

THE TRIAL  
OF  
JOZSEF MINDSZENTY

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### Note on transcription

This edition was scanned from the original. Hungarian names use many accent marks (on vowels and consonants), which were not consistently picked up by the scanner. Therefore, to be consistent, in this edition all the accent marks on names have been removed. We give below the accent marks only on the names of the accused:

Jozsef Mindszenty = József Mindszenty

Jusztin Baranyai

Andras Zakar = András Zakar

Pal Eszterhazy = Pál Eszterházy

Miklos Nagy = Miklós Nagy

Bela Ispanky = Béla Ispánky

Laszlo Toth = László Tóth

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## PREFACE

The Yellow Book issued in connection with the Mindszenty case exposed the background of the case and those documents which led to the arrest of Jozsef Mindszenty and his accomplices. The same documents, added to the confessions made by Jozsef Mindszenty and his accomplices, constituted the backbone of the indictment in the trial. This publication issued by the Hungarian Government gives an account of the Mindszenty trial, conducted before the Hungarian People's Court.

The issuing of the Yellow Book in French and in English became necessary, aside from other reason, because of the fact that various organs of the Western press accused the Hungarian Government, ever since Mindszenty's arrest, of trying him on the basis of unfounded accusations. This was the opinion expressed, among other political and clerical personalities, also by the American Under-Secretary of State Lovett and the British Secretary of State McNeill. The Hungarian Government was mistaken when they thought that the publication of the Yellow Book, with its rich collection of data and documents, would dispel all possible misunderstanding. At the time and since the trial it has been proven that it was not a lack of information which caused so much slander and distortion being published in the American and part of the European press, but prejudice and ill will. It is unfortunate that the same must be said about the leading American, British and other Western statesmen. This attitude is characterized by the fact that they turn even the publication of the Yellow Book against the Hungarian Government. Mr. Bevin, the British Foreign Secretary, himself stated the following before a delegation consisting of Members of Parliament, on February 7th:

“The manner in which the entire resources of the Hungarian State had been used to create prejudice against the Cardinal, both before and since his arrest, was utterly repugnant to our conception of human rights and liberties.”

Thus, the British Foreign Office calls the publication of documents “creating prejudice” but declares, in the same statement, the following:

“Considering the thick veil of secrecy covering happenings there (behind the Iron Curtain) one guess is worth as much as another.”

The British Foreign Office obviously considers itself free of prejudice when speaking of “veil of secrecy” on the third day of a political trial, simply ignoring the fact that during three full days the British newspapers had published detailed reports on every move of that trial.

The day after the end of the trial it became obvious that Bevin was not alone with his opinion. President Truman, Secretary of State Dean Acheson, French Foreign Minister Schuman, Belgian Prime Minister Spaak, Australian Foreign Minister Evatt, to mention only a few of the best known, and finally even Pope Pius XII. made statements in connection with the Mindszenty case. They attacked Hungary in a manner uncommon in international relations and almost forgotten since the fall of Nazi Germany and, at the same time, took no notice whatsoever of the reports written by the foreign correspondents who were present at the trial. What is more, they even ignored the trial itself, paid no attention to the proof exposed and their post-trial statements were characterized by the same slanderous, offensive tone than their pre-trial ones.

Now, despite the fact that the Hungarian Government has established beyond doubt that the attacks, slander and ill will directed against it, were premeditated, it has decided to publish “The Trial of Jozsef Mindszenty.” This decision is inspired by the belief that in spite of the loud, Western propaganda, world public opinion desires to learn the truth in the Mindszenty case. The “thick veil of secrecy” lives only in the imagination of a few western politicians. The Hungarian Government has nothing whatsoever to hide in the Mindszenty case. On the contrary: with a clear conscience we disclose to the world, after the documents proving Jozsef Mindszenty's guilt, now the entire proceedings of the trial on the basis of authentic minutes.

When editing the “Trial of Jozsef Mindszenty” we decided to publish Jozsef Mindszenty's hearing in

full, while emphasising in the examination of the other accused only those parts, which refer to Jozsef Mindszenty or which prove his guilt. With the publishing of the Mindszenty trial we want to offer the foreign readers an opportunity to examine the material for themselves and to make up their own minds whether the accusations thrown at the Hungarian Government in connection with Mindszenty's admission of his guilt and the conducting of the trial were true and justified.

It is almost impossible even to survey the mass of distortions and slanderous statements published in the Western press and radio against Hungary since Mindszenty's arrest. The main propaganda slogan was that Mindszenty's arrest constituted a "curtailing of religious freedom" and that, therefore, Mindszenty was a "martyr" of Catholicism. With a slight trick Mindszenty was suddenly proclaimed a "hero of freedom," a "defender of human rights and freedom of speech". The arrest of a Hungarian Bishop, for high treason, was turned into a serious offence against human rights. This attitude they tried to colour and support by proclaiming the Bishop, known for his anti-semitic and anti-peasant feelings, a member of the anti-fascist resistance.'

The second group of accusations was launched at the time of the publication of the Yellow Book full of irrefutable documentary evidence. In Hungary, it is not considered an accident, but on the contrary, a trick of imperialist politics, that the Vatican, the London, the New York and the Salzburg radio and, in their wake the entire hostile Western press, announced on the day of the appearance of the Yellow Book that Mindszenty had been "tortured" and that his admissions were extracted with the help of "drugs".

The third group of accusations is developing and enlarging the first. The untruth, stated ever since the beginning, was that there was no freedom of religion in Hungary, that religious practice was forbidden, that the Church was persecuted and that the State did not want to come to an agreement with the Church.

The fourth group of accusations came out in the course of the trial. Already on the first day of the trial it became evident that Mindszenty was not the "hero", the "martyr", the enemies of Hungarian democracy imagined and pretended him to be. Recovering from the effects of the surprise, the Western press began to attack the honesty and legality of the trial then, insulting the foreign correspondents present at the trial, attacked the exactness, objectivity and credibility of their reports. In connection with Mindszenty's admission of his guilt they emphasized the story of the "drugs" allegedly used. It is unfortunate that it was not only the sensation-mongering tabloids which gave credit to the tales about torture, drugs and "devilish manipulations" but also responsible statesmen, who, like British Foreign Secretary Bevin, State Secretary McNeill, President Truman and Pope Pius XII. alluded to incomprehensible and mysterious influences.

Now that the editing of the "Trial of Jozsef Mindszenty" comes to a close, a new method of ignoring reality has made its appearance. As the Western press has always told its readers that Mindszenty was a martyr, it was not easy to acknowledge, that this "martyr" has, in fact, behaved pitifully before his judges. The now irrefutable fact, that Mindszenty has recognized his guilt and that, contrary to his former attitude, he has promised to obey the Hungarian State, is explained by the Vatican and the newspapers close to it as a "higher form of martyrdom": humility.

"This trial was a more painful calvary of martyrdom than even death. A martyrdom which demands the highest degree of heroism, the heroism of humility." (The Universe, British Catholic periodical, February 13.)

In a letter to the editor, published in the Manchester Guardian on February 12th, the writer compares the Hungarian Bishop who had committed high treason and supported a spy-ring to no lesser figure than Jesus Christ.

Naturally this was not the only case in which the anti-Hungarian campaign in connection with the Mindszenty case failed. The correspondent of the London Times wrote on February 3rd:

"His preparedness, in cold blood and increasing loneliness, to go to prison and if need be, die for his belief, places him, as a man, on an eminence above dispute."

Two days later the same correspondent published an article in the same paper, saying:

“Mindszenty no longer appears a man fanatically bent on martyrdom as he has been pictured hitherto. He regretted deeply all that had happened and repeated that he would, “in the future” respect the sovereignty of the State.”

The trial before the People’s Court has disproved the supposition that Mindszenty was a hero ready to suffer martyrdom for his politics.

“The Anglo-American press failed in its effort to crown the Bishop with a previously prepared martyr’s crown — said the Moscow radio commentator on February 12. — Already before the trial the reactionary press of America, England, France and other Western countries stressed Mindszenty’s strength of character and predicted that he would, with his attitude, put a martyr’s crown on his head. Mindszenty’s admission of his guilt, however, convinced even the English and American journalists of the fact that the man standing before the Court was not a martyr but a traitor, a foreign agent, an ordinary criminal.”

How right the above statement was and how the western press unveiled its aims was proven by the February 3, editorial of the Yorkshire Post, dealing with the Mindszenty case — before the trial.

“The curtain has gone up on a new comedy. Many people will ask themselves in England, how much of the confession (contained in the Yellow Book) was given freely and how much extracted. With his confession Mindszenty himself put the martyr crown on his head. An open declaration of faith and the strength of character awakens the admiration of the man in the street even though it may later be crushed by the realities of life.”

Well, Mindszenty did not wait for the realities of life to crush him. His letter to the Hungarian Minister of Justice and his detailed admission of the charges were heard on the first day of the trial. This admission was reported by the foreign correspondents present at the trial, among others: Reuter, Agence France Press, United Press, Associated Press, The Times and the Daily Express. These reports must have been read at the editorial offices of the Yorkshire Post, because the following article appeared the next day:

“If the Hungarian Government pretends, that the head of the Hungarian Catholic Church is not the strong and brave man he is, in the West, believed to be, and that the fear of punishment has weakened him, this gives the Communists a great advantage.”

In the same issue the British conservative paper says:

“The Primate has made statements which resemble an acceptance of the Communist regime. This means a concession to the government.”

The London Radio, the BBC, which has consecrated almost its entire broadcast to the Mindszenty case on the eve of the trial, trying to influence its Hungarian audience, tried, after the hearing of Mindszenty, to evade the issue. On February 4th, they said:

“It is not known in London whether the reports on the trial are censored or not. Several correspondents complained that the official translations are not correct.”

On the same evening the German language American radio of Salzburg, the so-called Rot-Weiss-Rot, seeing that the reports from the trial were objective and exact and yet, did not present the “hero” promised by the Western press, declared that “only Communist or Communist-friendly correspondents were given tickets to the trial”.

This double accusation was answered by the correspondents present at the trial in a common declaration. On their- own initiative they drew up the following statement:

“In view of untrue reports written and broadcast abroad concerning the journalistic coverage of

the Mindszenty trial, the -undersigned foreign correspondents wish to declare that, we consider these reports unfounded attacks upon our integrity and the accuracy of our own reporting, and we wish to deny categorically:

(1) that censorship of any kind has been exercised upon our telephonic or telegraphic dispatches;

(2) that the translation of the trial from Hungarian into our various languages was incorrect; the majority of correspondents either speak Hungarian themselves or are accompanied by their personal interpreters, and there have been no indications nor any complaints, that the official interpreters who have been provided in addition have been guilty of any kind of sly distortion;

(3) that only Communists or Communist-sympathisers were granted visas or permitted to attend the trial.”

Pavel Baranikov (TASS),

F. Patomkin and K. Bajkov (Soviet Information Bureau),

George Heuze (AFP),

Jean Marabini (Combat),

Dominique Désanti (Libération),

J. C. Comert (France Soir),

Peter Furst (Reuter),

Michael Burn (The Times),

Wilfred Burchett (Daily Express),

June Cannan (Telepress),

Ottavio Pastore (Unita),

Karl Blau (APA),

Dr. Bruno Freistatt (Osterreichische Volksstimme and Der Abend),

Maximilian Vergesslich (PAP),

Jan Trachta (CTK),

Antonin Petrina (Rude Pravo),

Zamfir Brumaru (Scanteia, Bucarest),

Karl Majcuzinsky (Trybuna Ludu),

Henrik Masianavicz (Polish Radio),

Jeno Szatmari (International News Service and Basler Nachrichten),

Dr. Endre Marton (AP),

Imre Bekessy (Szabadsag, Cleveland).

