

**“Horthy is a nobody” –
Trials of lèse-régent in Hungary
1920-1944**

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Abstract

The thesis focuses on criminal trials of *lèse-régent* (Hung. *kormányzósértés*) in the Kingdom of Hungary between 1920 and 1944. The prosecution of acts of *lèse-régent*, i.e. insulting the Regent, was based on the laws against *lèse-majesté* of 1913. Since these acts were considered as a political crime against the Regent, they can provide insights into the perception of the Regent, both by the delinquents, as well as the authorities. Focusing on a sample of 135 case files from the Crown Prosecutor's office the study analyzes the legal practice in trials of *lèse-régent*. Going beyond a legal history approach it places the trials in the larger context of the political regime. Thus, the trials are not merely understood as the application of the law but are analyzed with regard to the question of legitimacy. The quantitative development of the number of convictions is linked to the qualitative changes that are documented in the case files. While the so-called Horthy-cult provided the official narrative on Miklós Horthy and was one way of communicating his claim to legitimacy, the trials of *lèse-régent* served as a coercive means to reinforce these claims. This was mainly by repression of critical utterances and by the suspension of political rights. However, by the granting of amnesty the Regent could bring forward a new claim to legitimacy. While *lèse-régent* forms only one aspect in the dynamic process of legitimization it can provide valuable insights, since it deals with the Regent exclusively.

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Introduction

On the afternoon of September 5, 1922 Mihály Szabó aroused the attention of passersby in the streets of the small town of Kalocsa in central Hungary. According to witness accounts the inebriated 41 year old baker's assistant was heard shouting the following: "Pull out Horthy, the government has failed, Horthy has failed; down with Horthy, down with the government, down with the priests, long live the Jews, long live the republic!" When he reached the newspaper stand of István Bukor he addressed the soldier Rezső Tillmann who had been standing there: "Such are the soldiers nowadays, Horthy's footsoldiers have nothing to eat; Horthy is a piece of crap, who lines his pockets and then gives legs." Immediately afterwards he picked at a fresh recruit: "You idiot, why do you wear the national colors, the government failed, your father Horthy failed!" While Szabó shouted at the recruit soldier Tillmann had called for a policeman, who upon his arrival accompanied Mihály Szabó to the nearby police station for questioning. On the same day Szabó was placed under detention. He remained in custody for one month and 15 days until October 19, 1922. His public trial was held on March 14, 1923 where he was sentenced to one year and six months of imprisonment, a fine of 2000 Hungarian crowns, and the deprivation of his political rights and loss of offices for three years. Although the main sentence was later reduced to one year of imprisonment in a court of appeal the defendant's guilt was not questioned.¹

Mihály Szabó had been charged with, tried for and found guilty of lèse-régent, i.e. insulting the Regent.² This case is neither unique nor part of a mass phenomenon. Yet, from 1920 to 1944 during the regency of Miklós Horthy (1868-1957) more than 1400 people

¹ Magyar Országos Levéltár (Hungarian State Archives) K-616, 3. bundle IV-295-924. All translations are by the author unless marked otherwise.

² Lèse-régent is a translation of the Hungarian *kormányzósértés*. The term was adopted from Andrew C. Janos, *The politics of backwardness in Hungary: 1825-1945* (Princeton, N. J.: Princeton Univ. Press, 1982), 217. Lèse-régent was based on the laws against lèse-majesté. Lèse-majesté (from Latin *laese maiestatis* = injured majesty; originating from the Roman legal tradition) was initially defined as any attack (physically or verbally) targeting the King. See Chapter 2 for a detailed discussion.

were convicted for lèse-régent.³ Despite this seemingly low number of convictions, the severity of the threat of punishment, the coverage in the media, as well as discussions in Parliament point to the potential of this so far under-researched issue. More importantly, however, this thesis will argue that the issue of lèse-régent can shed new light on aspects of the Horthy-regime.

Miklós Horthy last commander-in-chief of the Austro-Hungarian Navy in the First World War and supreme commander of the so-called ‘National Army’ during the counterrevolution in 1919 was elected Regent of the re-established Kingdom of Hungary on March 1, 1920. The end of the war had not only brought about the break-up of the Austro-Hungarian Monarchy and with it the long-sought independence, but it also spawned the democratic revolution, the subsequent communist take-over as well as the counterrevolution. Hungary also lost roughly two thirds of its former territory, which would be later ratified in the Treaty of Trianon. In addition, the last King of Hungary, Charles IV, tried twice to regain his throne in 1921, with the second attempt culminating in a skirmish between royalists and those loyal to Horthy. Finally, it resulted in Charles being sent into exile and the dethronization of the Habsburg dynasty from the Hungarian throne. The initial interim solution became a permanent. The ambiguous situation of Hungary and its head of state Miklós Horthy is succinctly contained in a joke, which begins as follows:

³ There are no official statistics for the years after 1942. From 1921 to 1942 there were altogether 1394 convictions. See Table 1 in the Appendix.

When Hungary had declared war on the USA during World War II the Hungarian Ambassador informed the Secretary of State in Washington.

Secretary of State: What is your form of government?

Ambassador: Monarchy.

SoS: And who is your king?

A: We do not have a king, but a Regent.

SoS: And who is your Regent?

A: Admiral Miklós Horthy de Nagybánya.

SoS: And do you have a sea?

A: No, we do not.⁴

Miklós Horthy as an “admiral on horseback,”⁵ i.e. without a fleet in a landlocked country, as the head of state in a monarchy without a king certainly appears to be a somewhat comical figure. Looking underneath the layer of irony this joke, however, leads to the more important questions of the legitimization of the political regime in the interwar period and of the legitimization of Miklós Horthy as Regent.

The historical assessment of the Horthy-regime changed significantly over the course of time. Although the late 1980s already showed an increased interest in the interwar period and a less ideologically charged approach it is especially in recent years that a number of major contributions were published.⁶ One issue that has recently received

⁴ The versions of this joke vary to some degree. This version is taken from the Internet Portal *Vicces viccek* [Funny Jokes]: http://www.viccesviccek.hu/Okos_haduzenet; last accessed May 21, 2011.

⁵ Thus the title of the substantial biography of Miklós Horthy by Thomas Sakmyster, *Hungary's admiral on horseback: Miklós Horthy, 1918 - 1944*, East European Monographs, vol. 396 (Boulder: East European Monographs, 1994).

⁶ Among the publications available in English are apart from the seminal biography by Thomas Sakmyster the standard works of Ignác Romsics, *Hungary in the twentieth century* (Budapest: Corvina, Osiris, 1999) and Mária Ormos, *Hungary in the age of the two World Wars 1914-1945* (Boulder, Colo.: Columbia Univ. Press, 2007). Posthumously published was the work by Gusztáv Gratz, *Magyarország a két háború között (Hungary between the two wars)*, ed. Vince Paál (Budapest: Osiris, 2001). Gratz (1875-1946) had been Foreign Minister of the Kingdom of Hungary under Prime Minister PálTeleki in 1921, but had resigned after the first attempt of restoration by King Charles IV. An overview on the political system was published by Levente Püski, *A Horthy-rendszer (The Horthy-System)* (Budapest: Pannonica Kiadó, 2006), the two recent volumes edited by Ignác Romsics, ed., *A magyar jobboldali hagyomány, 1900-1948 (The tradition of the Hungarian Right, 1900-1948)* (Budapest: Osiris, 2009) and Péter Miklós, ed., *Ujragondolt negyedszázad : tanulmányok a Horthy-korszakról (Re-imagined quarter of a century: studies on the Horthy-era)* (Szeged: Belvedere Meridionale,

increased attention is the image of Miklós Horthy, most notably with regard to the so-called Horthy-cult. In 1990 Tibor Dömötörfi published an article in a popular historical magazine on “The elements of the Horthy-cult.”⁷ The article provides a first survey of the phenomenon in the form of an enumeration of characteristics, but does not offer a detailed analysis. In his seminal biography on the Regent, Thomas Sakmyster addresses the phenomenon briefly, identifying it as “artificial and [...] government-sponsored” but also stressing the need to balance its evaluation with the genuine, strong support for Horthy.⁸ In his essay on the images of Horthy, first published in 2007, Ignác Romsics gives a broad overview of the perception of Horthy from the First World War until the present day.⁹ For the interwar period he notes the increasing dominance of positive, larger-than-life images of Horthy that soon replaced competing, negative narratives of Horthy. A recent article on the “Cult of the Regent” during World War II by Lajos Olasz is mostly limited to a descriptive account of the phenomenon in that period.¹⁰ The first attempt of a systematic research on the Horthy-cult is provided by Dávid Turbucz.¹¹ His research is focused on the official image of Horthy and mainly based on an analysis of a sample of newspapers. Starting from these recent studies this thesis will focus on the criminal prosecution of acts that questioned or contradicted these images.

2010) contain a number of articles dealing with aspects of the regime. The contributions of the latter volume are of mixed quality and some of a more publicist than scholarly character.

⁷ Tibor Dömötörfi, “A Horthy-kultusz elemei: (The elements of the Horthy-cult),” *História* 12 (1990): 23-26.

⁸ Sakmyster, *Horthy*, 142.

⁹ Ignác Romsics, “Horthy-képeink (Our Horthy-images),” *Mozgó világ* 33, no. 10 (2007): 3-32; published in English as “Changing images of Miklós Horthy,” *SPECTRUM HUNGAROLOGICUM* 4, Cultic Revelations: Studies in Modern Historical Cult Personalities and Phenomena (2009): 93-113. Internet: <http://urn.fi/URN:NBN:fi:jyu-20103301368>; accessed January 20, 2011.

¹⁰ Lajos Olasz, “A kormányzó-kultusz alakulása a második világháború időszakában (1938-1944) (The formation of the Regent-cult in the time of World War II (1938-1944)),” in Miklós, *Re-imagined quarter of a century*, 354-369.

¹¹ Dávid Turbucz, “A Horthy-kultusz (The Horthy-cult),” in Romsics, *The tradition of the Hungarian Right*, 138-166; *ibid.*, “Horthy Miklós ‘országglásának’ tizedik évfordulója (The tenth anniversary of Miklós Horthy’s ‘reign’),” *Első Század* OTDK különszám [OTDK Special Edition] (2009): 187-213; *ibid.*, “A Horthy-kultusz kezdetei (The beginnings of the Horthy-cult),” *Múltunk*, no. 4 (2009): 156-199; *ibid.*, *Vezérkultusz és nyilvánosság: Horthy Miklós ’országglásának’ húszéves jubileuma (1939–1940)* (Leader Cult and public: The 20th anniversary of Miklós Horthy’s ‘reign’ (1939-1940)), 2010, Internet: http://mediakutato.hu/cikk/2010_02_nyar/08_horthy_miklos_husz_eves_evfordulo/01.html; accessed January 20, 2011.

Legal measures for the protection of the head of state are not specific to Hungary in the interwar period, nor are they a phenomenon of the twentieth century only. This category has existed for many centuries, in many forms and under many names. However, the specific protection of the authority or the prestige of a ruler against non-physical threats, e.g. insults, developed mainly during the nineteenth century. There are a number of recent publications that address this topic in different time periods as well as different regions.¹² While the extent and degree of prosecution might differ to a great extent these legal measures share an important aim: that to defend the ruler's claim to legitimacy. As the legal practice in many monarchies, as well as the case of Turkey with its law on "crimes against Atatürk" demonstrate, this is not only limited to living heads of state.¹³

The topic of lèse-régent has not yet been researched in detail. Several authors mention a relatively low number of cases, and mostly refer to the case of Ödön Beniczky, former Minister of Interior, which had caused quite a stir in the political establishment.¹⁴ A short glimpse on trials of lèse-régent is presented in Ágnes Judit Szilágyi's biography of Miklós Horthy's second son.¹⁵ However, it pertains only to one case in which Miklós Horthy junior lobbied for the pardoning of a defendant. This study will focus on the legal practice in trials of lèse-régent. The case files of criminal trials on lèse-régent offer not only

¹² On lèse-majesté in Russia see Angela Rustemeyer, *Dissens und Ehre: Majestätsverbrechen in Russland (1600-1800)* (Dissent and Honor: Lèse-Majesté in Russia (1600-1800)) (Wiesbaden: Harrassowitz, 2006). For lèse-majesté in the Habsburg monarchy see the recent study by Philip Czech, *Der Kaiser ist ein Lump und Spitzbube: Majestätsbeleidigung unter Kaiser Franz Joseph* (The Emperor is a rascal and rogue: Lèse-Majesté under Emperor Francis Joseph) (Wien: Böhlau, 2010). A diachronic study of such measures in Germany since the 19th century is presented by Andrea Hartmann, *Majestätsbeleidigung und Verunglimpfung des Staatsoberhauptes (Paragraphen 94 ff. RStGB, 90 StGB): Reformdiskussion und Gesetzgebung seit dem 19. Jahrhundert* (Lèse-majesté and defamation of the head of state (Articles 94ff. RStGB, 90 StGB): Reform discussion and legislation since the 19th century) (Berlin: BWV - Berliner Wissenschafts-Verlag, 2006). A detailed analysis of the utilization of such legal measures in Nazi Germany is the study by Bernward Dörner, *"Heimtücke": das Gesetz als Waffe: Kontrolle, Abschreckung und Verfolgung in Deutschland 1933-1945* ("Insidiousness": The law as weapon: control, deterrence and persecution in Germany 1933-1945) (Paderborn: Schöningh, 1998).

¹³ This law was passed in 1951, i.e. 13 years after the death of Mustafa Kemal, called Atatürk. Yael Navaro-Yashin, *Faces of the state: Secularism and public life in Turkey* (Princeton, NJ: Princeton Univ. Press, 2002), 202.

¹⁴ In this vein Püski, *The Horthy-System*, 208; Sakmyster, *Horthy*, 139f.

¹⁵ Ágnes Judit Szilágyi, *Iff. Horthy Miklós, a kormányzó kisebbik fia: tanulmányok, dokumentumok* (Miklós Horthy jun., the Regent's younger son: studies, documents) (Budapest: Holnap, 2002), 105-111.

a unique – albeit very limited – insight into the popular perception of Horthy. More importantly, they document the authorities', i.e. mainly the judiciary's treatment of the (perceived) threats to Horthy's legitimacy as Regent. The legal practice was, however, embedded in a larger system, highly formalized and hence does not provide immediate insights. Thus, the criminal case files cannot be properly assessed without considering the legal context. A number of questions shall be addressed: What was defined as lèse-régent? Which expressions and deeds were prosecuted? And, if found guilty, how were the defendants punished? How were the trials of lèse-régent related to the Horthy-cult? Finally, how were the trials of lèse-régent perceived?

Facing the complexity of the topic, the number of issues involved and the fact that so far there has been no systematic scholarly approach to trials of lèse-régent limitation is necessary. Since insults on Horthy published in the press were subject to the same prosecution as other acts of lèse-régent, this thesis will not pay specific attention to the system of censorship and the many trials involving newspapers during the Horthy-era.¹⁶ Furthermore, an adequate discussion of the medial reception of trials of lèse-régent cannot be accomplished in the framework of this study. Rather than focusing on the analysis of prominent cases like that of Ödön Beniczky, or the handful of trials involving Members of Parliament this thesis will focus on those cases that mainly appear as figures in the statistical yearbooks. However, this thesis cannot and does not intend to provide a reconstruction of 'what actually happened.' Since the case files contain only the sentence the problem of denunciation in trials of lèse-régent cannot be properly analyzed. Finally, the limitation is also achieved through the selection of case files. For this study 135 case files of lèse-régent

¹⁶ On the conditions for journalists in the first decade and for further literature see the study by Balázs Sipos, *A politikai újságírás mint hivatás: nyilvánosság, polgári sajtó és a hírlapírók a Horthy-korszak első felében* (Political journalism as vocation: public sphere, bourgeois press and the journalists in the first half of the Horthy-era) (Budapest: Napvilág, 2004).

from the office of the Crown Prosecutor (Hung. *koronaiügyészség*) have been selected.¹⁷ This number might seem arbitrary, but taking into account the limited time and space available for the research and writing of this thesis it formed a feasible upper limit. Reflecting the initial intent of providing a detailed analysis of the development over the entire period under scrutiny their distribution is somewhat unequal.¹⁸

The thesis is divided into four thematic chapters. The first chapter will delineate my approach to the Horthy-regime and the issue of lèse-régent. The terms and concepts that inform my approach will be explained. This includes political regimes, legitimacy, the communication of claims of legitimacy, the Horthy-regime and the Horthy-cult. Furthermore, the methods and sources will be outlined.

The second chapter will illuminate the legal context for the trials of lèse-régent. Since the trials on lèse-régent were based on the laws against lèse-majesté some aspects of the legal history of lèse-majesté will be presented. In a second step the Regent's constitutional position will be described. While laws form the rather static basis for any criminal trial, legal practice itself is dynamic. Therefore, in the third part of the chapter aspects of the development of the Hungarian legal system between the two World Wars shall be outlined. Finally, the decisions of the *Kúria*, the Hungarian Royal Supreme Court shall be analyzed, since they served as guidelines for the subsequent interpretation of the law.

The third chapter will address the trials of lèse-régent. First of all, an overview over the number of convictions and the delinquents shall be given. This is followed by an outline of the general procedure in trials of lèse-régent. The main focus of the chapter will lie on the delinquent acts that were regarded as lèse-régent. The analysis of these acts and the legal

¹⁷ For a detailed description see Chapter 1.7.

¹⁸ Of the 135 case files 97 are from the first decade and only 38 are from the following period. These second category of files has, however, been selected in order to give an insight into the variety and qualitative development of the delinquent acts. Thus, the insults (see Chapter 3.2.2.1) that vary only to a certain degree and can be encountered throughout the entire period have been not been selected for the time after 1930.

response to these can provide insights on the authorities' perception of possible threats to Horthy's legitimacy. Finally, strategies of defense as well as the sentences shall be scrutinized.

The fourth chapter will address reactions to trials of lèse-régent. Since a detailed analysis of the perception of lèse-régent cannot be presented in the framework of this chapter some important aspects shall be highlighted. This includes, first of all, the granting of amnesty and the Miklós Horthy's perception of lèse-régent. Secondly, the parliamentary debates on lèse-régent will be considered.

Chapter 1: Approaching the Horthy-Regime and lèse-régent

This chapter will give an outline of my approach to the Horthy-regime and lèse-régent. It is divided into several parts, each discussing a term or concept that informs my approach. After a short reflection on political regimes, the concept of legitimacy shall be delineated and traditional and modern forms of authoritarian regimes shall be distinguished. A further differentiation of legitimacy will juxtapose persuasive means of communicating claims to legitimacy and coercive means of reinforcing these claims. Furthermore, the Horthy-regime and the Horthy-cult will be characterized. Finally, the questions of methodology and sources will be addressed.

1.1 Political Regimes

Political regimes have at all times found the interest of scholars. Be it the philosopher in search for the ideal system of government, the political scientist in search for commonalities between the regimes of different states or the historian describing the conditions and development of a concrete state. In a scholarly context political regime was introduced as an umbrella term that denotes the form of government of states in the broadest possible meaning. It embraces various aspects of political domination, such as the legitimization, form, exercise of and access to political power, as well as the relationships between the governing and those governed.¹⁹ Political regimes can and have been approached from various angles and there is a long standing tradition of the classification and analysis of political regimes that can be traced back to Aristotle.²⁰ Facing the history of the twentieth century scholars increasingly shifted their attention towards the study of

¹⁹ Hans-Joachim Lauth, “Regimetypen: Totalitarismus — Autoritarismus — Demokratie (Regime types: Totalitarianism - Authoritarianism - Democracy),” in *Vergleichende Regierungslehre: Eine Einführung (Comparative Politics: An introduction)*, ed. Hans-Joachim Lauth (Wiesbaden: VS Verlag für Sozialwissenschaften, 2006), 95f.

²⁰ *Ibid.*, 95.

nondemocratic regimes.²¹ The experience of violence, war, terror and genocide organized by the state had a severe impact on the research of political systems. Two ideal types marked the extremes of the political scale: democratic and totalitarian. The theories on totalitarianism are one of the most productively debated approaches to the comparative analysis of modern forms of nondemocratic regimes.²² The majority of regimes that can be found in the 20th century, however, are situated somewhere between the extremes. Based on a case study of Spain under Francisco Franco political scientist Juan José Linz has developed the concept of authoritarian regimes as a distinct third type.²³ Unlike the definitions of the ideal types of democracy and totalitarianism, the concept of authoritarian regime is rather embracing. According to Linz authoritarian regimes are:

political systems with limited, not responsible, political pluralism, without elaborate and guiding ideology, but with distinctive mentalities, without extensive nor intensive political mobilization, except at some points in their development, and in which a leader or occasionally a small group exercises power within formally ill-defined limits, but actually quite predictable ones.²⁴

Despite its broadness the definition forms a good starting point. Based on this definition an authoritarian regime is distinct from a democratic regime through the lack of responsible political pluralism, and from a totalitarian regime through the presence of limited pluralism and the lack of an ideology and substantial political mobilization. One might argue that this definition might as well characterize earlier forms of nondemocratic government. And as

²¹ Paul Brooker, *Non-Democratic Regimes: Theory, Government and Politics* (Houndmills: Palgrave Macmillan, 2000), 2.

