel of the secret police, directed the interrogation of the victims often resorting to the most humiliating tortures.

In order to assess the real scope of this partial amnesty and to what extent it is in reality an unsatisfactory step toward general clemency, it is interesting to give an incomplete list (full details are not available) of those who very probably have not regained freedom:

Istvan Bird, former Minister of State in Imre Nagy's last cabinet, who after the crushing of the revolution expounded the theory of a political "third road" for Hungary; according to Eastern sources he is serving a life term, no official information was ever given on his trial.

Sanior Szepesi, commander in chief of the Budapest police during the 1956 revolution who was sentenced to a life term with Imre Nagy and his group in June 1958.

Sanior Kacs and Sanior Nelli, leaders of the Budapest worker's council who according to Western sources are serving 15 respectively 12 years.

Labor Tanczos, former secretary of the Pet6fy Club, sentenced to 15 years, according to Eastern sources.

Gyorgy Fankas, a journalist and supporter of Imre Nagy, Sanior Szepesi's cousin, sentenced to 10-11 years, according to Western sources.

Journalists Gyula Obergovszky and Sanior G6lli, sentenced to life, respectively 15 years of imprisonment, and

journalist Pal L6csei, sentenced to eight years, again according to official sources. There are only the best known cases.

There were scores of sentences from seven years up to life terms in the trials of the various Budapest freedom fighters, in those of freedom fighters at Miskolc, Debrecen, Salgotarjan, Szabolcsvaros, Mosonmagyaróvár, Gy6r. In the same trials a large number of death sentences were also pronounced.

Public Detention and "Corrective Labor" Camps

Two other clauses of the partial amnesty decree should also be subjected to examination. The abolition of detention on grounds of public security and the dissolution of the public security internment camp by 10 June 1960 has prevalently a political importance. Public security detention was abolished by

X
no
CURT (3) AMNESTY... F136

Lava Nagy in July 1953 and re-instituted by János Kádár on 13 December 1956. Officially politically suspected persons could be detained in the internment camp only for six months, but in practice internment was prolonged indefinitely in a good many cases. The camp was at TOKEL (on Csopak Island, next to an important Soviet airfield and command). According to Chief Prosecutor Szomszai there were 1867 inmates in the camp in December 1957. The latest number is around 2-3000. From June 1958, the regime started to send to the camp of TOKEL not only politically dangerous elements, but also hoodlums, prostitutes and notorious drunkards, etc. As the dissolution of the camp is to take place by 30 June 1960, it is very probable that the camp inmates will be thoroughly screened and those who appear potentially dangerous to the regime may be put on trial and sentenced. This was the case at the abolishing of the concentration camps in 1953. The Budapest court set for several weeks at the Kistarcsa camp, while inmates of other camps were taken to county capitals to be tried and sentenced.

The amnesty granted to persons sentenced to corrective educative labor before 31 March 1960 has no political importance. Corrective labor is one of the legal means to punish and at the same time re-educate minor common offenders who for instance violate public property, the rules of good social conduct (e.g. assault a streetcar conductor), engage in speculation, etc. Such persons can be sentenced to a term ranging from one month to two years and compelled to work for a 10-25 per cent reduction. As a rule the sentence to corrective educative labor is served at the place of work or employment of the person concerned. If he fails to carry out his work, or seriously violates the discipline of labor, he has to be transferred to a prison in order to spend there the rest of his term. (Hungarian Penal Law II/1950, chapter 4, paragraph 46.)

74805 HD