Only Edward Korry, correspondent of the United Press, does not figure among the signatories. He explained his refusal by saying that the correspondents of his agency are expressly forbidden to sign any kind of collective statement. The next morning, however, Mr. Korry announced that he had, in a wire to UP, denied the accusations.

Nothing is more characteristic for the hatemongering and the neglect of reality than the February 6, broadcast of the Vatican Radio. The editor of the broadcast refuses to believe the common statement of 24 journalists and does not refrain from slander, so as to be able to continue with his calumnies:

“The reports sent from the trial were censored by the Hungarian authorities. The civilized world does not believe a single word of them. The Budapest trial was nothing but a comedy.”

Neither does Mr. McNeill, British State Secretary, permit himself to be influenced by facts. On February 7, Mr. Warbey (Lab.), asked him the following question in the House of Commons:

“Has my right hon. friend seen the well balanced article on Cardinal Mindszenty from The Times Budapest correspondent, and the full uncensored report from the same source?”

McNeill:

“I think it is unfair and inaccurate to separate the trial from the proceedings previous to the trial.”

The permanent deputy of the British Foreign Secretary thus does not take note of the objective and uncensored article of The Times. True, that The Times does not do so, either... In an article published on February 3, it very rightly denies that there is religious persecution in Hungary:

“It is true, that religious worship in Hungary is free, the churches thronged. Religious teaching is compulsory in the nationalized schools, for two hours a week and the children are bound to go to church. The seminaries have not been touched. There is no open propaganda against the idea of God.”

The same newspaper writes on February 9:

“Millions of faithful, men and women, in Hungary and other countries governed now by the Communist Leviathan have still to be preserved, if righteous means can secure it, from the avalanche of persecution.”

The Times, this British paper of great prestige, is the best but most painful example proving that the Western press deliberately ignored the results of the trial as well as the reports sent by its own correspondent. In the same article, for instance, we read the following:

“In this dock defence was not open to him.”

So the editorial. But two days previously, the Budapest correspondent reported:

“Mindszenty’s words were deliberate and clear; his language the broken Hungarian which betokens his Swabian origin.” (Feb. 7, 1949)

The accused, who, according to the February 9 editorial of the Times “could not defend himself”, is described in the February 4, issue, by the Times correspondent in Budapest as follows:

“He is a man of middle height, with cropped grey hair, and he spoke in a metallic, clear voice, making occasional gestures with his forefinger. He gave the impression that he had weighed his words. He pleaded that he had committed all the acts of which he was accused.”

When, on the second and third day of the trial it became clear that the Hungarian authorities could not be accused of censoring the reports, that the translations were exact and that the correspondents present represented every country and every political opinion, the entire Western press returned to the stupid horror tales about drugs and various methods of extracting confessions. This lie had a certain “tradition”. The reactionary foreign papers had, at different times, used stories of torture and mistreatment. The organ of the French Catholic party, the MRP, L’Aube, writes on January 27, under the title “Slow Death”:

“According to reports Mindszenty is exhausted from the inordinate severity of his imprisonment and the tortures suffered in the course of the long examination. He is in a severely weakened state, so much so, that he can not even take a few drops of water. It is to be feared, that in consequence of the brutal treatment, the Cardinal will die before the trial”.

De Gaulle’s paper, the Ce Matin, makes prophecies:

“It must be feared that the Hungarian government will keep Mindszenty, in the course of the trial, in the same weakened condition he was when they succeeded in extracting confessions from him.”

The truth is:

“Mindszenty recognized that he had been well treated during his imprisonment.” (The Times, February 5)



“There was no change to be noticed in the appearance of the Cardinal. He had neither lost nor gained weight during his imprisonment. He was absolutely calm and it seemed unimaginable that he should have been drugged or mistreated.” (AP, February 4)

The story about the drug made the greatest career; the Vatican and New York informed the world simultaneously that Mindszenty had been forced to make a confession by using on him a devilish drug, a secret chemical preparation called Actedron. The procedure was the following: for a few days he was given nothing but very salty fish and then the drug was dissolved in the first drink he had... It is amazing how this story, the intellectual level of which is far below an Edgar Wallace murder mystery, was accepted and carried by even the so-called important and serious newspapers. Not a day has gone by in the last three weeks without one or another of these papers referring to the wonder-drug.

Wilfred Burchett, correspondent of the Daily Express at the trial gave an emphatic answer to these stories:

“The drug alleged to have been used on prisoners is on sale at all chemists in Budapest as a stimulant. After travelling three days to reach the trial I swallowed three tablets myself to sit out today’s session.” (II. 5.)

The Times and the Combat also deny the drug story:

“He has the appearance of knowing and meaning what he is saying and from your Correspondent’s place in court it is possible to observe him closely.” (Times, February 5)

“I watched Mindszenty from the distance of two meters, he looks normal and healthy and the story about drugs seems incomprehensible.” (Combat, February 4)

The “authentic details” from the Mindszenty trial, reporting mistreatment and torture, would fit a murder mystery but constitute shameful pages in the history of journalism. There isn’t a man or woman in Hungary who believes these stories. This is a fact, proven by the correspondent of the not exactly leftist France Soir, published on February 9th:

“Nobody in Budapest believes that Mindszenty confessed under the influence of dope. Even those, who do not like to speak of the case agree on this point.”

But then, how could Mindszenty have changed so much? This question is answered by one of the eyewitnesses of the trial. Rev. Stanley Evans, an Anglican Minister, who attended the trial as an independent observer and told of his experiences on the pages of the London Daily Worker:

‘How is it that the Cardinal should appear until his arrest as a man fighting bravely for the things he believed and then should appear in Court as abandoning all for which he stood?

How does a hero suddenly become craven?

I feel the answer is simple. The Cardinal never was a hero. Obsessed with the ambition of becoming a historic figure who would crown the new Hapsburg monarch with his own hands, he made a false estimate of the situation at every point. He was wrong about the third World War. He was wrong about the immunity of a Cardinal. He was wrong about the power of Rome. He was wrong about the capacity of the United States to interfere in Hungary. He totally underestimated the power and determination of the government of the Hungarian Republic. He thought that even in the Court room, if he offered to make a deal, the Government would accept it. He thought that the Americans would get him out of jail. It was, however, clear to him that after his arrest the position was different. His- proud protestations have gone because the Government had discovered far too much. He was faced with incontrovertible evidence. The only card he had left was the prestige of the- Cardinal Prince Primate. But that did not avail. He should have known that even in the Middle Ages when the power of the Church was at its height, one crime was outside benefit of clergy and subject to the State courts. It was the crime of high treason. Two things stand out in the trial. The first is the extent of foreign espionage activity against Hungary and the readiness of the Western

Powers to gamble with the future of Hungary and the lives of Hungarian citizens whom they were prepared to use as tools. The second is the extent of the political activities of the highest leaders of the Roman Catholic Church. Mindszenty's lawyer placed the blame on the Pope. As the story was unfolded in the Court, the names of Cardinals emerged in a sorry succession — in Rome, Vienna, Salzburg, Munich, Brussels and New York." (Daily Worker, February 9)

This logical trend of thought was partly accepted by some of the French and British papers (we shall come back to them later), but completely disregarded by the American press, radio and politicians. On February 6, Archbishop Spellman of New York, who figures in the trial, celebrated a Mass and delivered a sermon in St. Patrick's Cathedral, in which he slandered Hungary in the style of "Der Stürmer", and not only Hungary but the People's Democracies in general and the Soviet Union. He was generous with quotations from the Bible. Among others, he said the following:

"This trial is the crucifixion of mankind."

The opinion of the Daily Telegraph is:

"Mindszenty is in good health. The President of the Court offered to call a recess but the Cardinal said he was quite able to continue."

Naturally the Archbishop of New York repeats the story of torture, this is the surest means to incite his listeners:

"Mindszenty's gaolers gave him drugs which broke his will. The man whom we see before us is a tortured man."

This is how Cardinal Spellman saw things from New York. And this is how journalists sitting ten feet away from Mindszenty saw them:

"Even those, present in the courtroom, who had known Mindszenty before, were quite clear about it that he was absolutely healthy and fully in power of his mental capacities." (Svenska Dagbladet, February 6)

"According to the opinion of observers, Mindszenty's behaviour at the trial, the deliberateness of his speech and the fact that he seemed fresh after a five-hour long questioning on Thursday give lie to every supposition that he was 'tortured' or 'doped'." (Reuter)

"Before making his final plea, Mindszenty stood apart from the others and made a few notes." (Sunday Express, II. 7)

In his sermon, Cardinal Spellman stuck to the argument that Mindszenty's admission of guilt was "invalid". Spellman refuses to admit that Mindszenty had freely and without coercion withdrawn this. A United Press report says:

"Cardinal Mindszenty withdrew his letter in which he announced, before his arrest, that his eventual admissions should not be credited. He said: when I wrote that letter I saw many things differently from the way I see them now. My present attitude is expressed in the letter written to the Minister of Justice. The President of the Court asked him: Has anyone forced you to make a confession? Mindszenty answered: No."

But then why did Mindszenty change so completely before the Court? Senator Ottavio Pastore, answers this, in the *Unità* with classical conciseness:

"The Hungarian Primate is no hero, and the explanation of his confession does not lie where those who pretend to be his friends seek it. Mindszenty is simply a coward. In addition, he has been cheated by America, which has no more power in Hungary than it has in China. Mindszenty has been judged by his people, by the peasants, who do not want to return the land given to them, by the workers who do not want to be exploited again, and by the Catholic faithful themselves, citizens of

the Hungarian Republic. There is nothing left for him than to submit and acknowledge his defeat.” (Unità, February 6)

The Mindszenty trial refuted not only these very ordinary and, if we may say so, vile accusations, but also the not less untrue and unfounded ones which are obviously of a political character. Thus, for example, the statement that religion was also tried before the Court together with Mindszenty. At the February 10 session of the U.S. Senate, the representative of Maryland said according to the Hungarian broadcast of the New York radio, on February 14:

“One of the leaders of the Catholic Church has to stand trial, because he defended the freedom of religion, and refused to deny God.”

The truth is that:

“Religion only came into the proceedings once, when Mindszenty was reminded of his own faith.” (Daily Worker, February 5)

“At the Mindszenty trial, the Prosecutor very carefully refrained from referring, even indirectly, to Mindszenty’s clerical functions.” (Commentary of Gustave Aucouturier, diplomatic editor of the AFP, February 9)

While, on February 14, the Pope objected to Mindszenty’s sentence on the basis of “sacred religious rights” the diplomatic editor of AFP writes the following:

“According to the opinion of independent observers it is certain that neither in the Peoples’ Democracies, nor in the Soviet Union is religion persecuted or interfered with.”

When motivating the sentence against Mindszenty the Prosecutor stated:

“The foreign imperialist press and Hungarian reaction attempted to present this case as a case of religious prosecution, an attack upon the freedom of religion. The People’s Court declared that the prosecution has not included in the charge against the five Catholic priests among the seven accused anything connected with their clerical activities and functions... In the course of the trial, the accused have never once alluded that they considered the present trial an attack against the Roman Catholic Church or upon religious rights.”