²² The complex debates on concepts of totalitarianism including the distinctions between totalitarian movement, party and regime cannot be adequately presented in the context of this thesis. Brooker provides an overview on the development of theories of totalitarianism (Brooker, 8-21). An assessment of the recent literature on totalitarianism can be taken from the review article by Jeffrey Brooks, "Totalitarianism Revisited," *The Review of Politics* 68, no. 2 (2006): 318-328.

²³ Juan J Linz, "An Authoritarian Regime: The Case of Spain," in *Cleavages, ideologies, and party systems: contributions to comparative political sociology*, ed. Erik Allardt and Yrjö Littunen (Academic Bookstore, 1964), 291-342. Juan José Linz, *Totalitarian and authoritarian regimes* (Boulder, CO: Lynne Rienner Publishers, 2000), first published in 1975.

²⁴ Linz 1964, 255.

Paul Brooker rightly asserts the lack of democratic rule “has been the norm for most of human history.”²⁵ Thus, rather than entering the debate on the various subtypes of nondemocratic regimes it seems necessary to distinguish between the non-modern and modern form of authoritarian regimes. For the purpose of this thesis the line of demarcation between non-modern and modern forms of authoritarian regimes shall be drawn based on the question of legitimacy.

1.2 Legitimacy

In the most simple terms legitimacy can be defined as a “the right to rule.”²⁶ Following Max Weber we can distinguish between three ideal types of legitimate rule: legal authority, traditional authority and charismatic authority.²⁷ Of these legal authority is “resting on a belief in the legality of enacted rules,” traditional authority “on an established belief in the sanctity of immemorial traditions,” and charismatic authority on the “devotion to the exceptional sanctity, heroism or exemplary character of an individual person.”²⁸ Due to their character as ideal types these forms of legitimacy are not exclusively present in regimes, but rather occur in combination. Thus, one can argue that the semi-constitutional monarchies of the 19th century mainly combine elements of traditional authority, i.e. the king’s divine right to rule, and legal authority through the means of a constitution. However, since the focus lies here on the question of legitimacy, we shall define these states as ‘traditional.’ While in the case of France, for example, traditional authority has been questioned much earlier, for Central Europe we can consider the end of the First World War and the ensuing dissolution of the German Empire and the Austro-Hungarian Monarchy as

²⁵ Brooker, *Non-Democratic Regimes*, 1.

²⁶ *Ibid.*, 100.

²⁷ Max Weber, *Economy and society: an outline of interpretive sociology* (University of California Press, 1978), 215.

²⁸ *Ibid.*

the pivotal moment for what Juan Linz identifies as the “breakdown of traditional legitimacy.”²⁹

1.3 Communicating Claims to Legitimacy

Legitimacy can be further differentiated into a *claim to legitimacy* and the reactions to that claim by the population.³⁰ While some regimes might not seek for explicit acceptance of their claims to legitimacy, there certainly are implicit claims to legitimacy. A regime relies not only on disseminating its claim to legitimacy, but also on mechanisms to ensure that its claim is acknowledged.³¹ Thus, rather than assuming the static existence or absence of legitimacy, we shall conceptualize legitimacy as a dynamic phenomenon. The dynamic is created through the interplay between the communication of a claim, the reactions to this claim and the measures taken by regimes to reinforce its claims. Therefore, we shall distinguish between *persuasive* means of communicating claims and *coercive* means of reinforcing these claims.

The claims to legitimacy can be communicated through several *persuasive means*. These means include but are not limited to legislation, elections and performance.³² They are persuasive because they aim at convincing the population of the regimes right to rule without the use of force. One of these means, which deserves closer scrutiny, is the phenomenon of the leader cult.³³ Cults revolving around a political leader exist to a varying

²⁹ Linz 2000, 53.

³⁰ Brooker, *Non-Democratic Regimes*, 100.

³¹ Ibid.

³² Ibid. 103-108.

³³ The research on leader cults has recently received an increased interest. On personality cults in communist regimes see the volumes Klaus Heller and Jan Plamper, *Personality cults in Stalinism: Personenkulte im Stalinismus*, 1st ed. (Göttingen: V & R unipress, 2004). and Balázs Apór et al., *The leader cult in communist dictatorships: Stalin and the Eastern bloc* (Basingstoke: Palgrave Macmillan, 2004). See also the review article on these two volumes by Yves. Cohen, “The Cult of Number One in an Age of Leaders,” *Kritika: Explorations in Russian and Eurasian History* 8, no. 3 (2007): 597-634. With a broader agenda see the more recent volume edited by Benno Ennker and Heidi Hein-Kircher, *Der Führer im Europa des 20. Jahrhunderts*, Tagungen zur Ostmitteleuropa-Forschung, vol. 27 (Marburg: Verl. Herder-Inst., 2010), 27. Not to forget the

degree in all kinds of regimes. Nonetheless, it is especially modern forms of nondemocratic regimes that are most prone to them.³⁴ The lack of competition and insufficient control of the political sphere further fertilize the grounds for the emergence of leader cults.³⁵ Definitions of leader cults are scarce, but following Arfon Rees leader cults can be characterized as:

an established system of veneration of a political leader, to which all members of the society are expected to subscribe, a system that is omnipresent and ubiquitous and one that is expected to persist indefinitely. It is thus a deliberately constructed and managed mechanism, which aims at the integration of the political system around the leader's persona.³⁶

With regard to the question of legitimacy the cult's prevalence, its construed character and its integrative function are most important. While the nature of leader cults is arguably more complex, we shall take it as an example of a persuasive means of communicating claims to legitimacy.

The *coercive means* of reinforcing claims to legitimacy vary greatly in number and degree. These means shall be called coercive since they are forceful measures aiming at underpinning a regime's claim to legitimacy. They might be used in reaction to the non-acceptance of the claims by the population, e.g. the violent crushing of an insurrection, or preventively, e.g. through a system of censorship. Every regime depends on a multitude of "organizations, organs or administrative devices that strengthen its (at least partially coercive) control over state and society."³⁷ The degree of control, its limitation or the lack thereof, strongly depends on the type of political regime. While democratic regimes might be

recent conference on "The Personality Cults of Modern Dictators" (October 22-23, 2010, University of London) where an outline of this study was presented.

³⁴ E. A. Rees, "Leader Cults: Varieties, Preconditions and Functions", in Balázs Apor et.al. (ed.), *The leader cult in communist dictatorships: Stalin and the Eastern bloc* (Basingstoke: Palgrave Macmillan, 2004), 7.

³⁵ *Ibid.*, 8.

³⁶ *Ibid.*, 4.

³⁷ Brooker, *Non-Democratic Regimes*, 100.

characterized by the limitation of control, totalitarian regimes tend to the extension of control, which might reach the extent of repression or outright terror. The utilization of the legal system “to bolster or create new power positions,” what in the terms of Otto Kirchheimer can be called “political justice,” is the most relevant aspect of reinforcing claims to legitimacy in the framework of this thesis.³⁸ The term ‘political,’ however, needs to be applied carefully. The relation between the legal system and a political regime shall not be understood as an immediate one, as for example in the case of political show trials which feature a direct, politically motivated influence on the judiciary. Instead, we shall assume a mediated relation. In this sense laws can be understood as much as a product of, as well as an expression of a political regime.³⁹ Through legal practice the judiciary mediates this claim. Thus, the trials of lèse-régent shall not be considered as ‘political justice,’ in the narrow sense that politicians have an influence on the trials. Rather, the legal practice shall be placed in the broader political context.

1.4 The Horthy-Regime

The period in Hungarian history between 1920 and 1944 is commonly referred to as Horthy-era and hence scholars speak of the Horthy-system or the Horthy-regime. While Levente Püski rightly asserts that Horthy’s role in the establishment and maintenance of the political system was strongly limited, he symbolized the regime.⁴⁰ It is exactly this symbolic function that is in the focus of this thesis and therefore the term Horthy-regime can be considered an appropriate denomination. Instead of establishing a genuine assessment of the regime as a whole, which certainly could not be accomplished within the framework of this thesis, we shall focus on the question of legitimacy. Beneath the unifying label of the

³⁸ Kirchheimer, *Political Justice*, vii.

³⁹ This is not limited to new legislative acts, but can also be perpetuated through adhering to practice.

⁴⁰ Püski, *The Horthy-System*, 8f.

Horthy-regime lies a very heterogeneous era, that requires further segmentation. Following Ignác Romsics we shall distinguish between three periods: the 1920s, the 1930s and 1941 to 1944.⁴¹ The first period is generally associated with the process of consolidation under Prime Minister István Bethlen, the second with the regime's attempts to cope with the rise of radicalism from the right and the last period covers the time span from Hungary's entry into World War II to the demise of the Horthy-regime.⁴²

The answers to the question of the nature of the Horthy-regime vary greatly depending on the historical context. Thus, in the years following its breakdown the Horthy-regime was condemned as “proto-Fascist, Fascist or dictatorial”, which, as Ignác Romsics rightly points out, has to be seen in the context of “legitimizing the post-war system.”⁴³ In his standard work on Hungarian history in the twentieth century he identifies the Horthy-regime “as a limited parliamentary democracy with distinctive authoritarian features” and states that it would fit Juan Linz's definition of an authoritarian regime.⁴⁴ However, in their recent study on parliamentarianism in Hungary Zsuzsanna Boros and Dániel Szabó answer the question somewhat differently by identifying the regime as “undemocratic (half)parliamentarian,” featuring many characteristics of a 19th century semi-constitutional monarchy.⁴⁵ And while Levente Püski agrees to the usage of the label “authoritarian regime” as a “reasonable starting point,” he demands to reframe the concept of authoritarian regimes and adapt it to the political realities of central and southeastern European states in the interwar period.⁴⁶ In the framework of this thesis, the Horthy-regime shall be understood as a modern authoritarian regime. It is important to note that the label ‘modern’ is applied here in a very narrow sense. Rather than following scholars as Guillermo O'Donnell who

⁴¹ Romsics, *Hungary in the twentieth century*, 129.

⁴² Ibid.

⁴³ Ibid., 191.

⁴⁴ Ibid., 190.

⁴⁵ Zsuzsanna Boros and Dániel Szabó, *Parlamentarizmus Magyarországon, 1867-1944: parlament, pártok, választások* (Parliamentarianism in Hungary, 1867-1944: Parliament, Parties, Elections), 2. ed. (Budapest: ELTE Eötvös, 2008), 385.

⁴⁶ Püski, *The Horthy-System*, 232f.

stress the modernizing character of the latter form of regimes, we shall use it as the opposite of ‘traditional,’ based on the difference in the claims to legitimacy.⁴⁷ Although the Kingdom of Hungary is formally reestablished in 1920 there are substantial changes in the political system, that allow for a differentiation between the pre-World War I and post-World War I period. The most visible being the physical, as well as political absence of the king.

The Horthy-regime employed several means to communicate its right to rule. We can identify several ‘mentalities,’ as Juan Linz describes them. Since the regime had emerged from the counterrevolution fervent anti-communism belonged to one of its staunchest pillars. The claim of having restored order and the need to uphold this order was another cornerstone in the regimes claims to legitimacy. Furthermore, Christian Nationalism, as well as irredentism played a crucial role in the legitimization of the regime.⁴⁸

1.5 The Horthy-cult

One aspect that deserves closer scrutiny in this context is the so-called Horthy-cult. The messages of the cult were focused on the glorification of Horthy’s role in World War I, the counterrevolution and later the territorial revision. Horthy was likened to great figures of Hungarian history and identified as “savior of the country.”⁴⁹ This image was manifested in Horthy’s appearances on a white horse. Thus, he had entered Budapest on November 16, 1919 and would later ride into cities of the regained territories in a similar fashion. In the framework of the cult Horthy’s naval career was canonized as much as his image as liberator.

⁴⁷ Guillermo A. O’Donnell, *Modernization and Bureaucratic-Authoritarianism: Studies in South American Politics* (Berkeley: Institute of International Studies, University of California, 1979). One prime example for a modernizing authoritarian regime would be Turkey under Atatürk.

⁴⁸ On irredentism during the Horthy-era see Miklós Zeidler, *Ideas on Territorial Revision in Hungary: 1920-1945: Translated from the Hungarian by Thomas J. and Helen DeKornfeld*, vol. 15, CHSP Hungarian studies series (New York: Columbia University Press, 2007).

⁴⁹ Romsics, *Changing Images*, 93.

What started as propaganda from the radical right became the official narrative in the course of the 1920s.⁵⁰ The repertoire was later supplemented by the image of Horthy as the “enlarger of the country.”⁵¹ While the cult cannot be compared to those in totalitarian regimes that aimed at the mobilization of the masses, it fulfilled an integrative function. The celebrations of anniversaries of his entry into Budapest at the head of the National Army, his election as Regent, as well as his birthday and the day of his namesake became increasingly important focal points for the orchestrated acts of reverence.⁵² In line with the above made differentiation the Horthy-cult shall be understood as one of the persuasive means to communicate the claim to legitimacy of Miklós Horthy. Rather than addressing the phenomenon of the cult in all its complexity, it is mainly the messages of the cult that are of relevance. In this sense the Horthy-cult shall be understood as the main repertoire for the official narrative on the person and achievements of Miklós Horthy.

1.6 Methods and Sources

Criminal trials can be approached from several different directions. Since criminal trials are concerned with the application of laws, the most obvious approach is that of legal history. Arguably legal history is necessary, for it provides the indispensable means for the contextualization of laws and trials. This thesis will go beyond this perspective. My approach to the trials of lèse-régent is informed by the works of Angela Rustemeyer and Philip Czech.⁵³ While Rustemeyer deals with an entirely different period and legal context, she contextualizes the legal practice of lèse-majesté within the development of the Russian state. Czech’s doctoral dissertation completed in 2008 at the University of Salzburg proves

⁵⁰ On the early phase of the cult see Turbucz, *The beginnings*.

⁵¹ Romsics, *Changing Images*, 101.

⁵² Turbucz presents an analysis of both the tenth and twentieth anniversary. Turbucz, *The tenth anniversary*; *ibid.*, *Leader Cult and Public*.

⁵³ Rustemeyer, *Dissent and Honor*; Czech, *The Emperor is a rascal and rogue*.

to be much closer to the context of interwar Hungary. Since Czech only focuses on the Austrian half of the Dual Monarchy his study does not offer an immediate basis for comparison. However, he approaches cases of lèse-majesté from an interdisciplinary perspective that combines the methods of legal history, criminal history and political history. This thesis will incorporate these different approaches.

A great number of primary sources form the basis for the analysis. These sources can be categorized into two main groups: legal sources and other sources. The former is the largest group of primary sources. First of all, it includes the laws themselves. Since the thesis focuses on the analysis of the legal practice, the laws and the legal framework form indispensable components. The core primary sources are criminal case files on lèse-régent. The sources that have been selected stem from the office of the Crown Prosecutor (*koronaiügyész*) which are kept in the Hungarian State Archives.⁵⁴ With regard to the vast number of existing case files 135 case files (unequally) covering the period of the Horthy-regime have been selected for a closer analysis. The selected case files cannot be considered as equally representative. Yet, these are the documents that were collected for the highest prosecuting office in the country and therefore contain files from the different regional courts. Thus, offering a greater variety than files from a regional court.

In general these files contain the sentence of the trial court (Hung. *törvényszék*), the court of appeal and an invitation for a session of the Kúria, the Royal Supreme Court. The sentences of the trial courts can reach from two to more than ten pages. This variance depends mainly on two factors. On the one hand several of the regional courts produced handwritten documents, which tend to be longer, and on the other hand it depends on the complexity of the case. Thus, multiple delinquencies, the number of witnesses and the varying degree of detail in the reasoning strongly influence the length of the sentence. The

⁵⁴ The files can be found in the fond K-616 of the Hungarian State Archives. The bundles 2 to 24 contain the criminal case files, which are not indexed and therefore had to be browsed for case files of lèse-régent.

sentence lists the place and time of the trial, the names of persons present, shortly mentions the indictment, names the sentence itself, followed by the reasoning. The latter consist of a reconstruction of the delinquent act, a reference to the trial including defense and the witness accounts, as well as further considerations that informed the formulation of the sentence. There are several limitations when it comes to the analysis of the files. First of all, they do not give insight into the preparation of the trials, since they do not contain the entire indictment, nor the police or gendarmerie protocols. Due to the lack of a detailed protocol the trials cannot be reconstructed in detail. As criminal case files they have to be handled with care and clearly do not allow for a detailed reconstruction of the ‘facts.’ They are biased in the sense that they were produced by the prosecutors. Thus, the voices of the defendants and witnesses are only available through the lens of the authorities. It is, however, exactly this perspective that will be in the focus of the analysis. The sentences of the courts of appeal tend to be much shorter and in most cases do not exceed two pages. These shall, however, only be used in so far as they contained a reevaluation of a case. Since the archive of the *Kúria* has been destroyed its decisions are available only indirectly, through the excerpts that were published in the collections of decisions.⁵⁵

Other sources include, first of all, statistical material. While the case files offer insight into individual trials the data provided in the Hungarian Statistical Yearbooks shall be used for a quantification of the trials of lèse-régent. The caveat is that they only number of convictions. However, the data are for the entire country and available for the largest part of the period (1921-1942). For the analysis of the reactions to lèse-régent we shall employ memoirs and diaries, as well as the minutes of parliamentary debates.

⁵⁵ The case files only contain the announcements for trials at the *Kúria*, on the back of which the Crown Prosecutor’s office usually noted the outcome with pencil, which cannot be considered a basis for a closer analysis.

Chapter 2: The legal context of lèse-régent

This chapter will outline the legal context of lèse-régent. In a first step aspects of the legal history of lèse-majesté shall be presented. In a second step the constitutional position of the Regent shall be scrutinized, since it formed the basis for his legal protection, as well as his right to grant amnesty. Subsequently, some aspects of the development of the criminal law system in interwar Hungary will be presented. Finally, the development of the notion of lèse-régent as well as its legal development through the decisions of the *Kúria* shall be presented.

2.1 From Crimen Maiestatis to Lèse-Majesté

Considering its legal foundation lèse-régent was not a new creation of the interwar period. Rather the criminal proceedings on lèse-régent were based on already existing regulations against lèse-majesté that had developed over centuries. Therefore, it is worthwhile to take into account the legal history of this offense. It is not only characteristic of totalitarian or modern authoritarian regimes to define certain acts or utterances as political crimes. In fact, laws against lèse-majesté, like many other legal regulations have a long history that can be traced back to ancient Rome. The notion of *crimen maiestatis* emerged in the time of the Roman Republic in the third century BC.⁵⁶ This regulation aimed at protecting the *maiestas*, the honor and dignity that was originally attributed to the Roman people. Under Julius Caesar the *Lex Iulia maiestatis* was passed, which shifted the *maiestas* from the Roman people to the ruler.⁵⁷ Based on this law all kinds of offenses – such as high treason, insurgency, physical violence, etc. – against the ruler were punishable, with the

⁵⁶ Czech, *The Emperor is a rascal and rogue*, 29f.

⁵⁷ *Ibid.*

exception of written or verbal insults.⁵⁸ The vague definition of the offense *crimen laese maiestas* became later an instrument of political prosecution and its definition was extended to include written and verbal insults.⁵⁹ Another source for the further development of the regulations on lèse-majesté was the Germanic law. The principle of *fidelitas* defined the relation between the ruler and his subordinates. Therefore, any act that violated this principle was prosecuted as *infidelitas*.⁶⁰ From the 16th to the end of the 18th century these two legal traditions were increasingly merged.⁶¹ It is important to note that the claim to legitimacy of the ruler was also based on the divine right to rule. Thus, any crime against the ruler was also directed against “the image of majesty anointed by representatives of divine power” and as quasi-sacrilege implied a very high threat of punishment.⁶²

It is in the late 18th and early 19th century that several important changes were made concerning the definition of lèse-majesté. These changes arguably differed to some degree depending on the respective state. With the French Revolution *lèse-majesté* had become obsolete in France and was transformed into *lèse-nation*.⁶³ Thus, it was a reversal of the initial transfer of the *maiestas* from the Roman people to the ruler that had taken place under Julius Caesar. In other states there was a differentiation of the offense of lèse-majesté. The *crimen laese maiestatis* did no longer serve as a collective term for all crimes against the state, personified in the ruler.⁶⁴ Rather, it was reduced to the (written or verbal) insult against the ruler with the beginning of the 19th century.⁶⁵ This lèse-majesté proper, as we shall call it, developed into a criminal offense in its own right, but it was also stripped of the

⁵⁸ Pál Angyal, *Felségsértés. Királlysértés. Hütlenség. Lázasadás. Hatóságok büntetőjogi védelme* (Lèse-Majesté. Treachery. Insurrection. Protection of Authorities by Criminal Law), vol. 7, *A magyar büntetőjog kézikönyve* (The handbook of Hungarian Criminal Law) (Budapest: Athenaeum, 1930), 37.