This is also confirmed by the French newspaper, Le Monde”:

“The prosecution did not use Mindszenty’s provocative pastoral letters, because it considered that the man in the dock was not there as a member of the Church, but as an ordinary criminal.”

The statement that Mindszenty was the defender of human rights and freedom of conscience is well answered by the correspondent of The Times on February 7:

“The last speech of the Cardinal was concerned, as the Cardinal has been throughout, with his own conscience, and said nothing of those accused at his side, nor of the consequences.”

The man proclaimed by the Western press the defender of freedom and human rights wrote in the »Zalai Ujsag« (News of the County Zala) in 1942:

“Dazzling vistas open up before heroic sacrifice. The Japanese living Stukas, living torpedoes, and living bombs show that the heroic soldiers are ready to sacrifice their lives, to go together with the tools of destruction towards their destination.”

On Page 53 of the second volume of his book “Mother”, which appeared at Zalaegerszeg in 1942 he enthuses about Mussolini and Fascism:

“Italy, as a great power, happily united in language, race and religion, has taken over, on the side of the Vatican, the historic role of France and the Hapsburg empire. Mussolini is responsible for

Italy's present greatness."

The high Catholic priest, in whose favour, after the trial the American Jewish organisations demonstrated, approved in the book mentioned above the Hitlerite race theory:

“It is due to it that the German people became healthy and prolific.”

Mindszenty who in the eyes of the American press is a “hero of human rights“, made the following statement to the Budapest correspondent of the Vienna “*Welt am Abend*” in June 1947:

“*Question:* What is the opinion of Your Eminence of the extermination of 8 million Jews, among them 650.000 Hungarian Jews?” ’

*Answer:* “According to my information, only (!) 5 million Jews have died in Europe, and of these only (!) 600.000 were Hungarian.”

At the trial Mindszenty's opinion of the Jews was presented as follows:

”Until now our press was the avant-garde of the Jews craving world power and striving for it by overcoming every obstacle...”

It cannot be doubted that the final purpose of presenting Mindszenty as a religious martyr and the hero of freedom is to unite the Catholics and the bourgeois liberals, always fundamentally opposed to each other, in a common front against Hungary, the Peoples' Democracies and the Soviet Union.

Fortunately, it was not only the Soviet press and the press of the Peoples' Democracies which unveiled the real purpose of this propaganda: warmongering, but also those Western papers which even today claim as their attribute the honourable adjective: objective.

On February 12 the editorial of the New Statesman and Nation contained among others, the following:

“On Monday night the Osservatore Romano, official organ of the Vatican repudiated its former view and said that the Cardinal had admitted what was true and denied what was false. In brief, the Cardinal, speaking without coercion, was right in telling the Court that he was guilty, in principle, of the charges against him while he repudiated the theory fathered upon him by Cardinal Spellman, that in a Communist country loyalty to the Church demands treason to the State. If this Vatican statement had been issued a few hours earlier, it would have been impossible for leaders of the Catholic Church in England to utter the violent words that were heard in the Albert Hall on the same night, or for Mr. Bevin as Foreign Secretary to take the surely unprecedented course of sending a message, to be read from the platform, in which he said that it was not Cardinal Mindszenty but the Hungarian Government which was on trial.

The Vatican statement has caused great confusion in the ranks of Catholic propagandists, who have now to substitute a very reasonable protest against the life sentence passed on the Cardinal for their former irresponsible denunciation of the whole trial. Yet, it is not difficult to find an explanation of the Vatican's change of mind. In the first place, the course of the trial and the conduct of the Cardinal had falsified the stories of drugs and torture which, it may be remembered, were put forward not on the basis of any evidence but as prophecies about what Communists in Budapest might do to the Cardinal. We do suggest, however, that no combination of drugs, torture, cajolery or promises could first break down the resistance of a man like Cardinal Mindszenty and then induce him to stand up and make a public and straightforward statement which was contrary to the truth, subversive of the doctrines and wishes of the Church and destructive of his own honour and reputation. We cannot imagine a government, staking much on the political success of the trial, running the risk that the Cardinal would not recover his courage when faced with his adherents in the presence of friendly representatives of the world press including, it should be noticed, not only Communists, but well known reporters working for the great American news agencies. These correspondents have emphatically stated that they were able fully to report the trial and transmit their

reports without censorship. It must have been clear to the Vatican that even if it were to the advantage of the Church to represent the Cardinal as the victim of drugs and torture, such an interpretation of the trial would not be widely believed... Few people seem to have tried honestly to appraise the documents produced by the Hungarian Government. Yet, none of the accused have disputed their accuracy, the facsimile in the Cardinal's handwriting is not denied by the Vatican and it seems inherently probable that such a correspondence did in fact take place and that such illegal currency transactions with the United States were carried out... What Cardinal Spellman's argument amounts to is that in an atheistic State the Church has a duty to plot and intrigue against the civil authority... But Rome has long experience of quarrelling with civil authorities, and has built up a great body of casuistry laying down the conditions under which it is expedient for the Church openly to challenge the authority of the State... Such conditions, the Vatican appears to have decided, are not present in Eastern Europe today. Rome is not confronted with unstable governments which it can hope now to overthrow... The Vatican is aware, though many foreign Catholics seem not to be, that, in predominantly Catholic countries like Poland and Hungary Communism does not, in fact, today persecute the faith or interfere with worship or the functions of the priests. What it has done is to destroy the immense and unjustifiable wealth of the Church, to distribute its great estates and begin the process (long ago completed in the Western world) of secularizing education and undermining by a variety of means, the political influence of the Church."

This well known British periodical not only refutes the statements of a few British newspapers but shows up, in its true light, the attitude and politics of the British Foreign Secretary himself.

A similar French manifestation has been noted at the same time. The semi-official French news agency, Agence France Presse, issues a weekly bulletin, called *Information et Documentation*, discussing the Mindszenty case. First it rejects the accusations in connection with the conducting of the trial and the behaviour of the correspondents present:

"The French press gives a detailed account of the trial at which several of its representatives were present. These correspondents denied the charges that only Communists or Communist sympathisers were permitted to attend the trial and that the reports sent were being censored. Thus, the reports published in the papers can give us a true impression of the proceedings."

Then it continues:

"The main characteristic of the trial was that Mindszenty and his accomplices acknowledged their guilt. It would have been difficult for them to do otherwise as the Prosecution was in possession of the mass of documentary evidence known to the public since the publication of the Yellow Book."

The French bulletin ends the article by saying:

"Cardinal Mindszenty's confession renders every argument as to his guilt, superfluous. The Cardinal had indeed, committed all that was charged to him."

After studying the minutes of the trial carefully, everybody who aims at finding the truth and not at slander, accusation and warmongering, must come to the same conclusion. The others want to use the Mindszenty case, the campaign against Hungary to distract attention from the central question, the question of peace. To understand the real background of the Mindszenty case and to take sides against Mindszenty is equivalent to joining the ranks of those who fight for truth, democracy and peace.

## INDICTMENT

On the morning of February 3, 1949, the special Senate of the Budapest People's Court began the hearing of the case of Jozsef Mindszenty and his accomplices.

Mindszenty stated that he had been born on March 29, 1892, at Mindszent, in the County of Vas, the son of Janos-Pehm, deceased, and of Borbala Kovacs. He had studied at a University and had not done military service.

The second accused, Dr. Jusztin Baranyai, university professor, stated he had been born in 1882 at Varpalota. He had not done military service.

The third accused, Dr. Andras Zakar, archepiscopal secretary, said he had been born in 1912 at Margitta. He had never been a soldier.

The fourth accused, Dr. Pal Esterhazy, said he had been born at Kismarton in 1901. He described himself as an estate and brick-works owner. To the question of the President as to his means, he replied that these amounted, according to his 1948 tax-return, to three million forints. He said his fortune still consisted, for the most part, of real estate which was entailed. Then he enumerated his Budapest houses and said that he further owned several farm houses at Dombovar, a brick-works, and a wine-cellar at Badacsony. When the President inquired about the assets of the accused outside Hungary, Esterhazy said that in Austria he had an entail property of about 100,000 *holds*, and in Bavaria 2,200 *holds*.<sup>\*</sup> He was unable to give information about his securities, neither of those in Hungary, nor of those in Austria or Germany. Finally, he too added that he had not done military service.

The fifth, sixth, and seventh accused were Miklos Nagy, secretary of Actio Catholica, Bela Ispanky, a priest, and Dr Laszlo Toth, journalist. They gave their personal data.

The President of the Court, Dr. Olta, checked the competence of the Counsel for the Defense. Of the seven accused, only Dr. Andras Zakar had counsel appointed *ex officio*, while the other six chose their own defence counsel.

The President then commenced to read the Indictment:

### I.

*Jozsef Mindszenty*, Cardinal Archbishop of Esztergom, is accused

A) of having committed once continuously the crime of having directed an organization which aimed at the overthrow of the democratic order and of the Republic, falling under Law VII: 1946, Article 1, Paragraph 1;

B) of having committed once continuously the crime of treason defined in Law III: 1930, Article 58; and once the same crime, defined in Law III: 1930, Article 60, Paragraph 3, and qualified according to Law XVIII: 1934, Article 2, Paragraph 2;

C) of having committed once continuously the crime of failing to declare foreign currencies and speculating, defined in Decree of the Prime Minister No. 8400/1946, Article 17, Paragraph 1, and qualified according to Paragraph 2 of the same article, and falling under Law XXVI: 1922, Article 1, Paragraph 1, and. qualified according to Decree of the Prime Minister No. 8800/1946, Article 20, Paragraph 2;

### II.

*Dr. Jusztin Baranyai* professor, of having committed once the crime of directing an organization which aimed at the overthrow of the democratic order and of the Republic falling under Law VII: 1946 Article 1 Paragraph 1.

### • III.

*Dr. Andras Zakar*, archepiscopal secretary, of having committed

A) once continuously the crime of active participation in an organization which aimed at the overthrow of the democratic order and of the Republic, falling under Law VII: 1946, Article 1,

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<sup>\*</sup> 1 hold = 1.4 acres.

Paragraph 2.

B) of having committed once continuously the crime of treason defined in Law III: 1930, Article 60, Paragraph 3, and qualified according Law XVIII: 1934, Article 2, Paragraph 2.

IV.

*Dr. Pal Eszterhazy*, house and mill owner.

A) of having committed once continuously the crime of having failed to declare foreign currencies and speculating, defined in Decree of the Prime Minister No. 8400/1946, Article 17, Paragraph 1, and qualified according to Paragraph 2 of the same article, and falling under Law XXVI: 1922, Article 1, Paragraph 1, and qualified according to Decree of the Prime Minister No. 8800/1946, Article 20, Paragraph 2.

V.

*Miklos Nagy*, secretary of Actio Catholica,

A) of having committed once continuously the crime of treason, defined in Law III: 1930, Article 60, Paragraph 3, qualified according to Law XVIII: 1934, Article 2, Paragraph 2;

B) of having committed once continuously the crime of failing to declare foreign currencies and speculation, defined in Decree of the Prime Minister No. 8400/1946, Article 17, Paragraph 1, and qualified according to Paragraph 2 of the same article, and falling under Law XII: 1922, Article 1, Paragraph 1.

VI.

*Dr. Bela Ispanky*, Dean of a college,

A) of having committed once continuously the crime of treason defined in Law II: 1930, Article 60, Paragraph 3, and qualified according to Law XVIII: 1934, Article 2 Paragraph 2;

B) of having committed once the crime of failing to declare foreign currencies and speculating, defined in Decree of the Prime Minister No. 8400/1946, Article 17, Paragraph 1, qualified according to Paragraph 2, of the same Article and falling under Law XXVI: 1922, Article 1, Paragraph 1.

VII.

*Dr. Laszlo Toth*, a journalist, of having committed once continuously the crime of treason, defined in Law III: 1930, Article 60, Paragraph 3, and qualified according to Law III: 1934, Article 2, Paragraph 2.

This Indictment is based on the following:

I.

A. Immediately after the liberation, *Cardinal Archbishop Mindszenty* began a campaign for the establishment of an organization aiming at the restoration of the Hapsburg regime in Hungary. After the enactment of Law VII: 1946 for the protection of the republican state order, not only did he not stop this activity but, to the contrary, took steps toward formal organization. His idea was that after the overthrow of the republican form of state and of the democratic order, respectively, he, Jozsef Mindszenty, as Prince Primate, would issue a manifest by virtue of which he would seize power. In order to have a legal foundation for this decision of his, he had a historic study made by Professor Miklos Gruber, according to which the position of head of state was filled by the Prince Primate in similar situations. He considered the possibility of issuing such a manifesto to be so close at hand that he had the necessary stock of paper stored with the Stephaneum printing office.

He sought and found contact with Otto Hapsburg himself, first through the Marquis Gyorgy Pallavicini, then through the Belgian Cardinal Van Roey, and finally through Jozsef Kozi-Horvath, former Member of Parliament, a Papal Prelate who had fled from Hungary to avoid proceedings which had been started against him.

In June 1947, under the pretext of visiting the congress of the Virgin Mary at Ottawa, he travelled first to Canada and then to the United States, where Pal Zsamboky an old acquaintance, the confessor of

the Hapsburg house, arranged meetings with the widow of Charles Hapsburg, Zita, and with Otto Hapsburg. These meetings took place and those present agreed how the overthrow of the Republic might best be organized. They also agreed that for the attainment of this political end, Jozsef Mindszenty should contact Mr. Selden Chapin, the United States Minister to Hungary. He had a discussion of the same nature with the American Cardinal Spellman whom he informed of the whole plan in the presence of Dr. Andras Zakar, the archi-episcopal secretary. He also had a conference with the well-known agent of the American secret-service, Tibor Eckhardt, a Hungarian political adventurer.

Upon his return to Budapest, the Legitimist organization was founded. In addition to Jozsef Mindszenty, its leaders were Jusztin Baranyai, Jozsef Cziraky and other Legitimist politicians.

On the basis of the deliberations of these leaders, permanent contact was maintained with the American Minister whose help they endeavoured to enlist for the purpose of overthrowing the Republic through American intervention.

As one can see from the documents seized, they well knew that the overthrow of the democratic Republic would be possible only through war. Mindszenty, therefore, had written to several American political leaders, pressing that they act toward this end. They believed the culmination of their action in the Legitimist cause to be so close at hand that, as is seen again from the documents seized, they had already prepared a list of Cabinet Ministers of the government to assume power. The Prime Minister was to have been Karoly Rassay or Lipot Baranyai, and the other Cabinet Ministers were to have been various politicians, mostly men already under indictment for treason.

One part of the action aimed at the overthrow of the Republic was the attempt to assure the retention of the Royal Crown of Hungary abroad. The Royal Crown of Hungary was of vital importance to the organization of which Mindszenty was the leader, for it was necessary for the crowning of the king of the kingdom which was to be re-established after the overthrow of the Republic. With this aim in mind, Jusztin Baranyai recommended Zoltan Csaky, who had returned illegally from the West, to Mindszenty. Mindszenty orally instructed Csaky whom he should see abroad, and gave him a power of attorney and letters certifying him addressed to leading ecclesiastic persons. Zoltan Csaky illegally left the country and called on Archbishop Innitzer of Vienna, Archbishop Faulhaber of Munich, and Archbishop Rohrer of Salzburg. On January 14, 1948 he again returned illegally and visited Mindszenty, giving a verbal and written account of what he had done. He also gave Mindszenty copies of letters Innitzer had written to the Pope, and that Faulhaber and Rohrer had written to the politically influential Archbishop Spellman of New York. He also gave Mindszenty a copy of the letter which, in accordance with the directions of Mindszenty, Miklos Horthy had written on the same subject to the Pope.

Spellman did in fact, take steps and addressed himself to Kenneth C. Royall, the United States Secretary of War., who promised to act on this matter and informed Spellman that he had, in fact, done so. Spellman sent the letter Royall had written to Montini, the Assistant Secretary of State of the Vatican, and Montini, as a consequence of Innitzer's action, on September 19, 1947, sent it to Mindszenty in order to reassure him. Mindszenty and Csaky took further action for the purpose of assuring that the Royal Crown of Hungary should not be left in-Europe but possibly should be transported overseas.

Mindszenty was well aware of the extreme importance of this matter. He therefore took it in hand himself and wrote a letter to Mr. Chapin, the United States Minister to Hungary, emphasizing the importance of the problem and underlining, "as a consequence of a request for its return and of *military advances* the Holy Crown might meet a tragic fate." In his letter of September 12, 1947, Chapin promised Mindszenty to support his request and to intervene.

Another part of the policy which aimed at the overthrow of the democratic order, was that although they associated themselves with Gyorgy Ullmann, who is of Jewish descent, asking him to support, with gifts of money, the restoration of the throne, they worked out, among other things, a program according to which, after taking over power, they would reinstate the fascist anti-Jewish laws. They hoped to put the plan into operation more easily since, as it appears from one of the documents seized, they stated in a



memorandum sent to Selden Chapin, "It is our good fortune that the great Jewish reservoir in Galicia and Bukovina, this mass of millions of ghetto Jews, in consequence of extermination by the- Germans and of the war, was reduced to about 500,000 people."

A further act of Mindszenty aimed at the overthrow of the democratic order concerned the circular letters inciting against the secularization of the school. These circular letters were drafted and checked by Mindszenty who gave instructions for their distribution by Dr. Odon Lenard, the cultural secretary of Actio Catholica. Because of these circular letters, Odon Lenard was sentenced by the Budapest People's Court to six years in prison.

The last but not least of the acts aimed at the overthrow of the democratic order was directed against the land reform, one of the most important achievements of our People's Democracy. In the course of this action, Mindszenty, as seen by one of the pieces of documentary evidence, his draft of a paper he wrote entitled, "There is No End to Bolshevization in Hungary," insults and mocks the new landowners.. This attitude is in keeping with, a memorandum of Gyula Hagyo-Kovacs according to which land in Hungary during the Horthy era had been correctly distributed. This memorandum, on file with the Court, which was kept and accepted by Mindszenty, provided for the reestablishment of landed estates by the returning of land up to 1,000 *holds* and forest property without restriction to its original owners.

Jozsef Mindszenty, by the acts enumerated, has committed deeds aiming at the overthrow of the Republic and the democratic order. He has led an organization with this aim. He has therefore committed the crime defined in Law VII: 1946, Article 1, Paragraph 1.

B. Jozsef Mindszenty, according to a number of pieces of documentary evidence, contacted the United States Ministers to Hungary, Arthur Schoenfeld, and after his departure, Selden Chapin, for the purpose of inducing the United States to commit hostile acts against Hungary, to influence the Hungarian Government by threat of force, and to cause the realization of the aims of the Legitimists by forceful intervention.

In his report of December 6, 1946, he emphasizes that "the intervention is now extremely important." On December 16, he wrote, "I ask for the help of America... a solution is possible with outside help. I can indicate the ways and means how this could be done."

Even Mr. Schoenfeld found the urgent demand for foreign intervention excessive and informed Mindszenty that he refused his request which called for open interference in the internal affairs of Hungary. At the same time he underlined that he would "continue to welcome the expression of your views on any matters to which you may desire to draw my attention."

This communication from the American Minister, however, did not deter Mindszenty from the act of treason he had begun to commit, and he did not fail to send the further "views" desired by Schoenfeld.

On June 12, 1947, he addressed himself directly to President Truman and tried to persuade him, through false statements and distorted descriptions of measures taken by the democratic government, that the American government should put an end to the Hungarian Republic through intervention by force.

At this time, Chapin was appointed Minister to Hungary. Mindszenty knew from Otto Hapsburg that this Minister favoured a more forceful policy on the part of the American government. Soon after his arrival, therefore, he contacted him and in the course of several meetings informed him of the situation in Hungary, of the outlook for the Legitimists, and asked that American intervention should take place as urgently as possible.

His connections with Mr. Chapin reached a climax in February 1948, when the Minister, accompanied by Mr. Koczak, secretary to the Legation, came to see him at Esztergom. They agreed that Mindszenty should forward to Mr. Chapin data coming to his knowledge, and forwarded by his priests, on the Hungarian political and economic situation and on the democratic parties. He instructed his secretary, Dr. Andras Zakar, systematically to hand over material of this kind to Koczak. From this time on, Jozsef Mindszenty delivered, through Zakar and Koczak, secrets which had come to his knowledge, to Chapin, that is, to an incompetent authority. By this act he undoubtedly gravely jeopardized the

interests of the state.

Another organization was built up for the delivering of secrets, endangering the interests of the State. The promoter of this was Prelate Zsigmond Mihalovics, a man trusted by Mindszenty. When due to the proceedings started against him, the situation of Mihalovics became unbearable, he fled abroad with the consent of Mindszenty and sent letters from there. In one of the letters on file with the Court, he described, in such a way that there could be no doubt whatsoever, how he had contact with an espionage organization abroad and expressed his sincere hope that "by the route indicated by him he would soon receive His Eminence's reply and valuable material." The spy Mihalovics therefore, undoubtedly acted with the knowledge and approval of Mindszenty, and according to his instructions.

By these acts, Jozsef Mindszenty was in contact with the government of a foreign power and with a foreign organization to try and induce them to commit a hostile act against the Hungarian State and to get them to take aggressive measures against the said State. He also communicated to an incompetent authority, secrets falling under Law III: 1930, Article 60, Paragraph 1. He has thereby committed the crime of treason defined in Law III: 1930, Article 58, and Article 60, Paragraph 2, and qualified under Law XVIII: 1934, Article 2, Paragraph 2.

C) Jozsef Mindszenty brought back from his two journeys to Rome a total of 34,000 American dollars and on his return from the United States in 1947 a total of 30,000 American dollars. Fifteen thousand dollars of the latter amount was in cheques. In addition to this he received from Mr. Flynn through the courier of the Secretary of State, Montini, 12,000 dollars; from Mr. Brown and Mr. Fox a total of 60,000 dollars and 15,000 Swiss francs; finally from American gifts collected by P. Raile, he received approximately 5,000 dollars.

Of the total of 141,000 dollars and 15,000 Swiss francs, he declared only 4,800 dollars. He therefore failed to register 136,200 dollars and 15,000 Swiss francs.

Of the foreign currency remaining in his possession, he distributed 10,000 dollars among his bishops, 3,000 dollars to missionary priests, who took this money abroad, and 2,000 dollars to fascist Hungarian priests working in Munich. Of the remaining dollars and Swiss francs he handed one part to Zsigmond Mihalovics and another part he sold on the black-market at the rate of 35-40 forints, through Janos Varady, Imre Boka, Tivadar Wydler and Dr. Gabor Horvath.