⁵⁹ Angyal, *The handbook of Hungarian Criminal Law*, 38.

⁶⁰ Czech, *The Emperor is a rascal and rogue*, 32.

⁶¹ *Ibid.*, 36.

⁶² Kirchheimer, *Political Justice*, 35.

⁶³ G. A. Kelly, “From Lèse-Majesté to Lèse-Nation: Treason in Eighteenth-Century France,” *Journal of the History of Ideas* 42, no. 2 (1981): 269-286.

⁶⁴ Kirchheimer, *Political Justice*, 33.

⁶⁵ Hartmann, *Lèse-majesté and defamation of the head of state*, 5.

severe threat of punishment.⁶⁶ While in several monarchies, such as the German Empire and the Habsburg Empire, lèse-majesté proper became more important toward the end of the 19th century, its importance declined in others. Thus, according to Pál Angyal in Great Britain the last case of lèse-majesté proper was tried in 1823.⁶⁷

The Hungarian legal tradition of lèse-majesté reaches back to the beginning of the Hungarian Kingdom. Under Charles III a law was passed in 1715 that referred to these earlier laws and not only listed several cases of lèse-majesté (Hung. *felségsértés*) but also contained procedural regulations for the prosecution of such crimes.⁶⁸ The law referred to the laws of St. Stephen, and included all crimes against the crown such high treason, insurrection and physical attacks on the ruler. The further development of lèse-majesté is similar to that in Germany and it is, understandably enough, linked to that of the development in the Habsburg Empire.⁶⁹ In the constitution of 1848 the king had been defined as “sacrosanct,” thus stressing the supreme importance of his inviolability.⁷⁰ With regard to the substantive law the differentiation between lèse-majesté in the broad sense and lèse-majesté proper was the most important development. A first step in this direction was made with ratification of the press law of 1848. It contained the following regulation: “Who fulminates against the inviolable person of the majesty, the legal order of succession for the throne, or commits an insult against the high person of the king is punishable by imprisonment up to six years, and a monetary penalty of up to 3000 Forint.”⁷¹ Article 63 of the Austrian Penal Code of 1852 that also applied to Hungary defined lèse-majesté proper as the “infringement of veneration” (Germ. *Ehrfurchtsverletzung*); this act could be committed as “personal insult, through revilement, sacrilege or mockery in public or in front of several

⁶⁶ Kirchheimer, *Political Justice*, 33.

⁶⁷ Angyal, *The handbook of Hungarian Criminal Law*, 38.

⁶⁸ Law Act 1715: VII.

⁶⁹ For an overview on the early development see Czech, 38-60.

⁷⁰ Law Act 1848:III, § 1. In Hungarian “szent és sérthetetlen.”

⁷¹ Law Act 1848:XVIII, § 7.

people, through printed material, communication or distribution of graphic depictions or writings.”⁷²

The Hungarian penal code of 1878 brought a further development, which already became visible in the denomination of the delinquent acts. On the one hand there is lèse-majesté in the broader sense (Hung. *felségsértés*), i.e. *crimes against the crown* and on the other hand there is lèse-majesté proper (Hung. *királysértés*), i.e. *crimes against the person of the king*. It is also noteworthy that high treason and insurrection are no longer subsumed under the label of lèse-majesté, but are treated separately. The general part of the penal code opens with regulations on lèse-majesté in the broader sense (Hung. *felségsértés*). Paragraphs 126 through 138 precisely catalog what comprises this offence (including assassination, the attempt thereof, assault, the attempt thereof, handing the king over to enemy forces, forcefully trying to alter the legal order of succession, forcefully trying to break the unity of the Austro-Hungarian Monarchy etc.) and how these crimes are to be punished.⁷³ The second section is titled “Maltreatment of the King or Members of the Royal House, and Insulting the King.”⁷⁴ While articles 139 and 141 deal with all physical assaults on the king and his family, which are not covered in the previous section, it is article 140 that addresses lèse-majesté proper:

Who commits an insult against the king: is punishable for this misdemeanor by up to two years imprisonment and deprivation of office.

Who commits this insult through distribution in writing, printed matter, graphic depiction or exhibiting in public: is punishable for this misdemeanor by up to three years imprisonment and deprivation of office.⁷⁵

⁷² Czech, *The Emperor is a rascal and rogue*, 68f. On the detailed analysis of this law that remained in effect in the Austrian half of the monarchy until its end see Czech, *The Emperor is a rascal and rogue*, 68-80.

⁷³ Law Act 1878: V (= Hungarian Penal Code), §§ 126-138. [In the following abbreviated as HPC].

⁷⁴ HPC, §§ 139-141.

⁷⁵ HPC, § 140.

It is important to note that lèse-majesté proper is defined as a misdemeanor, i.e. a minor delinquent act. The law not only extended the regulation of the press law of 1848 by specifying several different ways of insulting the king, but also by differentiating between two grades of lèse-majesté proper. The first paragraph defining the simple offense of insulting the king, the second paragraph the more severe offense of insulting the king in public. Lèse-majesté proper has to be distinguished from cases defamation (Hung. *ragalmazás*) and libel (Hung. *becsületsértés*).⁷⁶ As Pál Angyal argues in his handbook on criminal law the definition of insult (Hung. *sértés*) is much more inclusive than that of libel or defamation.⁷⁷ In 1913 this section on lèse-majesté proper was replaced by the following law:

Who commits an insult against the king, or treats the king's deeds in an insulting manner, is liable for imprisonment for up to two years, the suspension of exercising his political rights and deprivation of office for this misdemeanor.

Who commits this previously defined misdemeanor in printed, written, or graphic form addressed to the public, or publicly in speech, is liable for imprisonment up to three years, for monetary punishment up to 4000 crowns and further the suspension of exercising his political rights and deprivation of office for this misdemeanor.⁷⁸

This regulation followed the previous law on lèse-majesté in continuing the distinction between the two grades. But it also brought two important enhancements. Firstly, the threat of punishment was extended to include the suspense of political rights. Secondly, the “dismissive treatment of the king's deeds” was added to the definition of lèse-majesté proper. The legislative statement provides a glimpse on the reasoning behind the tightening of the law.⁷⁹ The manifestation of a republican movement, and its publications, would

⁷⁶ HPC, §§ 258-277.

⁷⁷ Angyal, *The handbook of Hungarian Criminal Law*, 44.

⁷⁸ Law Act 1913: XXXIV, § 2.

⁷⁹ *Főrendiházi irományok* (Decrees of the Upper House), 1910. Vol. XIV., No. 615-697., 614-618.

threaten to “diminish the feeling of respect towards the person of the king.”⁸⁰ In order to uphold the constitutional order, “any attack has to be prevented and has to be repelled.”⁸¹ It is further argued that the existing laws would not sufficiently protect the king, and that the juries that had jurisdiction over the cases were in the past too mild in their sentences.⁸² The ultimate goal is defined as follows: to “strike that movement and that aggression, which attack the institution of the kingdom with political intent.”⁸³ The extension of the threat of punishment with the deprivation of political rights was justified with the “extremely damaging nature” of lèse-majesté proper.⁸⁴

It is this very article that would become the basis for the prosecution of lèse-régent in 1920. But before the legal development of lèse-régent is taken under scrutiny, it is necessary to address the Regent’s legal position.

2.2 The Regent’s constitutional position

Between the end of World War I and the election of Miklós Horthy as Regent Hungary had gone through a tumultuous time, with two revolutions, a counterrevolution and the loss of large parts of its former territory within less than two years. On November 16, 1918 with the declaration of the republic Hungary ceased to be a monarchy, would later be proclaimed a Soviet Republic which it stayed until August 1, 1919 only to become a republic again under the government of Gyula Peidl.⁸⁵ This state, however, lasted only for a week and from August 7, 1919 when István Friedrich took over the government the decrees no longer contained any reference to a form of state.⁸⁶ With regard to these fast-paced

⁸⁰ Ibid., 614.

⁸¹ Ibid., 615.

⁸² Ibid., 616.

⁸³ Ibid., 616.

⁸⁴ Ibid., 618.

⁸⁵ István Szabó, “A kormányzó jogállása (1920-1944) (The Regent’s legal position (1920-1944)),” *Publicationes Universitatis Miskolciensis. Sectio Juridica et Politica* 12 (1996): 118.

⁸⁶ Ibid.

changes and the enormous ruptures concerning the form of government the new National Assembly, which had been elected on January 25 and 26, 1920 saw the need to restore order and was facing two main challenges: the negotiation of a peace treaty and solving the question of the head of state.⁸⁷ With the letter of Eckartsau signed on November 13, 1918 Charles IV had refrained from the active exercise of his political function in Hungary two days after he had made a similar declaration for Austria.⁸⁸ There was, also a strong motion against the return of the Habsburgs to the Hungarian throne that was initiated by the British high commissioner Hohlen and resulted in the Conference of Ambassadors banning the Habsburgs from the Hungarian throne.⁸⁹ Since this resolution rendered a return of Charles IV onto the Hungarian throne impossible for the time being, the National Assembly needed to solve the question of head of state temporarily. The general idea was that the problem could be settled permanently within a few years after a peace-treaty had been signed.⁹⁰ The opinions on the actual state of affairs strongly diverged. The most pressing question was whether Charles IV was still to be regarded the King of Hungary, since with his declaration made in Eckartsau he had declared not to exercise his political powers in Hungary without officially resigning. The so-called matter of the king (Hung. *királykérdés*) brought out two camps. The legitimists argued that Charles IV was still the rightful king, and therefore favored his return onto the Hungarian throne, whereas the free electors argued that Charles IV could no longer be regarded as King of Hungary and therefore preferred the free election of a new national king.⁹¹ While the matter of the king would remain an issue throughout the entire interwar period, the Parliament had to find an immediate interim solution. The first act of the National Assembly was to declare all laws and decrees passed between November

⁸⁷ Ormos, *Hungary in the Age of the Two World Wars*, 77.

⁸⁸ Ormos, *World War and Revolutions*, 181.

⁸⁹ Ormos, *Hungary in the Age of the Two World Wars*, 78.

⁹⁰ Szabó, *The Regent's legal position*, 123.

⁹¹ Szabó, *The Regent's legal position*, 121. On the legitimists see the study by József Kardos, *Legitimizmus: legitimista politikusok Magyarországon a két világháború között* (Legitimism: legitimist politicians in Hungary between the two world wars) (Budapest: Korona, 1998).

16, 1918 and August 7, 1919 null and void.⁹² Thus, the Parliament did not take an explicit stance in the matter of the king and instead had implicitly re-established the Kingdom of Hungary.⁹³ Following this rationale the National Assembly looked for inspiration in Hungarian history on how to solve the question of the head of state temporarily. The possibility of a (transitory period as) kingdom without a king was not an entirely alien concept. One factor that can be taken into consideration in this regard is the so-called doctrine of the Holy Crown. According to this principle the Holy Crown of St. Stephen is not only the symbol of the state but also the sovereign. Its powers are, however, exercised shared by the king and the nation. The latter vesting its powers in the king. Both the legitimists and the free electors claimed this principle as supporting their point of view.⁹⁴

There were a number of possible solutions for the head of state mentioned during the debate. One of these was the Palatinate (Hung. *nádor*). The Palatine had been the highest administrative office in the Kingdom of Hungary for several centuries, and had been in use from the time of St. Stephen until 1848. There were, however, several arguments against this solution. Not only needed the Palatine to be appointed by the king, but it was also a long-term office and within the framework of the 1867 constitution it could no longer function properly.⁹⁵ Thus, this idea clashed in several points with the desired interim solution. Another option was to appoint a governing council, which would collectively hold the office of head of state. This solution was deemed unfavorable, because it would not sufficiently express the desired unity.⁹⁶ The Parliament finally chose the third option of electing a Regent (Hung. *kormányzó*). This solution had been employed several times throughout Hungarian history and most notably with János Hunyadi, who had filled the

⁹² Lajos Olasz, “A kormányzói jogkör (The Regent’s scope of authority),” in *A magyar jobboldali hagyomány, 1900-1948 (The tradition of the Hungarian Right, 1900-1948)*, ed. Ignác Romsics (Budapest: Osiris, 2009), 102.

⁹³ Szabó, *The Regent’s legal position*, 119.

⁹⁴ Kardos, *Legitimism*, 26f.

⁹⁵ Szabó, *The Regent’s legal position*, 120.

⁹⁶ Olasz, *The Regent’s scope of authority*, 102.

office of Regent from 1446-1453, there was a positive precedent which promised a generally high esteem.⁹⁷ The crucial question was, however, which powers the Parliament would vest in the Regent. Since the Parliament had reestablished the Kingdom of Hungary, which necessitates a monarch being the head of state, it was clear that at some point in time a king had to be chosen and that electing a Regent would always remain an interim solution.⁹⁸ The rationale for the regulation of the Regent's powers was a definition *ex negativo*.⁹⁹ Therefore, the Regent's scope of authority was limited vis-à-vis the king's powers. These limitations were the following: the Regent did not receive his position by divine right, he was responsible, his rights to adjourn or dissolve parliament were seriously limited, the right to declare war remained with the parliament, and he did neither possess the right of royal assent nor the right of patronage and could neither grant nobility nor general amnesty.¹⁰⁰ In general, the regent's powers were more limited than those of the heads of state of countries with strong presidential systems such as Weimar Germany or Czechoslovakia.¹⁰¹

It is important to note that – unlike the king or the Parliament – the Regent was not considered a sovereign element of the state.¹⁰² While the king received his office by divine right and through a religious ceremony the Regent was elected by the Parliament. Thus, there was a marked difference in the legitimacy of the two. The king was considered sacrosanct, whereas the Regent was not. However, as stated in article 14 of Law Act: I 1920 the Regent's person was considered “inviolable” and was granted the same legal protection as the king.¹⁰³ This article is especially important in this context, since it formed the legal basis for the trials of lèse-régent. Based on this article the laws on lèse-majesté could be

⁹⁷ Olasz, *The Regent's scope of authority*, 102.

⁹⁸ Szabó, *The Regent's legal position*, 122.

⁹⁹ *Ibid.*, 126.

¹⁰⁰ *Ibid.*, 126f.

¹⁰¹ Olasz, *The Regent's scope of authority*, 116.

¹⁰² *Ibid.*, 103.

¹⁰³ Law Act 1920: I. § 14..

applied to protect the Regent. The Regent's scope of power was an object of intensive debate from the start and would be repeatedly discussed through the entire interwar period. Since the extension of the Regent's rights cannot be described in all detail in this context only those changes relevant to the issue of lèse-régent shall be shortly mentioned.

The first extension of the Regent's powers was already ratified in 1920. This law not only extended the Regent's right to adjourn and dissolve the Parliament, allowed him to deploy the military in a case of immediate danger but, most importantly, equipped him with the right to grant general amnesty, whereas previously he could only grant (individual) pardon.¹⁰⁴ While this right was within the same limits as that of the king, it exceeded the powers of many head of states in interwar Europe, who mostly were limited to granting pardon.¹⁰⁵ This right was given to the Regent without any major debates, it belonged to those rights Miklós Horthy insisted on from the beginning and according to some historians one of the main intentions behind it was to pardon those that had committed atrocities (the so-called white terror) during the counterrevolution.¹⁰⁶ However, the Regent was not equipped with entirely new powers, but an already existing power, that to grant pardon, was extended to meet its former scope, as István Szabó argues.¹⁰⁷ It is also important to note, that theoretically the Regent shared the right to grant amnesty with the Parliament, who could by law also grant amnesty.¹⁰⁸

After the two failed attempts of return to the Hungarian throne by Charles IV and the subsequent dethronization of the Habsburgs the initial interim solution needed to be adjusted to the new situation and the fact that the throne had become empty for an indefinite period of time.¹⁰⁹ The adjustment was itself a longer process that was made in several steps.

¹⁰⁴ Law Act 1920:XVII, § 3.

¹⁰⁵ Olasz, *The Regent's scope of authority*, 115.

¹⁰⁶ Ibid.

¹⁰⁷ Szabó, *The Regent's legal position*, 144.

¹⁰⁸ Ibid.

¹⁰⁹ The dethronization was ratified as Law Act 1921: XLVII. Olasz, *The Regent's scope of authority*, 116.

The two broadest extensions of the Regent's scope of authority were ratified in 1933 and 1937.¹¹⁰ Article seven of the latter law declared that the Regent was no longer responsible to the Parliament, thus de facto elevating him to the position of a sovereign element of the state, while according to the legislative statement his "moral responsibility" to the nation would remain.¹¹¹ Another issue that was heavily debated and, facing the perpetuation of the interim situation and the high age of Miklós Horthy, became more pressing was the question of succession. Several laws were passed to address the possibility of the Regent's indisposition and articulated the respective response, such as the regulation for the creation of a minister council (passed in 1926) and later a state council (passed in 1937) that would temporarily take over the tasks of the head of state.¹¹² This question was only settled to a greater degree in 1942 with the creation of the office of the Vice-Regent.¹¹³ The Vice-Regent was to fulfill the tasks of the Regent in the case of his indisposition, absence or other circumstances that prevented him from exercising his duties.¹¹⁴ Irrespective of the fact whether the Vice-Regent was exercising the Regent's powers or not he was granted the same legal protection as the Regent.¹¹⁵ Thus, beginning with his election as Vice-Regent on February 19, 1942 István Horthy, Miklós Horthy's eldest son, was protected by the analogous application of the laws against *lèse-majesté*.

2.3 Aspects of the development of the system of criminal law in the Horthy-era

For the analysis of the trials of *lèse-régent* it is necessary to address some general aspects of the criminal law system of the Horthy-era. With its return to the Kingdom of

¹¹⁰ Law Act 1933:XXIII and Law Act 1937:XIX respectively. For a detailed description see Szabó, *The Regent's legal position*, 145-154.

¹¹¹ Olasz, *The Regent's scope of authority*, 129; Szabó, *The Regent's legal position*, 152f.

¹¹² Szabó, *The Regent's legal position*, 155-159.

¹¹³ Law Act 1942:II. Several publications have addressed this issue. The most comprehensive study is by Lajos Olasz, *A kormányzóhelyettesi intézmény története, 1941-1944* (The history of the institution of the Vice-Regent, 1941-1944) (Budapest: Akad. K., 2007).

¹¹⁴ Szabó, *The Regent's legal position*, 161.

¹¹⁵ Law Act 1942:II, § 10.

Hungary the Parliament also acknowledged the return to the legal system of the Dual Monarchy which had already begun in 1919.¹¹⁶ The penal code of 1878 including all the amendments that had been made until November 15, 1918 and the procedural law for criminal trials of 1896 were reinstated.¹¹⁷ Thus, the three-tier system of courts with the trial courts (*törvényszék*), the courts of appeal (*ítélőtábla*) and the Royal Supreme Court (*Kúria*) and with it most of the legal professionals of the late Dual Monarchy took up their work again.¹¹⁸ These reinstatements, however, have to be considered in the light of the changes that were introduced under the governments of István Friedrich (August 1919 to November 1919) and Károly Huszár (November 1919 to March 1920).¹¹⁹ Besides these regulations there were several further changes that affected procedural as well as substantive law.

While in principal the judiciary of the Dualist period was reinstated the procedural framework under which it operated was very different from the previous regulations. With reference to the continuing crisis the decrees extended the duration of Law Act LXIII of 1912 which delineated the measures for an accelerated criminal procedure during wartime.¹²⁰ This included the creation of so-called councils of five, consisting of five judges at every penal court that were responsible for trials of crimes committed during the Soviet Republic and aiming at its restoration.¹²¹ From 1919 to 1922 these councils of five had tried more than 70 000 people of which ca. 60 per cent were convicted, many of which received amnesty in 1920 and 1921.¹²² In 1920 the provisional regulation had been extended for another year.¹²³ And while the official ratification of the peace-treaty of Trianon in 1921

¹¹⁶ Püski, *The Horthy-System*, 200.

¹¹⁷ Law Act 1896: XXXIII (=Code of Criminal Procedure) [In the following abbreviated as “CCP”].

¹¹⁸ Püski, *The Horthy-System*, 204.

¹¹⁹ For an overview over the terms of Prime Ministers in interwar Hungary see Püski, *The Horthy-System*, 293.

¹²⁰ Ferenc Pölöskei, *Hungary after two revolutions: 1919-1922* (Bp.: Akad. K., 1980), 47..

¹²¹ *Ibid.*

¹²² Püski, *The Horthy-System*, 201.

¹²³ Law Act 1920:VI.

might have been considered as the conclusion of the provisional situation, many regulations remained in effect.¹²⁴ One of these changes that remained in effect was the dissolution of the juries, which had been presiding over the press matters as well as cases of lèse-majesté.¹²⁵ Hence, the cases of lèse-régent were tried by professional judges instead of a jury. These judges were, in principle, not allowed to engage in political activities and could not become members of political organizations.¹²⁶ Yet, they were not completely independent from the political sphere. The Regent had the right to nominate the higher judges and with the creation of the bicameral system in 1927 judges also entered the Upper House.¹²⁷

In 1938 the law on the “provisions in the need to protect the state order” reinstated councils of five and defined the limits of their jurisdiction.¹²⁸ These were characterized, like their predecessors that had been established immediately after the counterrevolution, by strongly limiting the defendant’s right to employ legal remedies. While simple cases of lèse-régent did not fall under their responsibility any case in which the indictment involved lèse-majesté in the broader sense, treason, crimes against the state or social order, insurrection etc. was to be tried by these courts.¹²⁹ With the war the accelerated procedure was extended to further delinquent acts.¹³⁰

There were also some changes to the substantive law. Concerning the development of the substantive criminal law the most important factor was an increased sensitivity for the protection of the state. Thus, the restrictive Press Law of 1914 which had been reinstated in September 1919 remained in effect throughout the entire Horthy-era.¹³¹ While the preventive censorship was abolished in December 1921 several measures remained in place

¹²⁴ Pölöskei, *Hungary after two revolutions*, 47.

¹²⁵ Püski, *The Horthy-System*, 201.

¹²⁶ *Ibid.*, 206.

¹²⁷ *Ibid.*, 207.

¹²⁸ Law Act 1938:XVI.

¹²⁹ *Ibid.*, § 3.

¹³⁰ Püski, *The Horthy-System*, 203.

¹³¹ Pölöskei, *Hungary after two revolutions*, 54.

that strongly limited the functioning of the press.¹³² Thus, the Minister of Interior could withdraw the right of selling a newspaper on the street or even impose a ban.¹³³ Another crucial development was the ratification with Law Act 1921: III on the “more effective defense of the State and social order.”¹³⁴ This law provided the basis for the prosecution of any act that was aiming at any “violent attempts of subverting or overthrowing the state or social order.”¹³⁵ It was initially designed as a tool in the repression of left oppositional groups, but from the 1930s was also increasingly used against extremism from the right.¹³⁶ Ferenc Szálasi, the infamous leader of the Hungarian Arrow Cross Party, was convicted twice under this law in 1937 and 1938.¹³⁷ Furthermore, the ratification of the military penal code in 1930 provided stricter laws concerning disloyalty and espionage.¹³⁸

Another development was of more symbolic character. Until the end of the dualist period the verdicts had been made “In the name of the King,” which Law Act I of 1920 replaced by the more abstract statement “In the name of the Hungarian state.”¹³⁹ This mirrors the transitional character of the regulation. After a decade this was replaced by a statement clearly under the influence of the doctrine of the holy crown, since all verdicts were now to be made “In the name of the Hungarian Holy Crown.”¹⁴⁰ It is worthwhile to note that the lawyer Gyula Gábor published an article in a legal journal pleading for a different opening statement. Crediting the achievements of the Regent he argued that the verdicts should be issued “In the name of the Regent.”¹⁴¹ While the reception of this

¹³² Püski, *The Horthy-System*, 213.

¹³³ Püski, *The Horthy-System*, 213.

¹³⁴ Law Act 1921:III.

¹³⁵ Law Act 1921:III, §1.

¹³⁶ Romsics, *Hungary in the twentieth century*, 184f.

¹³⁷ *Ibid.*, 185.

¹³⁸ Law Act 1930: II and III. Püski, *The Horthy-System*, 203.

¹³⁹ Law Act 1920:I, § 7.

¹⁴⁰ Law Act 1930: XXXIV, §1.

¹⁴¹ Gyula Gábor, “A Kormányzó nevében (In the name of the Regent),” *Jogtudományi közlöny* 65, no. 15 (1930): 138-139.

proposal could not be determined, the parliamentary minutes do not document any motion in this direction.

2.4 The development of lèse-régent

The legal basis for the trials of lèse-régent was, as has been demonstrated, not an invention of the interwar period. The term lèse-régent itself however was. As mentioned above article 14 of Law Act 1920: I declared the person of the Regent inviolable and granted him the same legal protection as the king. Based on this article the Regent was protected through the analogous application of Law Act 1913: XXXIV § 2, known as lèse-majesté proper (Hung. *királysértés*). Since this law explicitly named the king as the object of protection, this designation was not suitable for the situation of interwar Hungary. While the exact origin of the term lèse-régent (Hung. *kormányzósértés*) could not be identified, it can be assumed that the term quickly became customary, since the first cases were already tried in 1920 and it was already mentioned in Parliament in the same year.¹⁴² By 1923 it had become fully established as Ferenc Finkey noted in his comments on the current state of Hungarian criminal law.¹⁴³ It was also featured in the first edition of the Hungarian Statistical Yearbook in the interwar period, which was published in 1925.¹⁴⁴

While the laws on lèse-majesté formed the legal basis for the trials on lèse-régent another important factor were the decisions of the *Kúria*, the Hungarian Royal Supreme Court, since they had to be considered as guidelines for the interpretation of the existing laws. In the 1920s the *Kúria* made several decisions pertaining to cases of lèse-régent that were published in the collections of decisions. The first (published) decision on lèse-régent

¹⁴² See Chapter 4 on the parliamentary debates on lèse-régent.

¹⁴³ Ferenc Finkey, *A magyar anyagi büntetőjog jelen állapota: toldalék szerző "A magyar büntetőjog tankönyve" c. műve 4. kiad.-nak új, rövidített lenyomatához* (The current state of the Hungarian material criminal law: appendix to the new, shortened issue of the fourth edition of the author's "Coursebook of the Hungarian criminal law") (Budapest: Grill, 1923), 163.

¹⁴⁴ *Magyar statisztikai évkönyv* (Hungarian statistical yearbook) (Budapest: Országos Magyar Királyi Statistikai Hivatal (Royal Hungarian statistical office), 1925), 247.

was made on November 2, 1922 in the case of László Palotai. The defendant was accused of lèse-régent since he had, upon being asked what the name of his German shepherd was, answered: “Horthy” and upon leaving had called: “Come Horthy.”¹⁴⁵ The defense had argued that the defendant had no intent of insulting the Regent. Therefore, the pivotal question the *Kúria* had to address was whether lèse-régent required intent. The decision states that “not any specific aim or intent is required.”¹⁴⁶ This stance would later be repeated in another decision, stating that it would suffice if “the expression taken by itself could be considered insulting, or [...] that the made statement shows a lack of respect towards the head of state.”¹⁴⁷

The qualification that insults did not have to be aimed directly at the Regent was repeated in several decisions. For example, in a case of man who had protested against a gendarme that intended to recruit his son for military service. According to the defense his expression “my son does not serve a dog,” was directed against some vaguely defined superior.¹⁴⁸ The *Kúria*, however, argued that this could have only been directed against the Regent since he was the commander-in-chief, and further argued that “according to popular understanding it is common knowledge, that the regular soldier serves the head of state of his country.”¹⁴⁹ It decided similarly in a case where a person had insulted a group of people as “disgusting Horthy-worshippers.”¹⁵⁰ Despite the fact that the defendant mainly intended to accuse the group of people the use of the Regent’s name “in connection with a disgraceful expression” was considered as “lack of respect.”¹⁵¹ Furthermore, the *Kúria* addressed the question of the limits of the inviolability of the Regent in its decision in the case of Ödön Beniczky, former Minister of Interior. Beniczky had published two newspaper

¹⁴⁵ MOL K-616, 2nd bundle IV-2155-922 Palotai László.

¹⁴⁶ Jenő Balogh, ed., *Büntetőjogi döntvénytár* (Collection of decisions in criminal law) (Budapest: s.n., 1923), 6.

¹⁴⁷ *Ibid.*, 1925, 111.

¹⁴⁸ *Collection of decisions in criminal law*, 1924, 156.

¹⁴⁹ *Ibid.*

¹⁵⁰ *Collection of decisions in criminal law*, 1927, 116.

¹⁵¹ *Ibid.*

articles containing the findings of a report on the activities of the special units during the counterrevolution. In these he accused Miklós Horthy of having consciously covered up the murder of the two journalists Somogyi and Bacsó that had been committed by the unit of Gyula Ostenburg.¹⁵² The decision was as follows: “With regard to the absolute principle of inviolability the Regent’s person must not in any case, that is not even in the framework of a witness account, be insulted.”¹⁵³ Since the elements of the offense are framed rather broadly and thus strongly depended on the discretion of the judge, the decisions by the *Kúria* show a trend of broadening the understanding of what constituted lèse-régent even further.

Finally, apart from the decisions of the *Kúria* a law affected the development of lèse-régent by considerably changing the threat of punishment. While the law on lèse-majesté allowed for the suspension of the political rights of the delinquent for a maximum of three years, the franchise for the national elections that had been ratified in 1925 deprived anybody, who had been sentenced to imprisonment for the misdemeanor of lèse-régent, for five years of the right to vote in the national elections.¹⁵⁴ Nor could anybody who had been convicted for a misdemeanor of lèse-régent be elected as a representative for a period of ten years.¹⁵⁵

Overall, the development of the legal framework for lèse-régent increased the basis for the prosecution and the threat of punishment. The following chapter will analyze to what extent these developments affected the legal practice in trials of lèse-régent.

¹⁵² Sakmyster, *Admiral on Horseback*, 139.

¹⁵³ *Collection of decisions in criminal law*, 1926, 3.

¹⁵⁴ Law Act 1925:XXVI, §7, 9.

¹⁵⁵ *Ibid.*, § 10, 4.

Chapter 3: Trials of lèse-régent

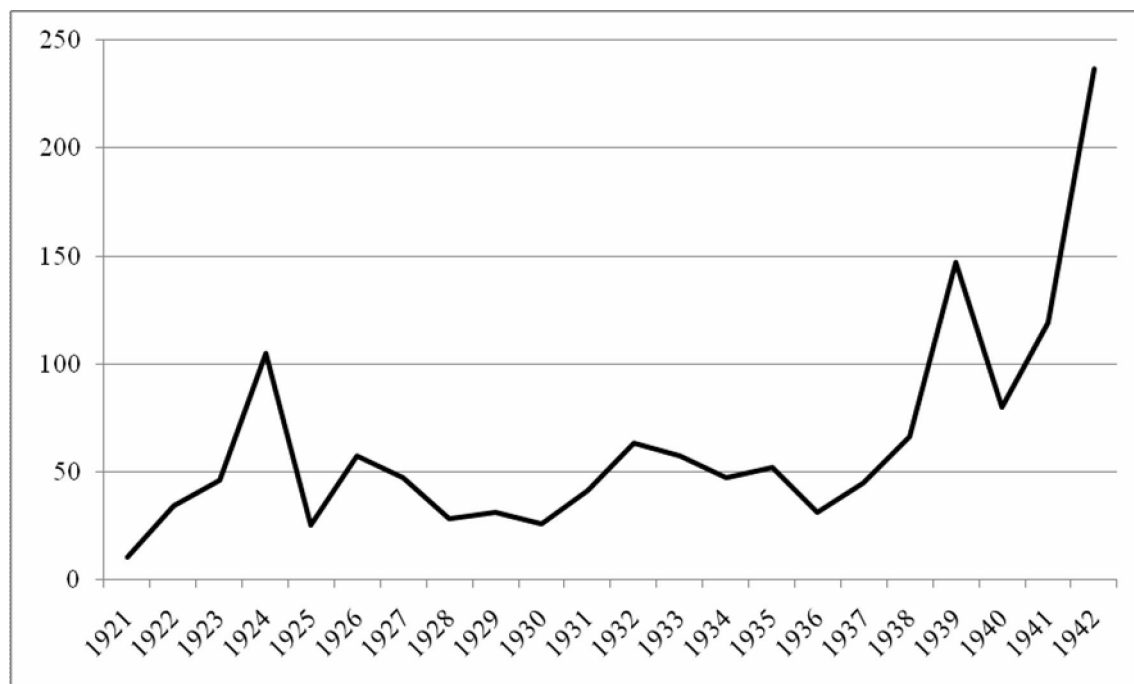
In this chapter the legal practice in cases of lèse-régent will be under scrutiny. The chapter is divided into two larger subchapters. The first subchapter will provide a general overview on trials of lèse-régent. This includes the number of convictions, statistics on the delinquents and an outline of the general procedure. The second subchapter will provide an analysis of the legal practice based on the selection of criminal case files. It is divided into four parts: the initiation of the trial, the delinquent acts, the defense and sentences.

3.1 Overview on trials of lèse-régent

The Hungarian statistical yearbooks contain some general data on the trials of lèse-régent. There are, however, some factors that have to be taken into account when it comes to the analysis of these data. First of all, there are no comprehensive statistics for the number of trials of lèse-régent in general, but only those that resulted in the conviction of the defendants. Secondly, the data have been collected by the authorities and might feature a biased perception in some regards. Nonetheless, they contain valuable information. Not only do they include the number of convictions, but also data on the convicts (including age, occupation, religion, etc.) as well as statistics on the sentences.

3.1.1 The number of convictions

First of all, the absolute number of convictions shall be considered. Since the data are available for the years 1921 to 1942 they cover almost the entire period. Thus, they can give insight into the general development of the number of convictions for lèse-régent.



Graph 1: Absolute number of convictions for lèse-régent

Source: Hungarian Statistical Yearbooks

The average number of convictions for lèse-régent amounts to ca. 63 people per year.¹⁵⁶ However, as Graph 1 demonstrates there is a considerable degree of fluctuation in the absolute number of convictions. A first considerable peak can be noted for the year 1924 in which altogether 105 persons were convicted, more than twice as many as the 46 convictions of the previous year. The absolute numbers of convictions for lèse-régent are lowest in 1921 (10 convictions) and relatively low in 1925 (25 convictions), 1928 (28 convictions), 1930 (26 convictions) and 1936 (31 convictions). Taking into consideration the overall development of the convictions Thomas Sakmyster's assumption that 1928 was an average year for convictions of lèse-régent seems rather inappropriate.¹⁵⁷ The most notable fluctuations occurred after 1938. In 1939 the absolute number was more than doubled, jumping from 66 to 147 convictions for lèse-régent, and then dropping to only 80 convictions in 1940. Finally, the year 1942 with 237 convictions for lèse-régent shows the highest absolute number of convictions. However, the absolute number of convictions alone

¹⁵⁶ For the following numbers see Table 1 in the Appendix.

¹⁵⁷ Sakmyster, *Admiral on Horseback*, 139.

does not provide a sufficient basis for the analysis. Therefore, the relative number of convictions, i.e. the number of convictions per 100 000 people, shall be calculated.¹⁵⁸ While the growth rate per year is not available the three censuses of the interwar period provide the overall number of the population amounting to 7,9 million in 1920, 8,6 million in 1930 and 9,3 million in 1941 (excluding the regained territories).¹⁵⁹ Based on these absolute numbers we can assume a consistent annual growth rate of ca. 1 percent for the first decade and ca. 0,8 percent for the second decade. Finally, the territorial revision has to be taken into account which amounts to ca. 1,05 million people gained through the First Vienna Award in November 1938 and another 2,5 million gained through the second Vienna Award in August 1940.¹⁶⁰

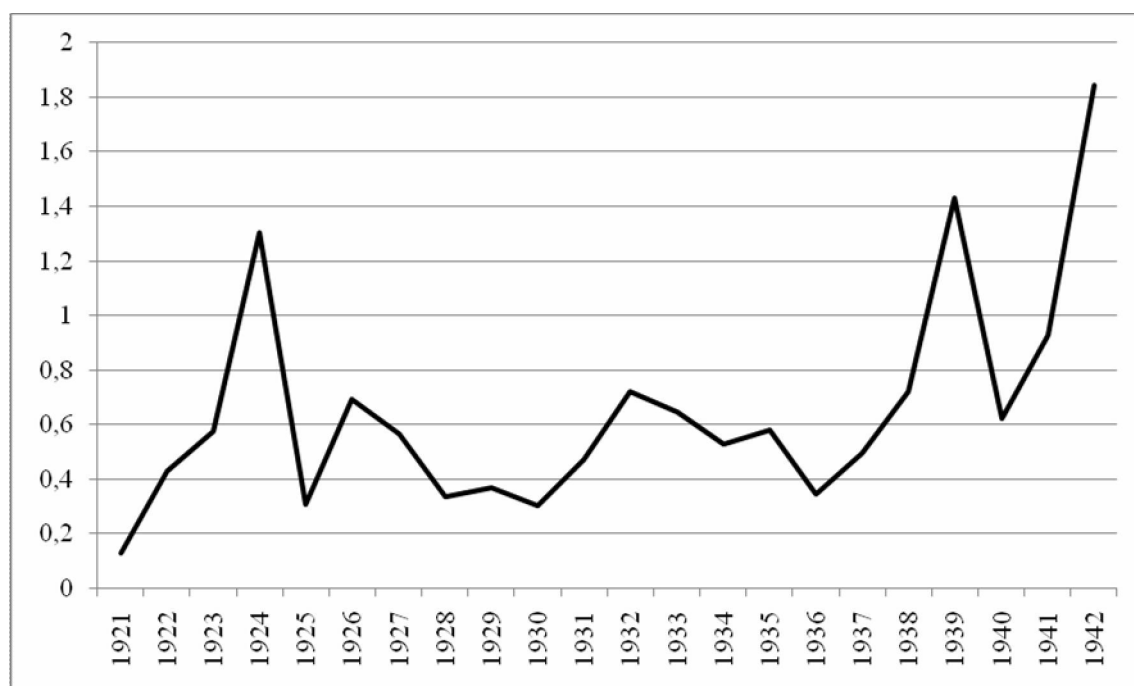


Table 1 Number of convictions for lèse-régent per 100 000 people

Source: Hungarian Statistical Yearbooks

¹⁵⁸ See Table 2 in the Appendix.

¹⁵⁹ Romsics, *Hungary in the twentieth century*, 155.

¹⁶⁰ Romsics, *Hungary in the twentieth century*, 198, 205.

Even when taking into account the considerable increase of the population the relative number of convictions still retains a similar development to that of the absolute number of convictions. Thus, the above noted fluctuations cannot be attributed to the growth of the population alone and require further explanation. One factor that has to be considered is the granting of amnesty. During the period covered by the data of the statistical yearbooks there were three instances in which the Regent granted (general) amnesty to people who had committed lèse-régent. This happened on the occasion of the anniversaries of Miklós Horthy's election into the office of Regent on March 1 of 1928, 1930 and 1940.¹⁶¹ Since the amnesty affected not only those that were lawfully convicted but also stopped any ongoing investigation this certainly had an influence on the total number of convictions. This explains to some extent the relatively low numbers of convictions in 1928 and 1930, as well as the considerable drop in the number of convictions in 1940. It does, however, not solve the puzzle of the steep increases in the number of convictions in 1924, 1939 and 1942.

While this question cannot be easily answered, there might be factors that strongly influenced the increase. In 1924 the communal elections in Budapest took place, which might have lead to an increased number of incidents. Taking into account the low number of investigations on the countryside in that year, it seems likely that a greater number of incidents occurred in Budapest in 1924.¹⁶² One factor of influence for the rise in 1939 might have been the parliamentary elections that took place that year. However, the previous parliamentary elections (1922, 1926, 1931, 1935) saw only a moderate increase, if at all. Nonetheless, it seems likely that the larger number of convictions after 1939 is connected to the general political developments. While the exact reasons certainly cannot be identified on

¹⁶¹ For a detailed discussion of amnesty in cases of lèse-régent see Chapter 4.1.

¹⁶² The statistical yearbook lists 33 gendarmerie investigations for 1924 (Országos Magyar Királyi Statistikai Hivatal (Royal Hungarian statistical office), ed., *Magyar statisztikai évkönyv: (Hungarian statistical yearbook)* (Budapest: Országos Magyar Királyi Statistikai Hivatal (Royal Hungarian statistical office), 1925, 284). [In the following abbreviated as "HSTYB."] See also Table 8 in the Appendix.

the basis of statistics the closer analysis of the concrete case files shall provide further insights.