Out of the foreign currency sold by Mindszenty the accused Pal Eszterhazy bought through the above-mentioned persons a total of approximately 8,000 American dollars in cheques and 10,000 dollars in notes. Mindszenty endorsed the cheques in his own handwriting,

Jozsef Mindszenty, therefore, sold on the black-market and speculated with the major part of the currency which he had failed to register as he is legally obliged to do. He even left a substantial part of this foreign currency abroad, that is, he sent it abroad, which act gravely endangered the stability of the Hungarian forint.

By the acts outlined above, Jozsef Mindszenty has committed the economic offences defined in Decree of the Prime Minister, No. 8.400/1946, Article 17, Paragraph 1, and, qualified according to Paragraph 2 of the same Article, and falling under Law XXVI: 1922, Article 1, Paragraph 1, and qualified according to Decree of the Prime Minister, 8,800/1946, Article 20, Paragraph 2.

## II.

I have already reviewed the substance of the activity of *Jusztin Baranyai* above. Of this activity, I particularly wish to emphasize here (1) the report in which he argued that after the overthrow of the present order by outside armed intervention, Jozsef Mindszenty, as provisional head of the State, should take over leadership of the country, and (2) the list of cabinet members he drew up in autumn, 1947, in the hope of an early overthrow of the regime.

Jusztin Baranyai, in addition to his activity detailed above, on the basis of his negotiations with Jozsef Mindszenty, prepared a memorandum to the United States Minister to Hungary for the preparation of the seizure of power.

On August 26, 1947, Baranyai sent Zoltan Csaky, who had illegally entered Hungary, with a letter of

recommendation to Jozsef Mindszenty, who entrusted Csaky with different negotiations abroad, the purpose of which were that the Hungarian Royal Crown, which was in the American Zone of Germany, should not be brought back to Hungary, but taken to Rome.

Jusztin Baranyai, as one of the leaders of the Legitimist movement, after the enactment of Law VII: 1946, maintained, in a conspiratorial manner, contact with the other leaders of the Legitimist organization. Thus, for example, in 1946 at the home of Ivan Csekonyics a conference took place in which Jusztin Baranyai participated. It was decided, how Baranyai and the other leading Legitimists, who were in contact with Mindszenty through Baranyai, should maintain contact. At this meeting detailed plans were worked out for penetration of the various public offices in accordance with the objectives of the Legitimists.

Jusztin Baranyai by the above mentioned acts has committed the crime of heading an organization aimed at the overthrow of the democratic State and of the democratic Republic, under Law VII: 1946, Article 1, Paragraph 1.

### III.

A: *Dr. Andras Zakar*, secretary to the Primate, became acquainted with the various phases of the organization headed by Jozsef Mindszenty partly as an actual witness, partly from the communications of Jozsef Mindszenty. Furthermore, by his own acts he substantially did promote the organization and actively participated therein.

Of his acts, we mention here that in July 1947 he acted in New York as an English interpreter for Jozsef Mindszenty and the New York Cardinal Archbishop Spellman. In the autumn of 1947 he translated into Latin the letter of Mindszenty requesting the Pope to ask that the Hungarian Crown, in the custody of the American Army, be surrendered to him and that he should keep the Crown in Rome; he also translated into English Jozsef Mindszenty's letter of August 31, 1947, to Mr. Chapin, the American Minister, which dealt with the Holy Crown.

Zakar repeatedly communicated the directions of Mindszenty to Jusztin Baranyai concerning the Legitimist organization.

In summer 1948, Zakar handed to Chapin, Jozsef Mindszenty's letter asking for the intervention of the American Government in connection with the Jews in Hungary.

Dr. Andras Zakar, on the instructions of Mindszenty in November 1948, in the cellar of the Esztergom arch-episcopal palace, buried the metal container which held the documents referring to the illegal organization headed by Mindszenty.

Dr. Andras Zakar, by his above acts, committed the crime falling under Law VII: 1946 Article 1, Paragraph 2.

B. In accordance with the agreement made in February 1948, between Mindszenty and Chapin, Dr. Zakar, from this time on until he was taken into police custody, maintained systematic contact with Mr. Koczak, secretary to the American Legation, for the purpose of handing over to him for transmission to Mr. Chapin, secrets touching the internal political, economic, and international position of Hungary, which had come to the knowledge of Mindszenty. Dr. Andras Zakar also played an active part in the compilation of this secret material.

In spring 1948, Zakar handed to Koczak confidential information also containing secrets which Mindszenty desired to send to Rome to Gedeon Peterffy.

Dr. Andras Zakar; by the above-mentioned acts, has committed the crime of treason under Law III: 1930, Article 60, Paragraph 3, by having communicated to an incompetent authority, secrets touching important interests of the Hungarian State, particularly its international and economic position, and by these acts having endangered the interests of the State.

Dr. Andras Zakar's above crime of treason is qualified according to Law XVIII: 1934 Article 2, Paragraph 2, since he has committed his acts so that the secrets should become known to a foreign power, and since his acts gravely endangered the interests of the State.

#### IV.

*Dr. Pal Eszterhazy*, during the years 1947-1948, on several occasions, but by a single decision, purchased from Jozsef Mindszenty through his representatives and his Secretary, Dr. Gabor Horvath, American dollar cheques endorsed by Jozsef Mindszenty to the amount of 8,000 dollars and 10,000 American dollars in cash, at a rate of 35 to 40 forints, exceeding very much the so-called black market rate. With this excess value he wanted to support the Legitimist movement headed by Jozsef Mindszenty; he thereby gave substantial financial aid to the movement aimed at the overthrow of the democratic State and of the Republic, with the purpose of having the Hapsburg dynasty reinstalled in Hungary in which case he hoped to get back his estates of more than 200,000 holds which had been largely distributed under the land reform.

B. He failed to declare the American dollar cheques and about 11,000 American dollars in cash originating from the time prior to the liberation as prescribed in Decree of the Prime Minister No. 8400/1946, Article 1. He sent all the dollar currencies mentioned above in June 1948 by Sandor Lamfalussy, a Sopron professor, and Antal Martinkovics, a forestry employee working on his Austrian property, in a trunk to Austria to Dr. Victor Werner.

By these acts, he gravely damaged the stability of the Hungarian forint, and thereby he committed the economic crime defined in Decree of the Prime Minister No. 8400/1946, Article 17, Paragraph 1, and qualified according to Paragraph 2, of the same Article, and falling under Law XXVI; 1922, Article 1, Paragraph 1, and qualified according to Decree of the Prime Minister No. 8800/1946, Article 20, Paragraph 2.

#### V.

A. *Miklos Nagy*, at the request by letter of Dr. Zsigmond Mihalovics in the course of the year 1948, at a time which cannot now be established exactly, in four cases, avoiding the postal communications, sent abroad to the spy Zsigmond Mihalovics, secret material relating to Hungarian internal political life; he sent this material on one occasion through the American Legation, on one occasion through Sandor Cserto, and on two occasions through the Mother Superior Richardis; he thereby communicated to Dr. Zsigmond Mihalovics, an incompetent authority, data to be considered secret in accordance with Law III: 1930, Article 60, Paragraph 1; knowing that these secrets would come to the knowledge of an organization of a foreign power abroad, whereby he gravely endangered the interests of the State.

By this act, Miklos Nagy committed the crime of treason falling under Law III: 1930 Article 60, Paragraph 3, and qualified in accordance with Law XVIII: 1934, Article 2, Paragraph 2.

B. Prior to the Zsigmond Mihalovics flight abroad, on his instructions, Nagy took into custody the foreign currency in the keeping of the Jesuit economic director Janos Varady. He settled accounts with Varady and on this occasion did not declare to the National Bank the 24,000 American dollars in cash and about 15,000 Swiss francs, in spite of the existent regulations, but dealt with this money as follows: He gave 6,000 dollars to Karoly Foldes to be cashed. He sold 4,000 dollars in notes through Janos Varady on the black market for 106,000 forints and had the latter amount transferred under a false name to the cashier of the diocese of Esztergom. The remainder of about 14,000 dollars and about 15,000 Swiss francs in cash he also sold with the help of Janos Varady and Karoly Foldes at the black-market rate. His act falls under Decree of the Prime Minister, No. 8400; 1946 Article 17, Paragraph 1, and as it gravely damages the economic interests, the act is qualified in accordance with the said Article, Paragraph 2; the action is also contrary to Law XXVI: 1922, Article 1, Paragraph 1, as he sold the above mentioned foreign currency with the view of profiteering at a price much above the official rate.

#### VI.

A. *Dr. Bela Ispanky*, in the course of the year 1948, at a time which cannot now be exactly established, approximately 7 times, but by a single decision, did send to Rome, evading legal postal communications, on chemically prepared sheets, secret data of a political and economic character which he had partly collected himself and partly obtained through Laszlo Toth.

Dr. Bela Ispanky therefore communicated to an incompetent authority, data to be considered secret in accordance with Law III: 1930 Article 60, Paragraph 1, knowing that this data will come to the knowledge of a foreign government. His act gravely endangered the interests of the State and -thus embodies the crime of treason defined by Law III: 1930, Article 60, Paragraph 3, and qualified according to Law XVIII: 1934, Article 2, Paragraph 2.

B. In about the middle of September 1948, he took over from an Italian courier named Madame Pomrelot, as an accessory of his activity, 200 American dollars which in spite of Decree of the Prime Minister, No. 8400/1946 he did not declare to the National Bank, but converted through Dr. Komel Barany, a Budapest chemist, at a black-market rate above the official rate. From the money he received, he paid to Laszlo Toth about 2,000 forints while he used the balance for his own purposes.

Since Dr. Bela Ispanky had sold the 200 American dollars obtained by him with a view to profiteering, at a price above the official rate on the black market, he was speculating with this money; and as his act grave damaged the interests of the economy, it embodies the legal criteria of crimes committed with foreign currencies defined in Decree of the Prime Minister, No. 8400/1946 Article 17, Paragraph 1, and qualified according to Paragraph 2 of this Article and also falling under Law XXVI: 1922, Article 1, Paragraph 1.

## VII.

*Dr. Laszlo Toth*, in the course of the year 1947, for a salary of 400 forints monthly, carried out systematic espionage service in the scope of which he systematically communicated to Dr. Zsigmond Mihalovics every month, secret political and economic data which he had obtained through his connections. Zsigmond Mihalovics recorded this data in his own handwriting in note form, but some of the information he recorded in detail.

After September 3, 1948, on about six occasions, he handed to Dr. Bela Ispanky, typewritten secret data for forwarding to Rome to Dr. Zsigmond Mihalovics. The said data referred to Hungarian political and economic life. For this activity he got from Bela Ispanky a sum of about 2,000 forints. Dr. Laszlo Toth committed the above acts in order that the secrets should come to the knowledge of a foreign power. Since his acts gravely endangered the interest of the State, he therefore did commit the crime of treason under Law III: 1930, Article 2, Paragraph 2.

## LETTER OF JOZSEF MINDSZENTY TO THE MINISTER OF JUSTICE

After reading the indictment, the President announced that Jozsef Mindszenty had addressed the following letter to the Minister of Justice:

“Dear Sir,

I beg the Minister of Justice to consider my announcement, or rather request. For some time, publicly and repeatedly, there has been raised against me the complaint that I stand in the way of an agreement between the State and Church, and that my attitude is hostile to the present order of the State. As for the former, it is a fact that I always emphasized the pre-requisites. Now I want to contribute to an improvement in the general situation. Before the trial, which is soon to open, I voluntarily admit that I have committed the acts I am charged with according to the penal code of the State. In the future I shall always judge the external and internal affairs of the State on the basis of the full sovereignty of the Hungarian Republic.