3.1.2 The delinquents

Regarding the delinquents the authorities collected data on age, family status, religion, native language, occupational background and education. The statistics on age and family status are stable throughout the entire period.¹⁶³ Thus, over 50 percent of the delinquents were between 30 and 49 years old, ca. 20 percent over 50 years, ca. 17 percent between 22 and 29, while ca. 6 percent of the delinquents were between 12 and 17, and 18 and 21 respectively. The ratio according to family status is also very stable. Of those convicted ca. 30 percent were not married, ca. 60 were married and 6 percent and 3 percent respectively were widows/ widowers or divorced.¹⁶⁴ With regard to the declared native language of the delinquents on average 89 percent of the delinquents were registered as Hungarian forming the large majority, followed by ca. 7 percent German speakers as the second largest group.¹⁶⁵ This is largely in line with the census data of 1931 in which 92,1 percent declared Hungarian as their mother tongue and 5,5 percent German.¹⁶⁶ There is, however, some degree of fluctuation in the ratio of those that declared German as their native language, most notably towards the end of the period with 16 percent in 1941 and 19 percent in 1942.¹⁶⁷ On average ca. 69 percent of the convicts declared themselves as Roman Catholic, ca. 19 percent as Calvinists and each Lutherans and Jews formed ca. 5 percent of the delinquents.¹⁶⁸ This is largely in line with the data of the censuses from 1920, 1931 and

¹⁶³ See Table 3 in the Appendix.

¹⁶⁴ See Table 4 in the Appendix.

¹⁶⁵ See Table 5 in the Appendix.

¹⁶⁶ Romsics, *Hungary in the twentieth century*, 156.

¹⁶⁷ See Table 5 in the Appendix.

¹⁶⁸ See Table 6 in the Appendix.

1941 in which ca. 64-66 percent were registered as Roman Catholic, ca. 21 percent as Calvinists, ca. 6 percent as Lutheran and ca. 5 percent as Jewish.¹⁶⁹

When taking into account the professional background it becomes apparent that mostly people working in the agrarian sector and the industry were convicted for lèse-régent. Overall, 74 percent of the delinquents came from such a background.¹⁷⁰ While in total the majority of the convicts came from the agrarian sector the ratio differs in some years. Thus, in 1932 out of the 63 convictions 35 were of people employed in the industry.¹⁷¹ There are no official statistics on the gender of the convicts. However, out of the 135 case files only 18 involved women as delinquents, which amounts to ca. 13 percent. While speculations on the reasons for this are futile it is possible that the lesser degree of integration into the political system is of relevance.

3.1.3 General procedure

The route from an act of lèse-régent (real or imagined) to a sentence took several steps and the entire process could last up to several months or even years, especially in cases of appeal trials. Before a case of lèse-régent could be built, there were a number of requirements that had to be fulfilled. The basis for the procedural framework of trials of lèse-régent was the Code of Criminal Procedure of 1896, which was reinstated with the above mentioned changes.

The preparation of a trial can be divided into two distinct phases: the investigation and the examination.¹⁷² The first step, however, was the notification of the appropriate prosecuting authority. This could happen in two ways. Either a citizen filed a complaint, or

¹⁶⁹ Romsics, *Hungary in the twentieth century*, 156.

¹⁷⁰ See Table 7 in the Appendix.

¹⁷¹ Ibid.

¹⁷² Attila Horváth et al., “A Perjogok Története (The History of Procedural Law),” in *Magyar jogtörténet* (Hungarian Legal History), ed. Barna Mezey, 3rd ed. (Budapest: Osiris, 2004), 411.

a member of a state authority personally witnessed the act or was called to assistance by a citizen. It is important to note that all civil servants, not only those employed in law enforcement organizations, were legally obliged to report on any criminal activity that came to their notice.¹⁷³ The citizens on the other hand had the right to report a criminal activity, but were not required to do so.¹⁷⁴ The complaint could be done in writing or verbally, either directly to a trial court, to the police or other authorities.¹⁷⁵ Jurisdiction was established based on the place where the act had been committed.¹⁷⁶ In the case that the report was not made to the appropriate authority it had to be forwarded to the respective prosecutor. The delinquent could also be detained if caught red-handed or, e.g. for flight risk.¹⁷⁷ The period of detainment should not last longer than 15 days, but could be prolonged.¹⁷⁸ In his investigation the prosecutor was obliged not only to collect any evidence which proved the guilt of the defendant, but also had to take into consideration any circumstances that could exonerate the defendant.¹⁷⁹ Unlike in simple cases of libel or defamation of normal citizens, where the damaged party was required to initiate criminal prosecution, the Regent was not actively involved in trials of lèse-régent and did not have to initiate prosecution.¹⁸⁰

The second phase in the preparation of a trial was the examination. This phase was headed by an investigating magistrate (Hung. *vizsgálóbíró*), who decided whether a case was suitable for a trial. While the exact procedure was delineated in the Code of Criminal Procedure, the examination was compulsory only in cases that involved threat of punishment exceeding five years of imprisonment or in press matters.¹⁸¹ Thus, it was optional in most cases of lèse-régent and only applied if a person was accused of other

¹⁷³ CCP § 87.

¹⁷⁴ CCP § 89.

¹⁷⁵ *Ibid.*

¹⁷⁶ CCP § 16.

¹⁷⁷ CCP § 141.

¹⁷⁸ CCP § 147.

¹⁷⁹ Horváth, *The History of Procedural Law*, 413. CCP §§ 83-86.

¹⁸⁰ The laws on libel and defamation list also several situations in which the prosecution was warranted without the insulted party becoming active. (HPC §§ 270-273)

¹⁸¹ CCP §§ 102-129.

crimes with a higher threat of punishment, too.¹⁸² If the investigation (and, as far as completed, the examination) indicated that the case was suitable for trial the prosecutor prepared the indictment, which was handed to the appropriate court as well as the defendant.¹⁸³

The central event in the prosecution was the trial. In the course of the trial the different parties had to be heard and the judge had to reach a sentence based on the evidence and the witness accounts. The trial itself followed a strongly regulated procedure and was to be finished within one session if possible.¹⁸⁴ After the official opening of the trial by the judge, all persons involved had to be registered and their personal data (name, age, place of birth, etc.) had to be verified.¹⁸⁵ The actual trial began with the presentation of the indictment through the prosecutor, followed by the statement of the defendant. Subsequently the hearing of evidence took place, including the witness accounts.¹⁸⁶ Since most of the cases of lèse-régent were based on a verbal statement, these often formed the crucial evidence. This part of the trial was concluded by the final statements of the prosecutor and the defense.¹⁸⁷ Afterwards the judge had to reach a decision. This happened behind closed doors and the judge had to observe several regulations in reaching a decision.¹⁸⁸ Finally, the verdict was passed. Following the declaration of the verdict both parties, i.e. the prosecutor as well as the defendant, could employ different legal remedies. They could either file for an appeal or make a claim for nullity.¹⁸⁹ In the event that the basis for the claims was regarded as valid the case would be forwarded to a court of appeal. While the courts sentences were

¹⁸² With Law Act 1938:XVI the examination was suspended even for these cases.

¹⁸³ Horváth, *The History of Procedural Law*, 413.

¹⁸⁴ CCP § 541.

¹⁸⁵ CCP §§ 301-305.

¹⁸⁶ CCP §§ 306-313.

¹⁸⁷ CCP §§ 314-320.

¹⁸⁸ CCP §§ 321-330.

¹⁸⁹ CCP §§ 381-424 and §§ 426-440.

binding, the Regent could annul a sentence or stop any ongoing investigation or trial by granting (individual) pardon or (general) amnesty.¹⁹⁰

3.2 The legal practice in trials of lèse-régent

This subchapter will analyze the legal practice in trials of lèse-régent. It will first of all address the initiation of trials. The second part will provide the analysis of the delinquent acts and their handling by the courts. After a categorization of acts of lèse-régent the factors for the quantitative development shall be taken into account. This will be followed by short remarks on the defense and sentences.

3.2.1 Initiation of the trial

The question of how the authorities got to know about incidents of lèse-régent is crucial for the evaluation of the cases of lèse-régent. Since, unlike in the case of convictions, there are no comprehensive statistics available on how the authorities were notified and not all case files explicitly mention this information we can only make some general observations. The Hungarian Statistical Yearbooks only provide data for the number of investigations by the gendarmerie between 1922 and 1934.¹⁹¹ While these numbers are not representative since they only include the jurisdiction of the gendarmerie, i.e. the rural areas, they provide some insights. The detection rate is extraordinarily high with almost a hundred percent. This high number, however, has to be related to the character of the delinquent acts. Considering that in the vast majority of the cases lèse-régent was committed verbally it was often an ear witness that reported the incident and thus provided the information that lead to the identification of the delinquent. The dark figure of acts of lèse-régent is arguably much higher. However, speculations on the dark figure seem misplaced, since it is not any

¹⁹⁰ See Chapter 4.1 for a detailed analysis.

¹⁹¹ See Appendix Table 8.

approximate actual number of incidents that is of interest, but rather the authorities' dealing with those incidents they were informed of. While the data is subject to the above stated limitations the ratio of complaints and civil servants catching a delinquent red-handed seems rather clear. On average more than 80 percent of the investigations by the gendarmerie were initiated by complaints of citizens.¹⁹² Considering that the citizens who reported an incident of lèse-régent were (in most cases) not the victim of the delinquent act, the question of their motives arises.¹⁹³ Their actions might have been motivated by loyalty to the Regent, but it is likely that other factors also played a role in the denunciation. Thus, in cases of quarrels among tenants,¹⁹⁴ disagreements between customers,¹⁹⁵ or between workers and their supervisor¹⁹⁶ it seems obvious that personal motives were – at least in part – reasons for reporting to the authorities. Overall, the case files support the assumption that it was mainly the citizens that initiated a trial. However, for a more complete picture it would be necessary to extend the sample of case files and to include police reports and indictments.

3.2.2 The delinquent acts

This section will focus on the delinquent acts that were prosecuted as lèse-régent. Since the information of these acts is only available through the case files it cannot be the task to reconstruct whether and how these acts were actually committed. This, however, does not limit the value of the case files, since it is the perspective of the authorities that is in the focus. Another caveat is that the case files contain only such acts that were brought to trial. Since the files neither contain reports on the investigation and examination nor the

¹⁹² See Appendix Table 8. The only exception being 1923, when 26 out of 49 investigations of the gendarmerie were initiated by a complaint.

¹⁹³ Several cases were tried as lèse-régent in which a delinquent consciously aimed at insulting another citizen, but through reference to the Regent became subject to prosecution for lèse-régent.

¹⁹⁴ MOL K-616, 3rd bundle IV-1588-925 Liptai Jánosné.

¹⁹⁵ MOL K-616, 3rd bundle IV-81-925 Buda István.

¹⁹⁶ MOL K-616, 5th bundle IV-637-928 Boldog Gyula.

indictment, the role of the prosecutor cannot be assessed properly. However, they can give an insight into what was considered as lèse-régent by the judges.

Although the article on lèse-majesté specified various forms (spoken, written or printed word, graphic depiction etc.) the definition of what has to be considered an act of lèse-majesté remained rather vague. Thus, it largely depended on the judges' discretion to define what was to be considered such an act. We shall differentiate between three categories: insults, the mistreatment of the Regent's deeds and questioning Horthy's legitimacy. Although in many cases the delinquent acts fit into several of the categories, they allow for an organization of the material and facilitate the analysis. Subsequently the development of the trials from 1939 shall be under closer scrutiny and the different factors that might have contributed to the higher number of convictions shall be assessed.

3.2.2.1 Insults

The first category is that of insults. These are among the most frequent and can be encountered in varying degrees throughout the entire period. While they are not necessarily addressed to the Regent personally they contain a clear reference to Miklós Horthy. Thus, Horthy was among others referred to as “rascal,”¹⁹⁷ “shit,”¹⁹⁸ “scoundrel”¹⁹⁹ or “son of a bitch.”²⁰⁰ One example for a rather prolific combination of these expressions is the case of László Farkas, a 42 year old butcher's assistant. When in July 1924 a discussion in a tavern in Újpest brought up Horthy's name somebody hurrahed him, which obviously outraged Farkas to a great extent since he not only said “not that bastard” but also continued ranting “Horthy is a nobody, a scoundrel, a zero, a rascal, I shit on Horthy, I shit in Horthy's mouth,

¹⁹⁷ In Hungarian “gazember.” This expression occurred in 21 of the 135 cases.

¹⁹⁸ The Hungarian expression “le van szarva” can be encountered in eleven cases.

¹⁹⁹ The Hungarian “csirkefogó,” occurred in five cases.

²⁰⁰ The Hungarian expression “kurva anyját” occurred in five cases.

ugh! I spit [on him]” and subsequently spat on the ground.²⁰¹ There are several other instances in which the delinquents specified the various ways in which they would cover the Regent with their excrements.²⁰² Another variation of this category were the instances in which the Regent was incorporated into swearing, e.g. by saying “god fuck Horthy.”²⁰³ Thus, for example István Zabolyák, a former soldier, complained in October 1921 on the streets of Gyöngyös: “God fuck Horthy, son of a bitch, he still owes me twenty days of pay.”²⁰⁴ As the decisions by the Kúria repeatedly stressed it was not required that the delinquents were targeting the Regent with insults. Thus, among the case files we can find several instances in which a delinquent named law enforcement organizations, such as the police, gendarmerie or army “Horthy gang,”²⁰⁵ “Horthy’s henchmen”²⁰⁶ or “Horthy’s outlaws.”²⁰⁷ Also quite frequent were cases in which the delinquent had called a member of such an organization “Horthy’s dog.”²⁰⁸ The reverse, i.e. naming a dog after Horthy, was also prosecuted as lèse-régent as the case of László Palotai demonstrates.²⁰⁹ Another group that reappears in the case files is members of the Order of Vitéz.²¹⁰ Such a case was that of István Buda who had a personal quarrel with vitéz András Botos in a store and not only insulted him but also the Regent with saying: “God fuck also the one, who makes the *vitéz*,

²⁰¹ MOL K-616, 5th bundle IV-687-928 Farkas László. Farkas used the Hungarian expression “szarom reá,” which is translated literally in this case as “I shit on him,” figuratively it would rather be translated as “I don’t give a shit.”

²⁰² 15 of the cases contain such an expression with reference to the Regent’s mouth (MOL K-616, 13th bundle IV-437-939 Kun Mihály), nose (MOL K-616, 2nd bundle IV-366-923 ifj. Tardi Gábor), head (MOL K-616, 2nd bundle IV-91-923 Zsemle István) and table (MOL K-616, 3rd bundle IV-2246-924 Czakó Elek).

²⁰³ Hungarian “Isten bassza meg.”

²⁰⁴ MOL K-616, 2nd bundle IV-1723-923 Zabolyák István.

²⁰⁵ The Hungarian expression “Horthy banda” was used relatively frequently, e.g. MOL K-616, 3rd bundle IV-2609-924 Lux Adolf; MOL K-616, 5th bundle IV-305-928 Gadóczy Gáborné.

²⁰⁶ The Hungarian expression “Horthy pribékek” was, among others, encountered in the file MOL K-616, 2nd bundle IV-1026-923 Dr. Fischer Arthur. Fischer Arthurné.

²⁰⁷ MOL K-616, 3rd bundle IV-1485-924 Csikos Mihály (Samu).

²⁰⁸ MOL K-616, 3rd bundle IV-1247-924 Kruták Ferencz.

²⁰⁹ See Chapter 2.4. MOL K-616, 2nd bundle IV-2155-922 Palotai László.

²¹⁰ On the history of the order from the 1930s see Szilárd Tátrai, “A vitézi rend történet a harmincas évektől a felszámolásig (The history of the order of vitéz from the 30s to its dissolution),” *Hadtörténelmi közlemények* 113, no. 1 (2000): 35-78. The order had been created by Miklós Horthy, who was also its commander, in 1920 to reward those that had been active in World War I and later was granted to supporters of the regime. The members were granted the hereditary title of “vitéz” (valiant) and a parcel of land.

because he is also a roguish imbecile.”²¹¹ A subcategory of the insults is that of unfavorable comparisons. It is worthwhile to note that, while the comparison between Miklós Horthy and figures of Hungarian history such as János Hunyadi, who had been Regent in the 15th century, was encouraged and frequently practiced in the framework of the Horthy-cult, other comparisons were prosecuted as lèse-régent.²¹² Pál Felföldi had complained about the dire economic situation and had moaned “today there is nothing to eat, because there is no king,” which triggered a debate with a tax auditor, who was collecting the purchase tax from a tavern owner. Upon the tax auditor’s calling to his attention that there was the Regent, Felföldi answered: “Be it Miklós Horthy, or Béla Kun, it doesn’t matter, Miklós Horthy is a first-class Béla Kun.”²¹³ In the reasoning for the judgment it is stated: “It is without doubt, that it is deeply insulting to the head of state to equate his person with that of Béla Kun, and to portray his person in a way stating, that he is the reason why [...] the citizens of the country are starving.”²¹⁴ The latter part of the statement deserves closer attention. According to the sentence Felföldi had said, that there was no food “because there is no king.”²¹⁵ Thus, he did not explicitly identify the Regent but rather the absence of the king as the cause for the situation. Nonetheless, the judge considered this as blaming the Regent and hence also as lèse-régent. In their assessment of most insults the judges could rely on the definitions and standards that were applied in cases of libel and slander or defamation. Since these acts focused on (or involved) the person of the Regent the trials of these cases mainly point to the intent of protecting his person. However, it is noteworthy that the comparison with Béla Kun, a person that belonged to the *damnatio memoriae* of the Horthy-regime, was regarded as especially insulting. This was not only so because this was contradicting Miklós Horthy’s

²¹¹ MOL K-616, 3rd bundle IV-81-925 Buda István.

²¹² For the analysis of newspaper articles on the occasion of the twentieth anniversary of Horthy in office see Turbucz, *Leader Cult and Public*. Among the most frequent comparisons are King Béla IV (1235-1270), János Hunyadi and Lajos Kossuth.

²¹³ MOL K-616, 6th bundle IV-574-930 Felföldi Pál.

²¹⁴ Ibid.

²¹⁵ Ibid.

personal conviction as a staunch anti-communist, but even more so since the counterrevolution was the founding myth of the regime in which Horthy was officially propagated as “the savior of the country,” and the fight against the (perceived) threat of communism was one of the regime’s claims to legitimacy.²¹⁶

3.2.2.2 Mistreatment of the Regent’s deeds

The second category is that of mistreatment of the Regent’s deeds. This could occur, as in the above mentioned case of Felföldi, through blaming the Regent for a certain act. In the case of János Krammer this took a quite personal form: “Horthy is a rascal, in Siófok he sent my son into the netherworld.”²¹⁷ In most cases, however, the blame remained rather general. Thus, Géza Fischer not only employed the undesired comparison with Béla Kun by saying “Horthy is a rascal and became Regent by force, and he will run off like Béla Kun.”²¹⁸ In another instance Fischer had pointed at an image of Francis Joseph: “He is the reason, together with Miklós Horthy, that prices are so high.”²¹⁹ In the reasoning for the sentence the judge argued that the used expressions were “able to diminish the due respect for the Regent’s dignity.”²²⁰ Fischer’s statement qualified as lèse-régent in several ways. He had not only questioned the rightfulness of Miklós Horthy’s election as Regent,²²¹ but also portrayed him as a coward and on top of that blamed him for the dire economic situation. István Csábi gave vent to his feelings in a similar fashion in a tavern in Kecskemét in June 1921: “Horthy comes to Kecskemét in vain, if the wheat price is 8000 crowns. Three days

²¹⁶ Romsics, *Changing Images*, 93.

²¹⁷ MOL K-616, 2nd bundle IV-93-923 Kram(m)er János. Krammer referred to the time of the counterrevolution during which Siófok had been made the command center for the National Army. However, the case file does not provide any information as to how Krammer’s son died. Krammer was acquitted due to the high degree of inebriation.

²¹⁸ MOL K-616, 2nd bundle IV-1571-922 Fischer Géza.

²¹⁹ Ibid.

²²⁰ Ibid.

²²¹ This claim is not entirely unfounded, since at the time of the election armed troops had not only surrounded the Parliament, but were also spread throughout the building.

later he may go belly up.”²²² Speculations on the Regent’s financial situation and its relation to the general economic situation can be encountered quite frequently. Thus, János Nagy had been tried and sentenced for stating: “Horthy is a rascal. He gets a million pengő a year and takes it to Switzerland, so that less money remains for the workers. In this country, everybody is afraid of Horthy’s aggression.”²²³ Ferencz Karényi drew the rather paradoxical conclusion that “the Regent as well as the ministers have more money than their salary, they speculate with foreign money, not only the ministers but also the Regent,” which, according to Karényi, made them “communists.”²²⁴ A similar remark concerning Horthy’s political orientation had been made János Jenő Birczky. The member of the police force had stated in September 1920 while working on Andrassy Avenue: “Miklós Horthy was a communist and only later molted to become a white.”²²⁵ Immediately following his statement the delinquent had been detained where he remained for a period of five months and 21 days until his trial. In the reasoning for the punishment the judge had deemed it as especially aggravating that Birczky had made this statement while he was on duty and interpreted as a “gross abuse of the trust that had been placed in him.”²²⁶ Thus, acts of lèse-régent committed by members of the law enforcement organization were regarded as more severe. The assumption that the Regent is not fulfilling the duties of his office properly was expressed by the wife of Gyula Knapp, one of the few female delinquents: “Horthy is Hungary’s worst Regent; nothing else but a pumpkinseed, he gets more payment than a king and rides on his pony, he does not do anything; when there is communism they will roast him rawly.”²²⁷ In this case the delinquent had not only questioned Horthy’s conduct as Regent in general but also had mocked his appearances on horseback. There were, however,

²²² MOL K-616, 3rd bundle IV-2300-924 Csábi István.