After this admission and declaration, the trial regarding my person does not seem to be absolutely necessary. Therefore, not because of my person, but considering my position, I ask that my case be exempted from the trial on February 3rd. Such a decision, more than anything else, would facilitate a solution, even more than the wisest judgement of the Court.

.After 35 days of constant meditation, I also declare that apart from other reasons, it may have been due to me, to my attitude as described above, that reconciliation has been delayed; and also that I consider the establishment of true peace between the State and Church necessary, as long as it has not been made. I too, would take part in the realisation of this reconciliation, according to the teachings and laws of the Church, were there not complaints against me just in this respect. But in order that I should not be an obstacle to reconciliation and that all efforts should be concentrated on avoiding the usual material obstacles, I declare hereby, of my own accord, without any compulsion, that I am ready to withdraw for a time from exercising my office.

If the wisdom of the Bench of Bishops considers it best to make peace, I do not wish to stand in the way at all. Even at the Apostolic Holy See, which has the last word in the matter, I would not oppose the materialisation of the cause of peace. I make this statement in the knowledge that a true state of peace can be only to the good of both the State and the Church and without it the life of the country is threatened by discord and decay.

Please accept my sincere respect.

Signed: Jozsef Mindszenty  
Cardinal.”

*President:* If you please, is this declaration to the Minister of Justice written in your own handwriting? It contains your proposal to adjourn the trial in so far as it concerns you. Has the Prosecutor any motion?

*Prosecutor:* The proposal of the first accused aims actually at the adjournment of the trial. However, no legal grounds for the adjournment are given. This proposal is in no way substantiated by the rules of procedure. The aim of the petition undoubtedly was that the defendant now tried to delay the trial. Therefore, I propose that the People’s Court reject it and order the trial to take place without delay.

*President:* The counsel for the accused, please.

*Counsel:* Honourable People’s Court! Your Honour! The proposal that the trial of the first accused be adjourned is certainly, in every respect, in legal and in other aspects, warranted, and so there is no obstacle to the adjournment of the trial on the basis of the letter of Prince Primate Mindszenty.

*President:* We are going to confer. Please take your seats.

*After short deliberation the President announces the decision of the People’s Court, rejecting the plea of the. Defense Counsel for an adjournment.*

## HEARING OF JUSZTIN BARANYAI

*President:* We will proceed with the trial. Dr. Juszti Baranyai. Step closer, please, did you understand the charges?"

*Baranyai:* Yes.

*President:* Do you feel guilty?

*Baranyai:* No.

*President:* Since when have you known the first accused, Jozsef Mindszenty?

*Baranyai:* I have known him, I think, since 1927.

*President:* Where did you meet him?

*Baranyai:* At the consecration of a church in Zalaegerszeg. He built the church and we met at the consecration.

*President:* In whose memory did he build the church?

*Baranyai:* In the memory of Charles IV.

*President:* Did you have a Legitimist demonstration there?

*Baranyai:* Many of us, Legitimists, were there.

*President:* Was Jozsef Mindszenty known among Hungarian Legitimists in the course of the past decade?

*Baranyai:* At that time he was living in Zalaegerszeg, a place far removed from Budapest and difficult to visit.

*President:* But did you know him to be an adherent of the Legitimist idea?

*Baranyai:* Yes, we knew that he was also an adherent of Legitimist thought.

*President:* When did you first meet Jozsef Mindszenty after the Liberation?

*Baranyai:* I first met him in the early days of April.

*President:* In 1945?

*Baranyai:* In the first days of April when he came to Budapest, still Bishop of Veszprem, and I went to visit him.

*President:* Did you discuss the position of the Legitimists, their chances under the changed circumstances?

*Baranyai:* May be in an indirect form.

*President:* What was your opinion? Did you think a separate party should be founded to carry on the Legitimist idea?

*Baranyai:* No I was definitely against it, already in the thirties.

*President:* Your idea was that the Legitimists should join the different parties and try to play a role in politics?

*Baranyai:* Yes.

*President:* Was this Mindszenty's opinion also?

*Baranyai:* Yes.

*President:* Now let us speak of the first meeting at Csekonics' apartment. What was the object of that meeting? What was discussed there? Was it mentioned that you were to make reports on Legitimists working in the different Ministries and pass them on to Sandor Cserto who would hand them to Jozsef Mindszenty?

*Baranyai:* This was not mentioned here.

*President:* But you have said so yourself, in your statement to the Police in the course of the investigation... Here it is....

*Baranyai:* Are those the minutes of the investigation?

*President:* Yes. Is this your signature?

*Baranyai:* Yes.

*President:* Please, look at the text also.

*Baranyai:* Well, if you please, this was not drafted by me.

*President:* But it is your statement which was taken down. The minutes which are kept by the clerks of the Court now are not drafted by you, either.

*Baranyai:* I made this statement in the knowledge, that only the minutes kept at the trial would be of importance...

*President:* Thus you do not confirm what is in here?

*Baranyai:* No... I was late because of official duties.

*President:* Yes...

*Baranyai:* And then they informed me that the National Solidarity Circle had been dissolved.

*President:* Yes...

*Baranyai:* Thus the Legitimists would never again know anything about each other. Not even who was alive, who was dead. And therefore those present decided to keep a friendly eye on old Legitimist companions.

*President:* Just so.

*Baranyai:* They even distributed the country among themselves by areas on the basis of their birthplace, family connections, and so on.

*President:* Yes....

*Baranyai:* Then, if you please, they also distributed the different Ministries in Budapest among themselves, on the same basis.

*President:* Distributed them among themselves...

*Baranyai:* Yes, and so I was to take care of about five counties.

*President:* Could you, please, tell me who was given which counties?

*Baranyai:* I only know the ones allotted to me, as they told me then.

*President:* And which were the counties allotted to you?

*Baranyai:* Fejer, Tolna, Baranya, Veszprem, Gyor, Komarom.

*President:* And among the Ministries?

*Baranyai:* The Minister Presidency and the Ministry of Justice.

*President:* Now, your duty was to gather, in the counties allotted to you, the inhabitants, and in the ministries, the employees.

*Baranyai:* Yes.

*President:* ...who were of Legitimist conviction.

*Baranyai:* So as to have then on record.

*President:* To have them on record....

*Baranyai:* And to keep in contact with the old friends who were members of the National Solidarity Circle.

*President:* Now, in the Spring of 1941, you prepared a plan in case the democratic State were overthrown here and a vacuum would have to be filled. Your plan named the persons who were to take over power and how they were to do it. Is it so?

*Baranyai:* Please, permit me to go back a little in time. The possibilities of solving the present world conditions, as everybody knows and sees that these conditions cannot last...

*President:* Now what exactly do you mean by this? That forms of State are evolving?

*Baranyai:* I speak of world politics. I feel that the tension existing between East and West...

*President:* The international political tension will evidently be solved sooner or later.

*Baranyai:* Sooner or later. But sometime it might happen that the tension is solved by means of war. Well now, please, if this should happen through a war... this was the first supposition... Secondly, if at the end of the hostilities the Western powers should come out victorious.... The third supposition was, that the Americans might take over here, as military occupation authorities. The whole plan which figured in the confession and the papers was made for this case only. The proclamation, the list of government members, and the plan to found a party.

*President:* And do you think it right that high-ranking clerical personalities should speculate on war?



*Baranyai:* I beg your pardon...

*President:* And not only speculate but prepare for it?

*Baranyai:* No, I do not think it right at all.

*President:* Now, when Jozsef Mindszenty is here, we shall discuss this and I shall read aloud the memorandum you have prepared in the Spring of 1947. Is that all right?

*Baranyai:* Yes.

*President:* Is this your handwriting? (*reading*) "When the great vacuum has come about, the first, the most important and most difficult problem will be the institution of a regime resting on an ethical basis. It would be a political impossibility to base ourselves on the ruins of defeated bolshevism. The continuation of the Horthy line would give cause to endless and unforeseeable complications. Only one point of departure would carry in itself the possibility of evolution: The Primate." Please,... would you mind reading this yourself? It is easier for you to read your own handwriting. But loud enough for everyone to hear.

*Baranyai:* From the beginning?

*President:* Yes, please.

*Baranyai:* (*reading*): "When the great vacuum has come about, the first, the most important and most difficult problem will be the institution of a regime resting on an ethical basis. It would be a political impossibility to base ourselves on the ruins of defeated bolshevism. The continuation of the Horthy line would give cause to endless and. unforeseeable complications. Only one point of departure would carry in itself the possibility of evolution: the Primate. The dignity of the Prince Primate is in this country consecrated by the traditions of almost a thousand years. According to ancient national laws, the Prince Primate is the depositary of the King's power in his absence. He seems to be the only acceptable and competent authority to appoint a new government, like the Metropolitan of Athens two years ago. He would have to appoint the new government at the beginning of the American occupation. The government appointed by him must naturally accept this decision without reservations, without manoeuvres, unconditionally and honestly. Here there are names..."

*President:* Please, read them.

*Baranyai:* Peyer...

*President:* (*interrupting*) But what were these names for?

*Baranyai:* They were only noted down, here.

*President:* But you know why. Please tell me.

*Baranyai:* These, if you please, are evidently the personalities I thought of in case this should occur.

*President:* Would they have constituted the government?

*Baranyai:* The government would have been made up of these. They are Rassay, Peyer, Moor, Molnar, Ferenc Kovacs, Istvan Kovacs, Valentiny, then Kereszturi, Gabor Apor and Lipot Baranyai.

*President:* Yes.

*Prosecutor:* The portfolios are also mentioned there. I don't understand why you don't read them?

*President:* The portfolios. Whom you would have entrusted with what? Who would have been the Prime Minister?

*Baranyai:* The Prime Minister is not put down here, but I think: Rassay.

*President:* Please, continue.

*Baranyai:* Peyer, I think...

*President:* Ministry of Industry?

*Baranyai:* Commerce.

*President:* Minister of Commerce.

*Baranyai:* Moor: Minister of Justice; Molnar: Public Education; Ferenc Kovacs; Agriculture, Istvan Kovacs... Probably Public Supplies; Valentiny: Industry; Kereszturi: Public Health; Apor: Foreign Affairs; and Lipot Baranyai: Finance.

*President:* Yes. So this was the list you prepared. To whom did you send this paper?

*Baranyai:* This paper, well... This was the plan, as you see for yourself,... well, this was the plan, if you please, which I discussed with Lipot Baranyai and Gyorgy Ullmann to see what they thought of the idea...

*President:* Was Gyorgy Ullmann also a Legitimist? And Lipot Baranyai also?

*Baranyai:* Yes. Old political friends of mine. I discussed with them whether we should present this idea, our proposals, the Primate as provisional head of State, the list of government I just read and this whole conception to the American Legation.

*President:* Why should the Americans be informed about a thing like a few friends getting together and discussing political aims?

*Baranyai:* Well, the idea was that in case of a war, an American victory and American occupation, the American Military Authority should appoint the Primate provisional something or other...

*President:* You like to refer — this is also evident from this paper — to the Hungarian Constitution, the legal continuity, etc. What paragraph of the Hungarian Constitution prescribes that one should turn to the United States of America...