²²³ MOL K-616, 7th bundle IV-1606-932 Nagy János.

²²⁴ MOL K-616, 3rd bundle IV-702-924 Karényi Ferencz.

²²⁵ MOL K-616, 2nd bundle IV-91-922 Birczky János Jenő.

²²⁶ Ibid.

²²⁷ MOL K-616, 3rd bundle IV-1008-924 Knapp Gyulané.

numerous instances in which the Regent was accused of more severe acts. When Péter Mátyás saw a person reading an article on the situation in Spain in a tavern in Szeged in March 1929, he whispered to that person: “In Hungary Miklós Horthy is the dictator, Miklós Horthy cannot go abroad, they don’t let him in anywhere because he is a 99 percent murderer. Miki won’t rule much longer, he will also go where all the other robbing killers went.”²²⁸ This case also demonstrates the increased sensitivity to those images of Horthy that were diametrically opposed to the official narrative. Although one might think that these incidents were limited to the period immediately after the counterrevolution, the tropes of this “veritable counter-cult,” as Ignác Romsics termed it, were recurring throughout the entire period.²²⁹ Thus, we find the case of Imre Tóth, who had said in the town of Vésztó in summer 1920 among others: “In Hungary there is a persecution of workers and Horthy directs it.”²³⁰ The latest of such incidents that was among the selected files is the case of Ignác Bobák, who had been tried in Debrecen in December 1943. Bobák had said among others: “You will see, communism will win. [...] The Hungarian government is crap, Kallay and Horthy are also crap, nothing. In 1920 Horthy was a murderer, real mass murder did he commit, and decimated the people.”²³¹ In its reasoning the council of five, that tried the case, considered it as aggravating that he had not only also insulted the government, but had used the “rough expressions in wartime, in extraordinary times of emergency.”²³²

These cases point to an important aspect of the legal practice in trials of lèse-régent. They demonstrate that the Regent was granted retroactive protection. The retroactive protection had been practiced in the prosecution of acts lèse-majesté, and thus was not new. It was, however, applied with a different purpose. While the extension of the protection beyond the time in office was, theoretically, grounded in the king’s divine right to rule, it

²²⁸ MOL K-616, 6th bundle IV-446-930 Péter Mátyás.

²²⁹ Romsics, *Changing Images*, 95.

²³⁰ MOL K-616, 2nd bundle IV-305-1922 Tóth Imre.

²³¹ MOL K-616, 24th bundle IV-53-944 Bobák Ignác.

²³² *Ibid.*

often served to protect the respective dynasty from any harm that might have arisen from youthful follies. In the case of lèse-régent, however, it is not (mere) youthful follies from which Horthy was protected. Instead, the retroactive protection was employed to prosecute any statements on Horthy's involvement in or knowledge of the so-called white terror.²³³ In this sense the legal mechanism of lèse-régent, served not only to protect the Regent from any insults, but to actively reinforce Horthy's claim to legitimacy.

3.2.2.3 Questioning the Regent's legitimacy

The third category of delinquent acts is that of questioning the Regent's legitimacy. The acts that can be placed in this category are among others naming the Regent a "nobody,"²³⁴ "nothing,"²³⁵ "a random fellow,"²³⁶ or asking the question "who is [that] Horthy?"²³⁷ In this vein acted Tódor Netye on December 6, 1923 when someone had told him that his efforts to enter the local tavern were in vain, since it had been closed on the occasion of the Regent's name day. Netye stated: "Who is that Horthy? He is not his majesty."²³⁸ And Zoltán Herbelyi displayed even what might be considered an outright legitimist position when he said: "Horthy is a nobody, long live king Otto."²³⁹ However, since in both cases the delinquents were not punished due to their great degree of inebriation, the sentence did not contain a detailed assessment of the acts. The comparison between Horthy and the crowned (and uncrowned) king is, however, one of the recurring themes. Pál Angyal argued in his handbook on criminal law that even the "*rex*

²³³ This was also the basis for the prosecution of former Minister of the Interior Ödön Beniczky, who had claimed Horthy had knowledge about the murder of two journalists. See Chapter 2.4.

²³⁴ MOL K-616, 2nd bundle IV-687-922 Viszeralék József; MOL K-616, 3rd bundle IV-1566-925 Vicza János.

²³⁵ MOL K-616, 3rd bundle IV-1566-925 Vicza János.

²³⁶ MOL K-616, 3rd bundle IV-377-925 Szabó János.

²³⁷ MOL K-616, 3rd bundle IV-1587-925 Zimmermann János; MOL K-616, 4th bundle IV-1224-926 Éder Róbert.

²³⁸ MOL K-616, 3rd bundle IV-2832-924 Netye Tódor.

²³⁹ MOL K-616, 3rd bundle IV-1582-925 Herbelyi Zoltán.

hereditarius,” the hereditary king, i.e. the uncrowned Habsburg Prince Otto was protected against lèse-majesté.²⁴⁰ The protection also pertained to the deceased king, as the case of Mátyás Nagy demonstrates, who had in a tavern in 1939 quarreled with a postman whom he had insulted as “rascal” and had continued “the whole world is a rascal, [...] Horthy and King Charles IV, too.”²⁴¹ Consequently, Nagy had been sentenced for both lèse-régent, as well as lèse-majesté. This case points to the ambiguity that became apparent in trials of lèse-régent. The law on lèse-majesté was intended to protect the majesty of the king, and its application continued throughout the entire era. But with the election of Miklós Horthy as Regent, the same legal mechanism was employed to protect the Regent. Thus, it was used to reinforce the Regent’s claim to legitimacy even vis-à-vis the king or the (dethroned) dynasty, i.e. the original objects of protection.

The case of István Bocskai points to another facet of the legal practice. In the tavern of a train station he had said: “I don’t know the Regent, I just know the king. Horthy, he was just an admiral; Horthy was such a mate, who, when there was trouble, had his holiday in Constantinople.”²⁴² Thus, Bocskai not only doubted Horthy’s legitimacy, but also treated his achievements as naval officers in an undesired way. In the court of appeal his monetary punishment was raised to two months of imprisonment. According to the assessment of the judge, “he used the expressions for the conscious demolition of the Regent’s authority.”²⁴³ Furthermore, these were considered “not only rough insults against the person of the head of state, but with regard to the enlistees [that were present in the tavern, JB] they were suitable to the demolition of the due obedience to the head of the army and the lessening of the feeling of discipline.”²⁴⁴ The unambiguously positive assessment of Horthy’s past

²⁴⁰ Angyal, 36.

²⁴¹ MOL K-616, 18th bundle IV-72-941 Nagy Mátyás.

²⁴² MOL K-616, 3rd bundle IV-61-925 Bocskai István. Before his position as aide-de-camp to the Emperor Horthy had been stationed in Constantinople.

²⁴³ Ibid.

²⁴⁴ Ibid.

achievements as a naval officer were part of the official narrative on the Regent, and were also covered in the retroactive protection.²⁴⁵

Miklós Horthy's legitimacy was also questioned by statements that expressed the suspicion that somebody else pulled Horthy's strings. This was formulated in distinct varieties. In his reaction to the signing of the peace treaty of Trianon in June 1920 József Viszeralek reached an assessment of Miklós Horthy's role that strongly diverted from the official portrayal of Horthy: "Why don't you go home? What do you give about Horthy? He is a tyrant, and anyway the Entente commands him. Of course, he wouldn't want us to sign the peace treaty, so that he can continue to stay. No we don't need him any longer."²⁴⁶ Another delinquent identified "the Jews"²⁴⁷ as controlling Horthy whereas others named Hitler as giving orders to him.²⁴⁸ On a visit to Hungary the German journalist Hellmuth Draws-Tyschen had predicted to the family he was staying with the following in 1938: "In October Herr Horthy will be ordered to Hitler, but not for the christening of a ship, but for receiving instructions."²⁴⁹ The expression "Herr Horthy" was considered as "derogatory" by the judge.²⁵⁰ In the reasons given for the judgment he further argued that "the statement that the Regent, who represents and expresses the sovereignty of the Hungarian state, would be called to the head of state of another state, so that he may command him, is irreconcilable with that sovereignty and the Regent's dignity."²⁵¹ The latter case already indicates a certain dynamic, which shall be under closer scrutiny in the following section.

²⁴⁵ This included, among others, the image of Horthy as "the hero of the Novara," the ship he had commanded from 1915 to 1917. (Turbucz, *The beginnings*, 157-160.)

²⁴⁶ MOL K-616, 2nd bundle IV-687-922 Viszeralék József.

²⁴⁷ MOL K-616, 10th bundle IV-1248-936 Erdei Ferenc.

²⁴⁸ MOL K-616, 13th bundle IV-38-939 Draws Tychsen Hellmuth; MOL K-616, 13th bundle IV-956-939 Braun Jenő.

²⁴⁹ MOL K-616, 13th bundle IV-38-939 Draws Tychsen Hellmuth.

²⁵⁰ Ibid.

²⁵¹ Ibid. Miklós Horthy and his wife were on a visit to Kiel in August 1938, among others for the christening of the ship "Prinz Eugen."

3.2.2.4 The dynamic of trials of lèse-régent after 1939

As demonstrated above there was an increasing number of convictions from 1939 onwards. This section will link the quantitative changes to the qualitative development in the acts of lèse-régent. One factor that has to be taken into account, at least from 1941, is World War II. It is very likely that acts of lèse-régent were not only more severely punished, as the above mentioned case of Ignác Bobák indicated, but also more actively prosecuted in wartime. Another aspect that certainly had an effect is the election of István Horthy as Vice-Regent, with which he was granted the same legal protection as the Regent. Since István Horthy died in a plane crash in August 1942, he had held the office of Vice-Regent only for a few months.²⁵² But even after his death the legal protection remained in place.²⁵³ Thus, the wife of Lajos Horváth was tried both for insulting the Regent and the Vice-Regent, since she had been among others commenting the news of István's death the following way: "That is what he deserved; why did he take off drunk?"²⁵⁴ The fact that István Horthy was granted the same protection, even after his death, certainly extended the basis for prosecution. Nonetheless, there are no numbers available that would suggest the ratio between insults directed against the Regent or Vice-Regent. Based on the selected case files it seems that the majority of cases of lèse-régent still pertained to the Regent Miklós Horthy.²⁵⁵

It was, however, already before Hungary's entry into World War II in 1941, that the number of convictions was much higher and thus the circumstances of the war alone do not suffice as an explanation. The quantitative change might be related to a new quality of acts that occurred especially from the second half of the 1930s onwards. One of these changes is the apparently increased threat to Horthy's claims to legitimacy from the extreme right.

²⁵² István Horthy was elected Vice-Regent in February 1942. See Chapter 2.2.

²⁵³ This had been the usual practice with lèse-majesté, that also included the deceased kings.

²⁵⁴ MOL K-616, 22nd bundle IV-744-943 Horváth Lajosné.

²⁵⁵ Of the 135 case files there are only two that have the Vice-Regent as object. Apart from the above mentioned this is: MOL K-616, 24th bundle IV-212-944 Kukucska János.

How sensitive the authorities were to such a threat demonstrates the case of the engineer János Pál Hitzinger, whose case was tried by a council of five in Budapest in December 1938 under the exclusion of the public.²⁵⁶ Unlike most trials, in which there was no physical evidence, Hitzinger's case featured such material. In a book that he had borrowed from a certain Gyula Svaszta, member of the then already dissolved (Hungarian) National Socialist Party, Hitzinger had marked a speech on Horthy's achievements. Among others he commented a passage on Horthy's success as admiral and also drew a question mark next to the sentence "Horthy is loved by the Army and the patriotic nation."²⁵⁷ The case of Mátyás Székely demonstrates a certain similarity. The delinquent had become the subject of a trial of lèse-régent, not for a verbal expression, but an act that he had committed. In the night of November 14, 1938 Székely had stamped several posters of Miklós Horthy, that featured a centered portray of the Regent and among others the text "He is our leader."²⁵⁸ The text that he had stamped onto these posters was the name "Szálasi," the leader of the Hungarian Arrow Cross Party. Thus, the notion of the leader, which was employed by the members and supporters of the Arrow Cross Party, was regarded as detrimental to the understanding that the Regent, who had been, among others, the 'supreme leader' (Hung. *fővezér*) of the National Army, was the only leader. The two competing notions of "leader" are also documented in the case of János Gödör and associates.²⁵⁹ Upon hearing on the street the song "I am Miklós Horthy's soldier" being played in a tavern in Rákoscsaba the group had entered and a certain Boldizsár Bobor had shouted: "Long live the leader!"²⁶⁰ He was joined by some of the guests, who according to the sentence, had thought of Horthy. The formula

²⁵⁶ Hitzinger had already been the subject of a trial of lèse-régent in 1921, which was later considered an aggravating factor in the sentence. See Chapter 4.3.2.

²⁵⁷ MOL K-616, 16th bundle IV-602-940 Hitzinger János Pál.

²⁵⁸ Ibid.

²⁵⁹ MOL K-616, 16th bundle IV-200-940 Gödör János és társai.

²⁶⁰ Ibid. The original title of the song by Pál Kalmár is "HorthyMiklós katonája vagyok."

“long live the leader” was identified as an unambiguous expression of a “Hungaricist.”²⁶¹ While the sample of case files should be expanded to allow for a more thorough analysis it is likely, that the increased (perceived) threat to Horthy’s claim to legitimacy also resulted in a higher number of convictions.

A second factor that has to be taken into consideration is the territorial revision. Several of the acts that were prosecuted as lèse-régent also demonstrate a clear connection to this process. Thus, while in the official narrative Horthy was portrayed as “enlarger of the country,”²⁶² those that contradicted our even doubted this narrative became subject to prosecution. Another aspect that has to be taken into account is the fact that these acts also occurred in the regained territories themselves. Lèse-régent could also serve to reinforce Horthy’s claim to legitimacy in these territories.²⁶³ One of these was the case of László Farkavec, who after being denied a license for playing music in a tavern said: “Podkarpatszka will be Ukrainian, Beneš will be the lord and Horthy will no longer be the leader.”²⁶⁴ A comparison between Horthy and Edvard Beneš had also been made by János Klobusiczky, who was selling watermelons in the village of Dömös near Esztergom in August 1939. Upon a customer’s attempt to negotiate the price, he answered: “I am from Upper Hungary, don’t haggle with us, Beneš did not teach us to haggle, like Horthy taught you. Soon Beneš will come and then the world will be better, you will see.”²⁶⁵ The special council of five in Budapest tried the case, since the defendant was also accused of having committed a delinquency that fell under Law Act 1921:III and thus was eligible for the accelerated prosecution. In its reasoning the council argued that the used expressions were

²⁶¹ Ibid. The judges used the Hungarian “hungarista.”

²⁶² Romsics, *Changing Images*, 101. See also Turbucz, *Leader Cult and Public*.

²⁶³ Only two out of the 135 selected cases were tried in the court of Kassa (Košice). But since the files only conclude trials that were forwarded to the Crown Prosecutor and thus had already been tried in two instances (in cases of accelerated procedure in one instance) it is likely that files from a local court might substantiate this claim.

²⁶⁴ MOL K-616, 16th bundle IV-515-940 Farkavec László.

²⁶⁵ MOL K-616, 16th bundle IV-427-940 Klobusiczky (Sumig) János.

treating “the person of the Hungarian Regent [...] in a derogatory manner.”²⁶⁶ They further stated that he was portrayed as “a petty haggler, who teaches the Hungarian citizens the same, [which] without doubt offends the honor of the Hungarian head of state, which is also protected through legal measures.”²⁶⁷

Stepán Sándor, a 23 year-old baker`s assistant and member of the Arrow Cross Party, expressed his dissatisfaction with Horthy`s role in the territorial revision on different occasions throughout July 1939. On one occasion he said: “Horthy is crap. He should be put into prison, where Szálasi is now. The Regent is a coward because he went into Upper Hungary just three days after the troops and so greeted them.”²⁶⁸ On another occasion he was heard saying: “Miklós Horthy marched into Upper Hungary on his white horse and gains the laurels. It will be much better for the workers here when Hitler comes. Here you have to work for a few fucking pengő for Horthy.”²⁶⁹ A similarly case of lèse-régent was that of János Mülléder, an ethnic German. He had not only questioned the Regent`s role in the territorial revision by saying “we Germans brought Transylvania back to you,” but had also answered the question whether he was not Hungarian the following way: “I am Swabian, Hitler is my leader.”²⁷⁰ Favoring Hitler over Horthy clearly meant an infringement of the “due respect” for the Hungarian head of state.²⁷¹

Based on these cases a dynamic in trials of lèse-régent can be perceived that, in connection with the territorial revision and Hungary`s entry into World War II facilitated a higher number of convictions. Statements or actions that were regarded as a possible threat to Miklós Horthy`s position were prosecuted. The competing loyalties to other ‘leaders’ than the Regent are documented in a number of instances that involve Szálasi or Hitler.

²⁶⁶ Ibid.

²⁶⁷ Ibid.

²⁶⁸ MOL K-616, 16th bundle IV-253-940 Stepán Sándor.

²⁶⁹ Ibid.

²⁷⁰ MOL K-616, 18th bundle IV-936-941 Mülléder János.

²⁷¹ Ibid.

3.2.3 Defense

The assessment of the strategies of defense is a difficult endeavor, since the sentences do not contain a description of how the defense argued, but just short remarks. There are, however, certain patterns that can be identified based on the case files. The strategy of the defense depended on the question whether the defendants acknowledged to having committed the delinquent act or denied it. One example is the case of Róbert Navratil, who had denied his guilt in court. He had, however, already confessed on the police station. Navratil's assurance that he had made the confession only, because he thought that "if he does not acknowledge it, they would manhandle him," was not accepted since he had "without any reason withdrawn it," which in turn was considered as a confirmation of his guilt by the judge.²⁷² In most of the selected cases the defendants denied having committed the delinquent act. This strategy, however, could only work if the defense could successfully argue that the witnesses were not credible, or if they were contradicting each other to a great extent. This was not easily achieved. In the case of the wife of János Liptai, who lived in the same house as the family of András Lovás, the court of appeal had considered the fact that András Lovás had repeatedly "physically manhandled the defendant and her son," but did not regard this as sufficient to question the credibility of the witnesses.²⁷³

Since a large number of cases involved delinquents under the influence of alcohol, the defense usually resorted to the claim of absence of criminal responsibility due to inebriation. But the judges were not easily convinced of such circumstances. Thus, in the case of the above mentioned János Kram(m)er the judge acquitted him only because several witnesses had independently confirmed that the defendant was so inebriated that "he could not walk alone [...], did not speak properly, yelled incoherently, and was not able to get

²⁷² MOL K-616, 2nd bundle IV-1080-922 Navratil Róbert.

²⁷³ MOL K-616, 3rd bundle IV-1588-925 Liptai Jánosné.

undressed” on his own.²⁷⁴ In most cases, however, this strategy did not work and the defendants were sentenced. If the degree of drunkenness in the eyes of the judge had not lead to a state of senselessness, it was at least considered as a mitigating factor in the degree of punishment.

3.2.4 Sentences

The degree of punishment depended on a multitude of factors and since in a number of cases the delinquents were not only punished for lèse-régent but also other delinquent acts a detailed comparison of the penalties themselves seems not conducive. There are, however, two important observations that can be made regarding the degree of punishment.

The first observation concerns the sentences by the courts of appeal. In the vast majority of the cases the court of appeal upheld the verdict of the respective trial court. Thus, out of the 135 files only 29 contained a different ruling. In ten cases the sentence was raised. In 15 cases the court of appeal reduced the sentence. In the case of László Farkas this reduction was a correction of the sentence by the trial court, where he had been sentenced among others for the deprivation of office and suspension political rights for five [!] years.²⁷⁵ Hence, the court of appeal reduced the latter part of the sentence to three years, since it had not been in line with the law, which allowed for a maximum of three years. And only in four cases were the defendant acquitted in a court of appeal.

The second observation concerns the punishments. It can be noted that the judges made frequently use of the whole spectrum of the threat of punishment. Most interesting, however, is the use of the deprivation of offices and suspension of political rights. Out of the 135 files under scrutiny, of which 115 resulted in a conviction in the first instance, there

²⁷⁴ MOL K-616, 2nd bundle IV-93-923 Kram(m)er János.