*Baranyai:* I beg your pardon...

*President:*... and not to the Hungarian people? You wanted the Americans to appoint the provisional head of State.

*Baranyai:* I mentioned an example. When the Western powers occupied Greece, in 1945, they appointed the Metropolitan of Athens as provisional head of State.

*President:* But every honest Hungarian would protest against the idea that a foreign power should appoint a Hungarian dignitary. Tell me, please, how many memoranda did you give to Jozsef Mindszenty in the spring of summer of 1947?

*Baranyai:* To Jozsef Mindszenty I gave one memorandum relating to the government.

*President:* Relating to the part read here?

*Baranyai:* Yes, with the names I just mentioned.

*President:* In the summer of 1947 Jozsef Mindszenty travelled to Ottawa for Congress of the Virgin Mary accompanied by his secretary. Is that so?

*Baranyai:* Yes.

*President:* Before his departure, did you speak with him about his trip, whom he planned to meet there, and so on...

*Baranyai:* Yes, please, I did speak to him of his trip.

*President:* Was it mentioned between you that he might meet Otto there?

*Baranyai:* It was not.

*President:* All right. Then Jozsef Mindszenty returned to Hungary. Did you meet him?

*Baranyai:* Yes, I did.

*President:* Did he inform you which supporters of the Legitimist movement he had spoken to, out there?

*Baranyai:* When I went to visit him after his return at the end of July, then we discussed another, then timely matter. Time was short. When I got up to go, the Primate told me: His Majesty sends you his regards. Then he added that he was very hopeful about the restoration.

*President:* Was it mentioned what Otto's opinion was, how he viewed the international situation?

*Baranyai:* Yes. Only that he was hopeful in connection with the restoration.

## HEARING OF ANDRAS ZAKAR

*President:* We continue with the trial. Dr. Andras Zakar! Please, stand here. Have you understood the charges?

*Zakar:* Yes. I have understood them.

*President:* Do you consider yourself guilty?

*Zakar:* I admit my guilt under the criminal law and I recognize that my activities which I confessed in detail are crimes against the existing law.

*President:* Why do you emphasize your guilt under the criminal law? Don't you recognize your ethical guilt?

*Zakar:* This is a difficult problem for me, because the oath which obliged me to obey the Cardinal and fulfill my professional duties, bound me ethically.

*President:* Did this oath have absolute power, or did it bind you only within certain limits?

*Zakar:* Please, this oath was, at the time of the ordaining, an oath of obedience to the Cardinal, and no allowances were made. It is natural that the Cardinal is bound by ethical laws on the basis of which...

*President:* Well, let us suppose that tomorrow the Cardinal transgresses them. Are you obliged to obey even then?

*Zakar:* No, not then... not then.

*President:* Let us suppose that your superior asks you to commit a crime or take an ethically blameworthy action or attitude. Are you obliged even then to obey?

*Zakar:* No. I am not obliged. If it is clear to me, that what he demands is ethically wrong, then naturally I am not bound by my oath.

*President:* Haven't you, please, recognized that the activities of which the prosecution has accused you were ethically wrong?

*Zakar:* Not at the time. Then, when I committed them, I didn't realize to this extent...

*President:* Were you aware of the fact that the activities of which you are charged were against the law? Were you aware of this at the time?

*Zakar:* In some cases I was aware of it.

*President:* In some. Now you, as private secretary, obviously could directly observe those activities of which Jozsef Mindszenty is accused. We shall take them one by one and you shall tell us which you knew about, and which you did not...

*Zakar:* Yes.

*President:* Did you know that Jozsef Mindszenty regarded himself as a Legitimist, and desired the restoration of the Kingdom of Otto Hapsburg?

*Zakar:* This I could see by the fact that he received visitors who were known to be Legitimists.

*President:* Now tell me, did Jozsef Mindszenty have conferences with these men who were generally known as Legitimists?

*Zakar:* Yes.

*President:* Did all kinds of memoranda and schemes come to him from these persons?

*Zakar:* Yes.

*President:* An eventual political change...

*Zakar:* Yes, I saw one of these for the first time in 1947.

*President:* What do you remember of it?

*Zakar:* I remember a memorandum, a scheme based partly on a few ancient clauses of the *Corpus Juris* and partly on Hungarian historical legal-procedure, prepared for an eventuality when... (stammering) a legal situation arises... well, a memorandum, according to which national elections should be held and until the results of these elections were announced, until then, temporarily, legal power should rest in the hands of the Cardinal.

*President:* And do you know who prepared this memorandum?

*Zakar:* Professor Jusztin Baranyai prepared it, I think.

*President:* When did you learn of this?

*Zakar:* Actually, I never learned of it, only from the circumstances.

*President:* Did you deduce it?

*Zakar:* Yes I deduced it, because the Cardinal gave me the plans, but he didn't say, in so many words, from whom they came.

*President:* Why did he give them to you?

*Zakar:* To take them to the archives.

*President:* To take them to the archives. Did he usually put the letters he received in the archives? Or did he throw some of them away?

*Zakar:* He threw part of them away, part of them he kept himself, and part of them he sent to the archives.

*President:* What was the procedure in the archives? Did you have a system of registration?

*Zakar:* We had a regular system of registration.

*President:* Was this plan also duly registered? Or was there material which you handled separately, without registering it?

*Zakar:* In every archive there is a special confidential archive for such things... although usually no documents of a political character are kept there.

*President:* Yes. Was this document placed there?

*Zakar:* Yes.

*President:* Was it on his special instruction that the document was placed there?

*Zakar:* He only indicated that we should put it in a safe place.

*President:* Didn't he mention the fact that the idea had arisen that he might be the provisional head of State, acting as the King's deputy?

*Zakar:* Generally he didn't speak of such things to me. Once, I remember, he told me that such an idea had arisen. Should he be asked to accept it, there would be no reason on his side not to agree.

*President:* In June 1947 the two of you flew to Ottawa, didn't you?

*Zakar:* Yes.

*President:* Mindszenty and you?

*Zakar:* Yes.

*President:* What kind of an aeroplane was it? A regular plane?

*Zakar:* To Vienna we went on the regular plane of the British Military Mission and from there to New York with the regular air service.

*President:* When you got there, were you Spellman's guests?

*Zakar:* Yes.

*President:* Please, did the Actio Catholica give Mindszenty a guide during his stay in America?

*Zakar:* Yes.

*President:* Who was that?

*Zakar:* Pal Zsamboki.

*President:* Who was this Pal Zsamboki?

*Zakar:* He was...

*President:* The confessor of the royal family?

*Zakar:* Its priest. Later he was priest at Csillaghegy, near Budapest and then he went to America.

*President:* And there he was in the entourage of the royal family?

*Zakar:* Yes, he was part of the entourage, or at least he was near and had contact with them.

*President:* He was, obviously, one of the outstanding figures among Legitimists in America?

*Zakar:* He also acted as a parish priest.

*President:* Did this Zsamboki mention to Mindszenty that he wants him to meet Zita and Otto?

*Zakar:* Yes. I think it was he who came out with this proposition and convinced the Cardinal to agree to the meeting.

*President:* Where did the Cardinal meet the widow of Charles IV?

*Zakar:* In Ottawa, where the royal family had a kind of summer residence. That is where he met the widow of Charles IV and one of her daughters. They were both in a Convent where a small room was put at their disposal.

*President:* Did Mindszenty go to visit them?

*Zakar:* The Cardinal went to the Convent to visit them.

*President:* Did you go along?

*Zakar:* Yes, and we waited outside, in the hall, while the conversation was going on.

*President:* Did the meeting with Otto come about in Chicago?

*Zakar:* Yes, in Chicago, also in a Convent, the Cardinal visited Otto Hapsburg.

*President:* Have you seen Otto with you own eyes?

*Zakar:* Yes, at the end of the conversation the Cardinal introduced me to him and that's when I met him.

*President:* How long was the conversation?

*Zakar:* About an hour.

*President:* Were they alone?

*Zakar:* Yes, in a private room.

*President:* Did Mindszenty tell you afterwards what they had been talking about?

*Zakar:* He told me in a few words.

*President:* He told it to you. But later he told it to someone else.

*Zakar:* I know about the main part of the conversation only from having been there when he told Cardinal Spellman about it.

*President:* From Chicago you went on to New York.

*Zakar:* Yes.

*President:* There you were Spellman's guests, isn't it so?

*Zakar:* Yes.

*President:* And there he had various interviews with Spellman?

*Zakar:* Yes.

*President:* It was mentioned once, that he informed Spellman of his conversation with Otto?

*Zakar:* Yes.

*President:* Did he give Spellman details of the conversation?

*Zakar:* What happened was, that Cardinal .Mindszenty asked me to help out in English should there be any difficulty in their conversation which was conducted in Latin. This is why I stayed in the room although my role as an interpreter was negligible.

*President:* The conversation was conducted in Latin?

*Zakar:* Yes.

*President:* Did you understand both? The American pronunciation and also the Latin?

*Zakar:* Yes, I did. Cardinal Mindszenty described his meeting with Otto Hapsburg.

*President:* What did he say? What were his impressions?

*Zakar:* He found him a cultured, self-possessed man, who spoke Hungarian well, was aware of what was going on in Hungary and showed deep concern in the fate of the country. He also told Cardinal Spellman that the political tension was very great, he himself noticed it in America, and in this state of tension Otto Hapsburg was trying, with the help of his many connections, to secure the future of Hungary, and in this he counted also on his followers in Hungary. In connection with this Cardinal Mindszenty said, that there were a few old Legitimist leaders in Hungary.

*President:* Whom did he mention by name?

*Zakar:* Here he mentioned Professor Baranyai, Baron Istvan Kray, Count Cziraky.

*President:* Did they not discuss what possibilities Otto saw for the restoration of the Hapsburg Dynasty? Whether he saw a real basis for it?

*Zakar:* As I remember Cardinal Mindszenty only said, that this was a possibility which might arise and in case it did, the ground should be prepared for it.

*President:* Did they mention, that a Hapsburg restoration in the frame of an Austro-Hungarian personal union, perhaps with the inclusion of the catholic Bavarian state would serve American interests in Central Europe?

*Zakar:* If I remember well, this was mentioned in a form meaning that such a large and stable grouping in Central Europe would, by all means, be an attractive thought for America.

*President:* Yes. And, please, what else was mentioned here?

*Zakar:* It was mentioned briefly — but this I heard from the Cardinal at another time, although it belongs here — that the Legitimist politicians should act very cautiously in Hungarian political life.

*President:* This was Otto's definite wish, desire, instruction, wasn't it?

*Zakar:* This, as I said before, I did not learn at this conversation but at a later one. The idea was that the Legitimists should join other parties.

*President:* Legitimist parties, but under the present circumstances there can be no question of this.

*Zakar:* No, there cannot be.

*President:* Therefore, they were supposed to join other parties?

*Zakar:* Join them and work through them.

*President:* Thus, this conversation lasted for about an hour? Mindszenty gave Spellman a detailed report of his conversation with Otto. Now what did Cardinal Spellman have to say about Otto and about the possibilities of a Hapsburg restoration?

*Zakar:* He only said, in a few words, at the end of the conversation that he knew Otto Hapsburg and considered him a serious person who is very enlightened politically, and that he was taken seriously also by American political personalities.

*President:* In the course of this conversation between Spellman and Mindszenty, was there mention of the new American Minister to Budapest, Chapin?