²⁷⁵ MOL K-616, 5th bundle IV-687-928 Farkas László.

are only eight cases in which the delinquent was spared such a measure. In two cases the delinquent was punished to two years of deprivation of office and suspension of political rights. In 34 cases the delinquent was punished for one year of deprivation and suspension. In 71 cases, i.e. in more than 60 percent of the selected files, were the delinquents punished with deprivation and suspension for three years. Regarding the regional distribution it seems that it is mostly the regional courts that were rather lenient with this measure, since 29 of the 34 cases in which the delinquent was deprived of offices and the political rights were suspended for only one year were tried by the courts of Debrecen, Győr, Pécs and Szeged. While the factors that influence the verdict are numerous, it is quite significant that the measure of depriving a delinquent of his offices and suspending his political rights was employed so frequently and especially in cases of the Budapest court was employed in its greatest possible extent. When taking into account the enormous differences in the duration of imprisonment, this fact becomes even more noteworthy. Thus, there are delinquents who were punished for two months of imprisonment and three years of deprivation and suspension (by the Budapest court),²⁷⁶ whereas others were punished to six months of imprisonment and one year of deprivation (by the Pécs court).²⁷⁷

Thus, Andrew C. János's assessment that after the liquidation of the revolution the "sentences meted out by the court were less draconic," might be true to some extent regarding the duration of imprisonment. However, looking at the supplementary punishment and taking into account the franchise of 1925 it becomes apparent that a conviction for an act of lèse-régent meant a severe limitation of the delinquent's political rights.

²⁷⁶ MOL K-616, 3rd bundle IV-2248-924 Nagy Jánosné.

²⁷⁷ MOL K-616, 3rd bundle IV-464-924 ifj. Klein (Oberritter) János.

Chapter 4: Reactions to trials of lèse-régent

This chapter will address reactions to trials of lèse-régent. A comprehensive analysis of the perception of trials of lèse-régent would go beyond the limits of the available sources as well as the framework of this thesis. In a first step amnesty and the Regent's perception of lèse-régent shall be analyzed. In a second step some general remarks on the presentation of trials of lèse-régent in the media will be made. Finally, the parliamentary debates involving lèse-régent will be scrutinized for recurring notions.

4.1 Amnesty and Miklós Horthy's perception of lèse-régent

During his Regency Miklós Horthy granted amnesty several times. Four times these declarations also included people who were under investigation, tried or sentenced for lèse-régent. These declarations were made public around March 1 of the years 1928, 1930, 1940 commemorating Horthy's election into the office of Regent, and in April 1944. While there are no numbers available as to how many people exactly were granted amnesty, it included all those that were convicted and subject to prosecution. Thus, among the cases we can find several instances in which the delinquent's case file contains a note on the closing of the proceedings.²⁷⁸

The first declaration of amnesty that pertained to acts of lèse-régent was issued on March 1, 1928. The declaration opens with a statement in which the Regent recounted that “it has been eight years, since in the times of doom the will of the nation” had made him

²⁷⁸ Thus, e.g. Ignác Heller, whose proceeding had begun in 1924 was granted amnesty in 1928 (MOL K-616, 5th bundle IV-497-928 Heller Ignác), similarly János Breu, whose first trial was in 1939, became subject to the grant of amnesty of 1940 (MOL K-616, 16th bundle IV-393-940 Breu János).

head of state.²⁷⁹ He also thanked those that had supported him and formulated the reasons for the amnesty as follows:

as far as the interest of the country allows, with confidence in their future behavior I want to practice forgiveness to those, who have rejected the moderation and conduct which is obligatory to every citizen and have committed crimes on political grounds.²⁸⁰

This is followed by detailed description of the categories of delinquent acts to which this amnesty applies, the first of which is “the insult of the head of state.”²⁸¹ The next declaration of amnesty was already made two years later on the occasion of the tenth anniversary of Miklós Horthy’s election as Regent. On the occasion of the declaration the MTI prepared a list of all previous instances in which the Regent had made use of his right to grant amnesty.²⁸² With regard to the declaration of 1930 the report states: “The spirit of forgiveness manifests in the fact, that the head of state announces amnesty to all those, who were convicted for lèse-régent, or are under prosecution for it.”²⁸³ It is worthwhile to note the difference in wording that was used in this second declaration concerning lèse-régent. Unlike the rather abstract formulation in the text of 1928 the declaration contains an explicit statement of the Regent: “First of all, I would like to exercise forgiveness towards those, who have insulted me.”²⁸⁴ The text of the declaration from 1940 is very similar to that of the second declaration: “With my leaning to pardon I will, first of all, turn to those, who have insulted me.”²⁸⁵ The declaration of amnesty from 1944 is set against a different background, which is also reflected in the selection of those that were granted clemency. The opening statement refers to the fact that the army is engaged “in the protection of our Eastern

²⁷⁹ MTI [Hungarian News Agency] - Napi Hírek [Daily News] – February 29, 1928, 23.

²⁸⁰ Ibid.

²⁸¹ Ibid.

²⁸² MTI [Hungarian News Agency] - Napi Hírek [Daily News] – February 28, 1930, 38-40.

²⁸³ Ibid., 40.

²⁸⁴ MTI [Hungarian News Agency] - Napi Hírek [Daily News] – February 28, 1930, 33.

²⁸⁵ MTI [Hungarian News Agency] - Napi Hírek [Daily News] – February 29, 1940, 42.

borders” and “in the interest to protect the national mental unity and to increase the moral strength”²⁸⁶ the Regent decided to grant amnesty. However, with regard to cases of lèse-régent there were two important limitations. Instead of general amnesty the clemency was granted only on the base of individual pardon and only to those who had committed such an act in connection with a “nationalist political movement or intent.”²⁸⁷

While the prosecution of acts of lèse-régent can be considered a means of reinforcing the Regent’s claim to legitimacy, the declarations of amnesty point to the ambiguous nature of lèse-régent. Through the act of clemency the Regent could make another, additional claim to legitimacy: that of the just and forgiving ruler. The fact, that under the rule of Francis Joseph amnesty had been granted on several occasions certainly influenced Horthy’s perception, who regarded Francis Joseph as his personal role model.²⁸⁸ Through his recollections we can also gain a certainly tainted, yet valuable glimpse on his personal assessment on the practice of granting amnesty. With regard to the tenth anniversary of his election Miklós Horthy states in his memoirs: “My greatest pleasure on that day was the fact that the pacification of the country, that had gone forward in the ten years of my Regency, enabled me to pardon a number of political prisoners.”²⁸⁹

Horthy’s personal opinion on cases of lèse-régent is not easily assessed. However, through the personal recollections of Horthy and his contemporaries we can delineate some aspects that might have shaped Horthy’s perception of these incidents. That he was aware of cases of lèse-régent cannot be doubted, since he not only granted amnesty, but in several instances also individual pardon.²⁹⁰ To exactly what extent he was aware of these trials is a question that cannot be answered. One aspect that certainly influenced Horthy’s position to

²⁸⁶ MTI [Hungarian News Agency] - Napi Hírek [Daily News] – April 22, 1944, 15.

²⁸⁷ Ibid.

²⁸⁸ On the practice of granting amnesty under Francis Joseph see Czech, *The Emperor is a rascal and rogue*, 137-141.

²⁸⁹ Horthy, Nicholas Horthy and Andrew L. Simon, *Admiral Nicholas Horthy: memoirs* (Simon Publications LLC, 2000), 162.

²⁹⁰ There are no explicit numbers for individual pardons in cases of lèse-régent.

trials of lèse-régent is his perception of the office of Regent. As to this perception a short report that is contained in Kálmán Shvoy's diary provides some clues.²⁹¹ Shvoy noted a "delicate incident," which had occurred on the Regent's tour to Kecskemét, Szeged and Csaba in 1922 on which Shvoy had accompanied him: "A worker did not take off his hat, when the Regent passed him. Horthy stopped the car, got off, went to the person and gave him a good scolding."²⁹² And subsequently the police took care of the person.²⁹³ It is very likely that the person was subsequently prosecuted for lèse-régent, since he had not shown the due respect. In a passage in his memoirs he describes his denial of the offer of accepting the Hungarian crown that he might lose "the confidence shown a trustworthy and honourable man."²⁹⁴ Although Horthy's personal perception of lèse-régent certainly cannot be reconstructed it seems likely that he regarded them as a necessary measure to protect the dignity of the office (and person) of Regent.

4.2 Reactions to trials of lèse-régent in Parliament²⁹⁵

This section is divided into two parts. In a first step the parliamentary house rules will be delineated, since they provided the framework for the debates of (not only) lèse-régent. In a second step the parliamentary debates involving lèse-régent shall be analyzed. To be sure, lèse-régent cannot at all be considered an omnipresent topic in parliamentary debates. In fact, it is mainly in the first decade that it is brought up in parliamentary discussions. Yet, the analysis of these debates can provide valuable insights on the perception of lèse-régent.

²⁹¹ Kálmán Shvoy (1881-1971) had played a role in the organization of the national army during the counterrevolution in Szeged.

²⁹² Kálmán Shvoy, *Shvoy Kálmán titkos naplója és emlékirata: 1918-1945* (Kálmán Shvoy's secret diary and memoirs: 1918-1945.) (Budapest: Kossuth Könyvkiadó, 1983), 79.

²⁹³ *Ibid.*

²⁹⁴ Horthy, *Memoirs*, 152.

²⁹⁵ For the purpose of this thesis the term 'Parliament' shall be used to refer to 'the lower house' only, i.e. the *Nemzetgyűlés* ("National Assembly," 1920-1926) as well as its successor the *Képviselőház* ("House of Representatives," 1927-1944).

4.2.1 The Parliament and its House Rules

For an analysis of the parliamentary debates it is necessary to address the house rules of the parliament, since they provided the legal framework for the discussions. During the interwar years the Hungarian Parliament was a place of heated debates. This stemmed not only from the fact that it had to deal with an enormous legacy of problematic and controversial issues, such as land reform, electoral laws and constitutional issues.²⁹⁶ Most important was the structural imbalance between the government party and the opposition parties. The overarching majority the government party held seriously limited the maneuvering space for the opposition.²⁹⁷ The imbalance was strongly reflected in the offices of Parliament (the president and both vice-presidents emerged from the ranks of the government-party), and its effects were also visible in the composition of the committees, where members of the opposition could not play an active role, effectively limiting possibilities for constructive opposition.²⁹⁸ This structural imbalance and the fact that the Parliament, unlike the heavily censored press, still provided one of the few platforms for the expression of criticism lead to a charged atmosphere. To be sure, members of the opposition made ample use of this opportunity. The parliamentary political culture of interwar Hungary was characterized by the interplay of frequent interjections and the presidents' attempts to call everyone to order, which more than once led to tumultuous sessions.²⁹⁹ The first decade, but especially the legislative period from 1922 to 1926 saw the peak of criticism of the government, which mostly stemmed from the left.³⁰⁰ The president of the Parliament had different disciplinary measures at hand to manage debates and to resolve situations that got out of hand. Apart from the cloture, i.e. the abrupt termination of debates, MP could be

²⁹⁶ Püski, *The Horthy-System*, 129.

²⁹⁷ *Ibid.*, 125.

²⁹⁸ *Ibid.*, 126. Sándor Pesti, *Az újkori magyar parlament* (The modern Hungarian Parliament) (Budapest: Osiris, 2002), 149.

²⁹⁹ Pesti gives an overview over the most notable disturbances and the consequent disciplinary measures. *Ibid.*, 333-342.

³⁰⁰ Püski, *The Horthy-System*, 125.

reprimanded, they could be deprived of their right to speak, be disciplined or be excluded or in the most drastic cases be removed by the guards from parliamentary sessions.³⁰¹ While in the first legislative period it was decided to use the house rules from 1908, which were more liberal than those of the Tisza-period from 1913, there were several revisions of the house rules in the interwar period, which consequently affected the conduct of the debates.³⁰² There were three revisions of the house rules in 1924, in 1928 and in 1939. The reforms brought several important changes. The speech time was limited, modifying proposals of bills were to be given in a specific time frame, the cloture was expanded to the sessions of the committees and there was a considerable expansion of the rights of the president.³⁰³ The effects of these reforms were twofold. They certainly ‘modernized’ the proceedings of the Parliament and made it more efficient, but they also targeted the opposition in reducing their ability to obstruct, which being deprived of constructive oppositional work had been their most effective measure in influencing legislation. The reforms from 1939 were specifically designed to keep members of the Arrow Cross party in check.³⁰⁴

Another central aspect to consider is the general treatment of the Regent in Parliament. According to the etiquette of the Parliament the head of state (as the king had been earlier) should, as a rule, be left out of the debates. But whenever the question of the Regent’s scope of authority surfaced the mentioning of Miklós Horthy was unavoidable.³⁰⁵ Members of the opposition used their right of speech to strongly criticize the government and also, from time to time, the head of state. While the Regent was only twice mocked as “Miklós Hunyadi,” blending Horthy’s name with that of János Hunyadi, the members of the opposition relatively frequently referred to him as “temporary head of state,” which was not

³⁰¹ Püski, *The Horthy-System*, 119.

³⁰² *Ibid.*, 122.

³⁰³ Pesti, *The modern Hungarian Parliament*, 156.

³⁰⁴ *Ibid.*, 160.

³⁰⁵ Olasz, *The Regent’s scope of authority*, 103.

against regulations but certainly intended as a reference to Horthy as a mere interim solution.³⁰⁶

4.2.2 Debating lèse-régent

The mentioning of lèse-régent in parliamentary debates occurred mainly in the first decade. It is especially in the years 1925 to 1927 that lèse-régent was mentioned in parliamentary discussions. Lèse-Régent is mentioned in different contexts. First of all, it was employed as catchphrase for interjections both by government party as well as oppositional MP. Secondly, representatives reported on incidents that had come to their attention. Thirdly, in the larger framework of other debates, e.g. concerning legislation or the legal practice the issue of lèse-régent was debated.

As mentioned above, the Parliament of interwar Hungary featured a specific debate culture, where speeches were regularly disturbed by interjections. There were several instances when the word “lèse-régent” was interjected by representatives. In December 1923 Sándor Putnoky, member of the government party, reacted to a speech of Lajos Szilágyi, independent MP, who had talked about Pál Prónay, one of the infamous squad leaders of the counterrevolution. and his connections to the government and the Regent, with the following words: “That is lèse-régent, if they talk about him like this in the House.”³⁰⁷ Members of the opposition also employed the word “lèse-régent” as a catchphrase, albeit with a very different connotation. In 1925 István Rakovszky, member of the Christian opposition party, interjected into an ongoing debate on lèse-régent: “Car accidents and lèse-régent are permanent headlines.”³⁰⁸ Béla Fábian, member of the

³⁰⁶ Sakmyster, *Admiral on horseback*, 145.

³⁰⁷ *Nemzetgyűlési napló* [Minutes of the National Assembly], 1922 Vol. XVII, 318. Accessed October 18, 2010. Available from <http://www.ogyk.hu> ; the parliamentary minutes will be quoted in the following as “KN-Year-Volume, Page”].

³⁰⁸ KN-1922-XXXIII, 358.

Democratic Party, poignantly expressed his concern on the number of trials when he shouted in 1927: “The many lawsuits on lèse-régent are on their own lèse-régent!”³⁰⁹ The term lèse-régent was also as a placeholder for unjust and politicized prosecution from the far end of the opposition in 1940 by Károly Márothy, member of the National Socialist Front, who exclaimed: “Lèse-régent etc.! We already know these accusations!”³¹⁰

However, lèse-régent was not only used as a catchphrase. There were a number of instances in which MP brought up a certain case of lèse-régent. The first mentioning of the word lèse-régent in a parliamentary debate was already in October 1920 by Rezső Rupert.³¹¹ Rupert, a member of the Liberal Opposition, admonished the detention of a father and his son on grounds of “espionage, lèse-régent, insurrection and I don’t know what [...]” by military authorities.³¹² He deemed this a false pretense, since they were not questioned on any of the accusations and strongly criticized the “completely illegal” arrest by the military.³¹³ On December 31, 1921 Lajos Szilágyi brought the case of János Pál Hitzinger to the attention of the parliament.³¹⁴ He further mentioned that Hitzinger already had been arrested after the skirmish at Budaörs, i.e. the second attempt of Charles IV to return onto the Hungarian throne, and had been beaten up and that he feared it might happen again.³¹⁵ The involvement of the military in investigations of lèse-régent was admonished by Szilágyi: “But I have to protest, that a Hungarian citizen, a civilian, can be arrested on the order of the military command.”³¹⁶ Finally, Szilágyi made an interpellation that the government should see to it that military authorities would no longer make arrests in cases

³⁰⁹ KN-1927-II, 181.

³¹⁰ KN-1939-V, 458.

³¹¹ KN-1920-VI, 98.

³¹² Ibid.

³¹³ Ibid.

³¹⁴ KN-1920-XIV, 288. This was the same János Pál Hitzinger who was tried in 1939 for questioning Horthy’s achievements as admiral. According to Szilágyi, Hitzinger was not only the president of the athletic club of the technical university, but had “in peace and wartime earned great merits.” (Ibid.)

³¹⁵ Ibid.

³¹⁶ Ibid.

of lèse-régent.³¹⁷ The most discussed single case was that of Ödön Beniczky, former Member of Parliament and Minister of the Interior in 1919-1920.³¹⁸ The social democrats used this incident and handed in a modifying proposal to Act I 1920 which favored the election of a ruling council instead of Horthy, which remained an attempt in vain.³¹⁹ Beniczky was sentenced to three years of imprisonment, but set free already after eight months and the newspaper Újság, in which his articles were printed, was banned.³²⁰

There are several issues concerning lèse-régent that were repeatedly addressed and deserve closer attention. One point of contention was the perception of the quantity of cases. A first mentioning of a number of trials was made on July 31, 1922 by Minister of the Interior Iván Rakovszky, who gave an account of the number of delinquent acts that had been committed in the time around the elections. Among these were four instances of lèse-régent.³²¹ However, several MP of the opposition repeatedly admonished what they regarded as a high number of trials of lèse-régent. Several representatives employed a comparison with cases of lèse-majesté under Francis Joseph. On July 17, 1923 Imre Györki, Social Democrat, stated, “that under the 68 year-long rule of Francis Joseph not so many people were sentenced and not to such a long period of imprisonment for lèse-majesté, as [...] for lèse-régent in the last three years.”³²² This argument was repeated by several others.³²³ On March 24, 1927 Marcell Baracs, National Democrat, quantified this comparison. According to Baracs there were five cases of lèse-majesté tried in the Budapest court in 1900, which he juxtaposed to 286 proceedings of lèse-régent at the Budapest court

³¹⁷ Ibid., 289.

³¹⁸ See Chapter 2.4.

³¹⁹ Ibid.

³²⁰ Ibid., 140.

³²¹ KN-1922-III, 137.

³²² KN-1922-XIV, 168.

³²³ Among others Gyula Peidl made the same comparison on May 26, 1925 (KN-1922-XXXII, 206), as well as Béla Fábian on June 18, 1925 (KN-1922-XXXIII, 358) and Endre Saly on May 5, 1926 (KN-1922-XLII, 323f.).

from November 1925 to November 1926.³²⁴ Two interjections by government party MP followed this statement: “In the mean time there was [a] revolution [...] and there was also war!”³²⁵ These interjections already point to the line of argumentation of the government party. This was brought forward by Pál Pesthy, Minister of Justice, on May 3, 1927. Pesthy stated that it was “not in the interest of the state that these trials of lèse-régent occur as often as possible.”³²⁶ But he also deemed it “inacceptable that somebody could impair or reduce the Hungarian head of state’s authority without punishment.”³²⁷ András Simon, MP of the government party, doubted the claim that trials of lèse-régent would form a large part of the courts’ workload. In December 1927 he argued that the numbers of open cases at the *Kúria*, was much lower than the opposition had stated, without mentioning the exact number of cases of lèse-régent.³²⁸ On December 2, 1927 Pál Pesthy stated that the number of cases of lèse-régent was decreasing. Pesthy also gave an estimate on the development and an explanation for the present state:

I believe, when the quietude sets in, when that mental quietude sets in, which has to set in after the revolutions, but which did not set in yet – the number of those trials will sink to the level of the numbers before the war. Never leave out of consideration [...] that after all before the war we lived in the last years of a 60-year long peace period, and that now after the war and the revolutions we live in mentally agitated and upset years.³²⁹

This argumentation of Pál Pesthy was diametrically opposed to the perception of the trials of lèse-régent by the opposition. Rather than sharing the assumption that the tumultuous times were still lasting and necessitated the trials, the MP of the opposition questioned the practice of trials on lèse-régent. One point of criticism was the franchise of 1925. The

³²⁴ KN-1927-II, 181.

³²⁵ Ibid.

³²⁶ KN-1927-III, 206.

³²⁷ Ibid.

³²⁸ KN-1927-VII, 213.

³²⁹ Ibid.

debate on the bill, which was ratified as Law Act XXVI of 1925, was in general very heated. As mentioned above the law excluded among others people who were convicted for lèse-régent from voting (for five years) and from being elected (for 10 years). Gyula Peidl, Social Democrat, questioned the intention behind this regulation and argued that the suspension of the right to be elected for such a long time would not increase the respect for the head of state.³³⁰ In the same debate Andor Szakács argued: “Who insults the king might express his political conception [...], but in no way provides evidence, that he is unable to fulfill the work of legislation.”³³¹

But the criticism exceeded this specific law and questioned the general use of the law. On January 20, 1922 Lajos Szilagyi stated: “The many comedies that run under the name lèse-régent are ridiculous. Today the fashion is, if they want to catch someone, they simply say: he committed lèse-régent.”³³² He also noted that “the definition what is lèse-régent and what not is very broad.”³³³ As to the aim of the regulation, i.e. to protect the Regent’s authority, Szilagyi remarked that the effect of the many trials was contrary to the original aim.³³⁴ In comparison to the handling of lèse-majesté under Francis Joseph Béla Fábian perceived a qualitative difference.³³⁵ Thus, he referred to the problem of denunciation and suspected “agents provocateurs” as a cause for a higher number incidents of lèse-régent.³³⁶ His colleague Imre Györki had made similar remarks and questioned the use of trials of lèse-régent: “[...] with these measures, such draconian strict sentences the love for the head of state cannot be promoted and the prestige cannot be increased.”³³⁷

The analysis of the parliamentary discourse on lèse-régent demonstrates a bifurcated assessment of the trials of lèse-régent. This bifurcation becomes apparent in the different

³³⁰ KN-1922-XXXII, 206.

³³¹ KN-1922-XXXIII, 413.

³³² KN-1920-XV, 315.

³³³ Ibid.

³³⁴ Ibid.

³³⁵ KN-1922-XXXIII, 358.

³³⁶ Ibid.

³³⁷ KN-1922-XIV, 168.

notions with which lèse-régent is used as an interjection. While the intent of protecting the head of state from insults, etc. is not generally questioned the evaluation of the legal practice strongly diverged. Thus, the MP of the government party and the Minister of Justice presented trials of lèse-régent as a necessity dictated by the circumstances, the opposition perceived them as a form of coercion. They noted, however, that it was not necessarily the authorities, although the earlier statements admonish the involvement of the military, but rather the citizens that could cause considerable damage to their fellow citizens.

Conclusion

This thesis has presented an analysis of trials of lèse-régent. This so far under-researched issue has been approached from a perspective that goes beyond the narrow legal history focus on analyzing norms and their development. Thus, the legal practice in trials of lèse-régent was in the focus. While providing an outline of the legal aspects the thesis placed the trials in the broader context of the Horthy-regime. Since acts of lèse-régent were considered as insults against the Regent, the analysis of the trials offers an indirect access to the popular perception of Miklós Horthy. Yet, it is the authorities' reactions and, more precisely, the judiciary's assessment of these acts, that was of most interest. While the laws and the procedural framework strongly shaped the legal practice in general, the judges had a considerable degree of discretion in determining what was to be considered an act of lèse-régent and how it was to be punished.

Although the legal foundations of lèse-majesté and lèse-régent are the same, the prosecution of acts of lèse-régent was anything but static. This dynamic can hardly be scrutinized in all its complexity and certainly the nature of the case files, containing only sentences, sets a limit to the analysis. Yet, the thesis could identify a number of factors that had an impact on the legal practice. This pertains, first of all, to the procedural law, most notably the dissolution of the juries, which created a considerable difference in the prosecution between trials of lèse-majesté before the end of World War I and the trials of lèse-régent in the Horthy-era. The substantive law saw an extension of the definition of what was to be considered lèse-régent by the decisions of the *Kúria*, effectively enhancing the possibility for prosecution.

The trials were a part of the dynamic interplay between the Regent's claims to legitimacy, reactions to these claims and the subsequent prosecution of those reactions that were considered non-desirable. This legal mechanism, however, was not wielded by the

authorities alone. In fact, as the case files and the available statistics indicate citizens made quite frequently use of their right to report to the authorities. The analysis of the case files demonstrated that the quantitative fluctuations can be linked to a qualitative development in the cases of lèse-régent. Thus, especially the rising number of convictions after 1939 can be traced back to a new quality of incidents. While insults, the mistreatment of the Regent's deeds, as well as the questioning of his legitimacy can be encountered throughout the entire period in various forms the case files from this period demonstrate an increased (perceived) threat to the legitimacy of the Regent. This threat manifested itself in expressions of loyalty to other 'leaders,' most notably Ferenc Szálasi and Adolf Hitler. Furthermore, the wartime was considered a state of emergency, in which the lack of 'due respect' was punished more severely. The trials of lèse-régent are not entirely unique, since several types of regimes throughout different time periods provided for a legal protection of the head of state. What is particular is the ambiguous context in which the trials take place: the kingdom without a king. The legal means that had been created in order to protect the king remained in place, even after the dethronization and death of the last crowned King Charles IV. While apparently the number of these trials was much lower than that of trials of lèse-régent, they point to an ambiguity in the application of the laws. This ambiguity becomes even more apparent in those trials in which the Regent's claim to legitimacy was reinforced vis-à-vis the king.

Concerning the sentences the extensive use of the supplementary punishment is especially noteworthy. In combination with the franchise of 1925 committing an act of lèse-régent could result in the deprivation of the generally limited political influence for long periods of time. The question that had been asked during the parliamentary discussions, whether the large number of trials would serve to protect or rather to diminish the Regent's prestige, cannot be answered. What is for certain is that a conviction for lèse-régent resulted

in the exclusion of the delinquent from the political sphere. Taking into account that many of the delinquent acts were committed in a tavern or under the influence of alcohol, it seems that a conviction for lèse-régent was less an act of political repression, than an act of political demobilization. The practice of granting amnesty brings a new variable into the complex dynamic of legitimization and expresses a new claim to legitimacy.

Based on the results of this thesis several possible lines of inquiry open up. First of all, the phase of the initiation and preparation of the trial, and in particular the extent of and motivation for acts of denunciation deserves further attention. A closer analysis of the way the authorities were informed about acts of lèse-régent seems especially promising, since it can provide insights on the utilization of the legal system by the citizens. This would help to properly evaluate the degree to which the citizens participated in actively defending the regime against threats to its legitimacy or used the legal mechanism to denounce, e.g. their tenants, competitors, subordinates or superiors.

Secondly, the work can be continued in a comparative manner. On the one hand the diachronic perspective, especially with regard to the legal practice in the Kingdom of Hungary under Francis Joseph, seems a fruitful continuation of the thesis. This comparison would point to the continuities and discontinuities in the legal practice of lèse-majesté and lèse-régent. A synchronic comparison, most notably with other authoritarian regimes would also prove a worthwhile endeavor since it could illuminate the use of existing, as well as the creation of new legal measures that aim at protecting the head of state.

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Appendix

Year	Number of Convictions
1921	10
1922	34
1923	46
1924	105
1925	25
1926	57
1927	47
1928	28
1929	31
1930	26
1931	41
1932	63
1933	57
1934	47
1935	52
1936	31
1937	45
1938	66
1939	147
1940	80
1941	119
1942	237

Table 1: Absolute number of convictions for lèse-régent

Source: Hungarian Statistical Yearbooks³³⁸

³³⁸ Országos Magyar Királyi Statistikai Hivatal (Royal Hungarian statistical office), ed., *Magyar statisztikai évkönyv: (Hungarian statistical yearbook)* (Budapest: Országos Magyar Királyi Statistikai Hivatal (Royal Hungarian statistical office), 1919-1922, 252f.; 1923-1925, 320-322; 1926, 292; 1927, 281; 1928, 327; 1929, 322; 1930, 327; 1931, 335; 1932, 343; 1933, 370; 1934, 378; 1935, 405; 1936, 365; 1937, 378; 1938, 359; 1939, 213; 1940, 205; 1941, 293; 1942, 298.

Year	Number of Convictions	Estimated Number of Population	Number of Convictions per 100 000 people
1921	10	7900000 ³³⁹	0,13
1922	34	7979000	0,43
1923	46	8058790	0,58
1924	105	8139377,9	1,30
1925	25	8220771,68	0,31
1926	57	8302979,4	0,69
1927	47	8386009,19	0,57
1928	28	8469869,28	0,33
1929	31	8554567,97	0,37
1930	26	8600000 ³⁴⁰	0,30
1931	41	8668800	0,47
1932	63	8738150,4	0,72
1933	57	8808055,6	0,65
1934	47	8878520,05	0,53
1935	52	8949548,21	0,58
1936	31	9021144,59	0,34
1937	45	9093313,75	0,49
1938	66	9166060,26	0,72
1939	147	10289388,7	1,43
1940	80	12871703,9	0,62
1941	119	12871703,9	0,93
1942	237	12871703,9	1,84

Table 2: Relative number of convictions for lèse-régent (per 100 000 people)

Source: Hungarian Statistical Yearbooks³⁴¹³³⁹ Romsics, *Hungary in the twentieth century*, 155.³⁴⁰ Ibid.³⁴¹ Országos Magyar Királyi Statistikai Hivatal (Royal Hungarian statistical office), ed., *Magyar statisztikai évkönyv: (Hungarian statistical yearbook)* (Budapest: Országos Magyar Királyi Statistikai Hivatal (Royal Hungarian statistical office), 1919-1922, 252f.; 1923-1925, 320-322; 1926, 292; 1927, 281; 1928, 327; 1929, 322; 1930, 327; 1931, 335; 1932, 343; 1933, 370; 1934, 378; 1935, 405; 1936, 365; 1937, 378; 1938, 359; 1939, 213; 1940, 205; 1941, 293; 1942, 298.

Year	Number of Convictions	12-17	18-21	22-29	30-49	More than 50 years
1921	10	1	0	3	5	1
1922	34	1	1	6	21	5
1923	46	1	3	9	24	9
1924	105	4	6	20	51	24
1925	25	2	8	10	24	8
1926	57	0	2	10	31	14
1927	47	1	5	12	19	10
1928	28	1	1	4	18	4
1929	31	2	2	3	17	7
1930	26	1	0	6	15	4
1931	41	1	2	7	24	7
1932	63	0	7	17	33	6
1933	57	2	2	8	32	13
1934	47	0	3	11	25	8
1935	52	2	2	7	25	16
1936	31	1	1	1	22	6
1937	45	1	1	6	21	16
1938	66	3	3	14	33	13
1939	147	15	16	25	61	30
1940	80	4	6	17	29	24
1941	119	19	9	13	55	28
1942	237	21	15	27	136	38

Table 3: Age of people convicted for acts of lèse-régent

Source: Hungarian Statistical Yearbooks³⁴²

³⁴² Országos Magyar Királyi Statistikai Hivatal (Royal Hungarian statistical office), ed., *Magyar statisztikai évkönyv: (Hungarian statistical yearbook)* (Budapest: Országos Magyar Királyi Statistikai Hivatal (Royal Hungarian statistical office), 1919-1922, 252f.; 1923-1925, 320-322; 1926, 292; 1927, 281; 1928, 327; 1929, 322; 1930, 327; 1931, 335; 1932, 343; 1933, 370; 1934, 378; 1935, 405; 1936, 365; 1937, 378; 1938, 359; 1939, 213; 1940, 205; 1941, 293; 1942, 298.

<u>Year</u>	<u>Not Married</u>	<u>Married</u>	<u>Widow/er</u>	<u>Divorced</u>	<u>with children</u>
1921	3	7	0	0	6
1922	7	24	1	2	24
1923	17	25	4	0	20
1924	33	67	2	3	49
1925	19	26	5	2	20
1926	14	38	5	0	38
1927	16	22	6	3	17
1928	6	19	0	3	18
1929	8	21	0	2	19
1930	8	16	1	1	13
1931	12	25	4	0	20
1932	20	40	2	1	26
1933	17	34	6	0	30
1934	9	36	2	0	34
1935	15	31	4	2	24
1936	5	24	1	1	24
1937	10	27	7	1	30
1938	26	37	2	1	31
1939	58	81	6	2	71
1940	22	49	7	2	42
1941	47	63	6	3	55
1942	74	145	13	5	131

Table 4: Family Status of people convicted for lèse-régent

Source: Hungarian Statistical Yearbooks³⁴³

³⁴³ Országos Magyar Királyi Statistikai Hivatal (Royal Hungarian statistical office), ed., *Magyar statisztikai évkönyv: (Hungarian statistical yearbook)* (Budapest: Országos Magyar Királyi Statistikai Hivatal (Royal Hungarian statistical office), 1919-1922, 252f.; 1923-1925, 320-322; 1926, 292; 1927, 281; 1928, 327; 1929, 322; 1930, 327; 1931, 335; 1932, 343; 1933, 370; 1934, 378; 1935, 405; 1936, 365; 1937, 378; 1938, 359; 1939, 213; 1940, 205; 1941, 293; 1942, 298.

Year	Convi ctions	Hungarian	German	Slova kian	Romani an	Ruthen ian	Croati an	Serbian	Rom ani	Oth ers
1921	10	7	1	0	0	0	0	1	0	1
1922	34	29	1	0	1	0	0	2	0	1
1923	46	41	3	0	0	0	1	0	0	1
1924	105	101	2	0	0	0	1	0	0	1
1925	25	20	5	1	0	0	2	0	0	0
1926	57	49	5	1	0	0	1	0	0	1
1927	47	44	2	0	0	0	1	0	0	0
1928	28	28	0	0	0	0	0	0	0	0
1929	31	27	4	0	0	0	0	0	0	0
1930	26	24	1	0	0	0	0	0	0	1
1931	41	37	2	0	0	1	0	1	0	0
1932	63	60	1	0	0	0	1	1	0	0
1933	57	55	1	0	0	0	1	0	0	0
1934	47	46	1	0	0	0	0	0	0	0
1935	52	50	1	0	0	1	0	0	0	0
1936	31	28	1	0	0	1	0	0	0	1
1937	45	40	3	1	0	1	0	0	0	0
1938	66	63	3	0	0	0	0	0	0	0
1939	147	124	17	3	0	0	0	1	0	2
1940	80	68	3	7	0	2	0	0	0	0
1941	119	86	19	3	2	6	2	0	1	0
1942	237	153	46	2	17	2	1	10	0	6

Table 5: Language of people convicted for lèse-régent

Source: Hungarian Statistical Yearbooks³⁴⁴

³⁴⁴ Országos Magyar Királyi Statistikai Hivatal (Royal Hungarian statistical office), ed., *Magyar statisztikai évkönyv: (Hungarian statistical yearbook)* (Budapest: Országos Magyar Királyi Statistikai Hivatal (Royal Hungarian statistical office), 1919-1922, 254f.; 1923-1925, 323-325; 1926, 293; 1927, 282; 1928, 328; 1929, 323; 1930, 328; 1931, 336; 1932, 344; 1933, 371; 1934, 379; 1935, 406; 1936, 366; 1937, 379; 1938, 360; 1939, 214; 1940, 206; 1941, 294; 1942, 299.

<u>Year</u>	<u>Convi</u> <u>ctions</u>	<u>Roman</u> <u>Catholic</u>	<u>Greek</u> <u>Catholic</u>	<u>Calvin</u> <u>ist</u>	<u>Evang</u> <u>elic</u>	<u>Greek</u> <u>Orthodox</u>	<u>Unitari</u> <u>an</u>	<u>Jewi</u> <u>sh</u>	<u>Bapti</u> <u>st</u>	<u>Othe</u> <u>rs</u>	<u>Athe</u> <u>ist</u>
1921	10	5	0	1	0	1	0	2	0	0	1
1922	34	26	1	2	0	3	0	2	0	0	0
1923	46	31	0	9	0	2	0	4	0	0	0
1924	105	69	6	20	3	3	0	4	0	0	0
1925	25	25	1	15	3	0	0	2	0	0	0
1926	57	38	0	11	5	0	0	3	0	0	0
1927	47	34	0	7	2	0	0	4	0	0	0
1928	28	17	0	6	1	0	0	4	0	0	0
1929	31	23	0	6	1	0	0	1	0	0	0
1930	26	17	0	5	2	0	0	1	0	1	0
1931	41	32	1	6	1	0	0	1	0	0	0
1932	63	47	0	13	1	1	0	1	0	0	0
1933	57	46	0	5	2	0	0	4	0	0	0
1934	47	33	0	8	3	0	0	2	1	0	0
1935	52	32	2	11	5	0	0	2	0	0	0
1936	31	21	1	7	1	0	0	0	0	0	1
1937	45	33	0	6	4	0	0	2	0	0	0
1938	66	39	1	19	4	0	0	3	0	0	0
1939	147	84	5	32	14	2	0	10	0	0	0
1940	80	61	2	14	1	0	0	2	0	0	0
1941	119	85	9	16	6	1	0	2	0	0	0
1942	237	141	23	31	18	20	1	3	0	0	0

Table 6: Religion of people convicted for lèse-régent

Source: Hungarian Statistical Yearbooks³⁴⁵

³⁴⁵ Országos Magyar Királyi Statistikai Hivatal (Royal Hungarian statistical office), ed., *Magyar statisztikai évkönyv: (Hungarian statistical yearbook)* (Budapest: Országos Magyar Királyi Statistikai Hivatal (Royal Hungarian statistical office), 1919-1922, 254f.; 1923-1925, 323-325; 1926, 293; 1927, 282; 1928, 328; 1929, 323; 1930, 328; 1931, 336; 1932, 344; 1933, 371; 1934, 379; 1935, 406; 1936, 366; 1937, 379; 1938, 360; 1939, 214; 1940, 206; 1941, 294; 1942, 299.

<u>Year</u>	<u>Convict ions</u>	<u>Agricultu re</u>	<u>Mining and Metallur gy</u>	<u>Industry</u>	<u>Trade</u>	<u>Transpor t</u>	<u>Public service and self- employ ed</u>	<u>Daylabor and unemplo yed</u>	<u>House serva nt</u>	<u>Others and unkno wn</u>
1921	10	4	0	1	2	0	1	1	0	1
1922	34	8	0	18	3	1	0	0	2	2
1923	46	13	1	12	7	1	7	2	2	1
1924	105	36	3	38	10	8	1	3	1	5
1925	25	27	2	15	1	2	2	2	1	0
1926	57	22	3	23	4	1	1	2	0	1
1927	47	20	1	14	2	4	1	3	0	2
1928	28	8	0	9	3	0	1	2	3	2
1929	31	10	1	12	1	1	1	3	0	2
1930	26	11	0	8	1	0	1	3	1	1
1931	41	15	0	14	5	1	0	6	0	0
1932	63	15	3	35	2	1	2	1	1	3
1933	57	17	0	18	6	5	2	6	1	2
1934	47	13	0	22	1	4	2	4	0	1
1935	52	14	1	16	4	3	0	9	1	4
1936	31	10	2	12	3	1	0	2	1	0
1937	45	22	0	14	2	1	1	2	1	2
1938	66	28	1	22	4	1	1	4	1	4
1939	147	54	1	50	13	1	9	13	4	2
1940	80	45	0	16	6	2	4	5	0	2
1941	119	60	1	34	11	2	3	0	1	7
1942	237	122	4	67	10	6	14	3	0	11

Table 7: Occupational background of people convicted for lèse-régent

Source: Hungarian Statistical Yearbooks³⁴⁶

³⁴⁶ Országos Magyar Királyi Statistikai Hivatal (Royal Hungarian statistical office), ed., *Magyar statisztikai évkönyv: (Hungarian statistical yearbook)* (Budapest: Országos Magyar Királyi Statistikai Hivatal (Royal Hungarian statistical office), 1919-1922, 256f.; 1923-1925, 326f.; 1926, 294; 1927, 283; 1928, 329; 1929, 324; 1930, 329; 1931, 337; 1932, 345; 1933, 372; 1934, 380; 1935, 407; 1936, 367; 1937, 380; 1938, 361; 1939, 215; 1940, 207; 1941, 295; 1942, 300.

Year	Number of incidents	Resolved	Reported Persons	Persons caught, brought in
1922	56	56	45	17
1923	49	49	26	23
1924	33	33	31	9
1925	30	30	21	9
1926	53	53	39	18
1927	45	45	40	12
1928	59	59	46	15
1929	58	58	53	10
1930	86	86	80	24
1931	88	88	77	18
1932	63	62	47	21
1933	80	80	68	18
1934	63	63	58	9

Table 8: Number of Gendarmerie Investigations

Source: Hungarian Statistical Yearbooks³⁴⁷

³⁴⁷ Országos Magyar Királyi Statistikai Hivatal (Royal Hungarian statistical office), ed., *Magyar statisztikai évkönyv: (Hungarian statistical yearbook)* (Budapest: Országos Magyar Királyi Statistikai Hivatal (Royal Hungarian statistical office), 1919-1922, 219; 1923-1925, 284; 1926, 265; 1927, 254; 1928, 300; 1929, 295; 1930, 299; 1931-1933, 343; 1934, 351.