*Zakar:* Yes, there was an allusion to it. Cardinal Spellman mentioned that a new Minister to Budapest had recently been appointed but that he was still in Washington or in New York and that it would be good to arrange a meeting before...

*President:* Did Spellman or Otto bring this up?

*Zakar:* This was brought up at the meeting at which I took part but I think Otto must also have spoken about it as his (Chapin's) appointment took place before. Since Chapin's appointment had already been confirmed the Cardinal would have considered a meeting useful.

*President:* Now tell me, please, how was Chapin described there? And who described him, Otto or Spellman?

*Zakar:* Otto Hapsburg described him by saying that the new Minister was a very determined person, who will take a stronger line than his predecessor and, if I remember right, Cardinal Spellman was of the same opinion.

*President:* Was there, please, also a meeting with Tibor Eckhardt?

*Zakar:* Yes, there was.

*President:* Where did Jozsef Mindszenty and Tibor Eckhardt meet?

*Zakar:* He did not stay in New York long and therefore the meeting was put off until the last days. Pal Zsomboky arranged it. Just before leaving, the meeting took place at the sacristy of St. Patrick's Cathedral. It lasted three or four minutes.

*President:* Tell me, please, after your return to Budapest, did Jozsef Mindszenty inform anyone of his conversation with Otto Hapsburg?

*Zakar:* I suppose so, as after his return he received several visitors who were generally known to be Legitimists.

*President:* Did he call them together at the same time, or did he receive them one by one?

*Zakar:* One by one, but soon after each other.

*President:* Who were they?

*Zakar:* Baron Istvan Kray, Count Cziraky, Profes.sor Jusztin Baranyai. These are the ones I remember.

*President:* Margit Schlachta?

*Zakar:* Yes, also Schlachta.

*President:* Miklos Gruber?

*Zakar:* Yes. Miklos Gruber also.

*President:* So these people are the old adherents of the Legitimist movement. Is that so?

*Zakar:* Yes.

*President:* Do you know that in the autumn of 1947, on the basis of a discussion with Cardinal Mindszenty, Jusztin Baranyai prepared a memorandum to the Minister of the United States of America in Budapest, calling his attention, the attention of the world, and the attention of the USA government to the fact that the Hungarian people is on the side of Legitimism and asking him that the Government of the USA support this political movement.

*Zakar:* This became clear to me later, when I had to transmit a message from the Cardinal on this matter.

*President:* To whom?

*Zakar:* To professor Baranyai.

*President:* What was the message?

*Zakar:* The essence of it was, that the fourth signatory of the memorandum should be Baron Ullmann.

*President:* To what memorandum did it refer?

*Zakar:* This was not clear to me at the time.

*President:* When did it become clear to you?

*Zakar:* In the summer of 1948, I think.

*President:* In the summer of 1948. In connection with what?

*Zakar:* In connection with a second memorandum, dealing with the same question...

*President:* Which one?

*Zakar:* In which, on the basis of legal and historical traditions a legal organization was described for a future eventuality.

*President:* Who prepared this one?

*Zakar:* Professor Baranyai.

*President:* Did you know that Hungarian Legitimists considered Jozsef Mindszenty their leader?

*Zakar:* This was clear to me first of all by the fact, that in Hungarian history, and also in the Statute Book there are several laws in which the particular legal role of the Prince Primate in transitory periods is emphasized.

*President:* Do you know whether Jozsef Mindszenty and his companions desired to bring back the Holy Crown from the American Zone in Germany or whether they made an effort to keep the Crown from being brought back here for the time being?

*Zakar:* I know a letter written by the Cardinal.

*President:* To whom?

*Zakar:* To the Holy See.

*President:* To whom by name?

*Zakar:* I don't remember now whether it was written to the Pope or to a papal Secretary of State. In this letter he wrote, that the Holy Crown, which was the gift of the Pope to the Hungarian King, is now in the American zone of occupation. As Hungary is no longer a kingdom to-day, it would be best if the present Pope asked for the Crown in the name of the donor and had it sent to Rome for safekeeping.

*President:* Did he tell you why, in his opinion, the Crown should not now be brought back to Hungary?

*Zakar:* Yes. He said, as Hungary is a Republic now, it would not be good to bring the Crown back, because who knows what would happen to it here.

*President:* Did he say, that he, as a Legitimist, and the other Legitimists wanted to keep it within their own sphere of influence?

*Zakar:* He didn't express it this way to me, but from this context I see that on the one hand he was afraid that if the Crown should be brought back here it would be out of his reach. On the other hand he was afraid that should it remain abroad, it might be lost.

*President:* To insure himself against both, did he want to have the Crown taken to Rome or rather to America?

*Zakar:* Well, the letter which was written first, alluded to Rome. Later he had a plan, an instruction, according to which it could perhaps, if necessary, be taken overseas.

*President:* To whom did he give this instruction?

*Zakar:* To Count Csaky.

*President:* Do you know what connection existed between Jozsef Mindszenty and the Legation of the United States of America, and when that contact was first established?

*Zakar:* Yes. According to my knowledge, he was already as Bishop of Veszprem in contact with the American representatives at that time.

*President:* As early as 1945?

*Zakar:* In 1945. Starting from the autumn of 1945, I was a witness to these contacts. The contact was through one of the members of the Allied Control Commission and then there was correspondence which later continued even after the establishment of the independent legation.

*President:* Do you know that Jozsef Mindszenty repeatedly urged the intervention of the United States of America in Hungarian domestic affairs through Mr. Schoenfeld?

*Zakar:* Yes, I know of this. I considered it as a report to the representative of the U. N. responsible for Hungarian affairs about certain things objected to by the Prince Primate, matters which he desired to improve.

*President:* Did he ever address memoranda or letters to the Allied Control Commission or to members thereof?

*Zakar:* This happened in quite a number of cases. For instance, regarding the dissolution of the Catholic associations, letters were sent to all three members.

*President:* Did he, for instance, send reports to the other members of the Control Commission?

*Zakar:* Only to the British.

*President:* Only to the British. Reports were sent also. Did you translate these?

*Zakar:* No, I never translated these reports.

*President:* Who translated them?

*Zakar:* We sent them to Budapest. In Budapest, Prelate Zsigmond Mihalovics' office, or rather his translators translated them.

*President:* Well, soon after you returned from America, Jozsef Mindszenty met Chapin, Minister Selden Chapin, didn't he?

*Zakar:* Yes.

*President:* How did this meeting occur?

*Zakar:* The first meeting occurred in Esztergom when the Minister came for a courtesy visit with his interpreter.

*President:* Did Jozsef Mindszenty return this call?

*Zakar:* Yes, in two or three weeks he returned it at the American Minister's place, at his office.

*President:* Yes. He returned this visit at his office. And were you also present there?

*Zakar:* At this, yes. I was present, too.

*President:* How long did this visit last?

*Zakar:* This, too, must have been half a hour.



*President:* Was there any discussion of concrete political issues?

*Zakar:* Yes. As I remember, this is where Otto Hapsburg was mentioned. This was also the conversation in which the Minister stated that he, too, knew Otto Hapsburg and considered him an important diplomat and politician. Then the Prince Primate mentioned a few more names.

*President:* Did the Minister ask who are the followers of Legitimism here in Hungary? Did he ask whether Legitimism has a mass basis?

*Zakar:* Yes, this is what he asked, how things are going...

*President:* And what did Jozsef Mindszenty have to say about this?

*Zakar:* The Prince Primate said that there are no masses behind the cause, but that the cause has adherents.

*President:* Old adherents.

*Zakar:* Old adherents.

*President:* And did he say, that they are sticking together?

*Zakar:* They stick together, and then what can be...

*President:* Was there discussion about how the foreign political situation was helping a restoration of the Hapsburgs?

*Zakar:* As I remember, reference was made here that the tension is still lasting between the great powers and it is not impossible that a situation will present itself when once again it would be timely for Legitimism to come to the fore.

*President:* Did Chapin say this?

*Zakar:* I imagine he implied it, but very carefully, for he did not talk very clearly.

*President:* Jozsef Mindszenty expounded the theme that there is a serious fight going on here, and he was trying to influence the faithful through his pastoral letters?

*Zakar:* Yes, mention was made of the pastoral letters which were known to the Minister too, for he got them as they appeared in the *Magyar Kurir* and could read them.

*President:* Did he make any statements to the effect that he approves of pastoral letters of the tone issued by Mindszenty?

*Zakar:* Yes, he said that these are very useful means for keeping before the Hungarian people the idea of personal liberty and in line too, with, the Western ideology for which he stood.

*President:* The question here was what direction should progress take. Through the so-called bourgeois democracy or through people's democracy toward socialism. Wasn't that it? This was the big political issue was it not?

*Zakar:* Yes.

*President:* And the pastoral letters — for which side...

*Zakar (interrupting):* They were for the other...

*President:* They were suited for changing public opinion against the development here. Weren't they? Part of the pastoral letters?

*Zakar:* Some of them were certainly thus suited.

*President:* Was there any talk of this at the meeting?

*Zakar:* These were the parts in which the Minister was most interested.

*President:* In the course of the investigation you gave the following testimony about this: "Chapin declared that he considered the pastoral letters as very effective, and that it is absolutely necessary to continue issuing pastoral letters of this tone."

*Zakar:* Yes, this is a fact.

*President:* The next meeting was in February, 1948?

*Zakar:* Yes.

*President:* When Chapin came to Esztergom alone?

*Zakar:* No, he came with his wife, with Koczak, secretary at the Legation, and two female secretaries.

*President:* Were you also present at the conference?

*Zakar:* At the conference itself I was not present because we were with the others.

*President:* Did they retire?

*Zakar:* Yes, the Primate, the Minister, and Koczak retired.

*President:* What was the subject of the talk among defendant Jozsef Mindszenty and the two diplomats?

*Zakar:* I do not know anything concrete about this. I could see a few details only from later developments; although the substance of the whole talk was along familiar lines as I saw from the style of the correspondence which was being conducted.

*President:* What was it then? What were they talking about?

*Zakar:* One of the results was later that the Primate gave me instructions... to hand over certain documents of special significance to Koczak, secretary at the Legation.

*President:* Certain documents? What documents were concerned?

*Zakar:* He did not explain in detail.

*President:* Those which he would designate?

*Zakar:* Yes, those designated by the Primate, or which he entrusted me to hand over myself because I considered them important.

*President:* What considerations influenced you in selecting the material? Later we shall talk about the kind of material that was transmitted by you. I am talking now about the material which you selected on your own.

*Zakar:* I tried to restrict the subjects which I had to select myself.

*President:* But what sort of material was this? In what were Mr. Koczak and Mr. Chapin interested?

*Zakar:* I, myself, chose first of all the pastoral letters, which were issued fairly frequently.

*President:* What else did this material contain?

*Zakar:* Besides this, there were comments on some of the political parties, for instance, long reports on the Democratic People's Party, and on the role of the Catholic Church in protecting Jews in recent years.

*President:* A memorandum.

*Zakar:* Yes a memorandum. Then some brief reports from priests.

*President:* Data collected by priests?

*Zakar:* On the activities of local representatives of different parties.

*President:* Weren't these data usually biased? For instance, data against the government system, data which presented the government and Hungarian conditions in an unfavourable light?

*Zakar:* At any rate, let us say — the stand of the Church was stressed in them and every complaint that could have been brought up from a Church point of view. And so...

*President (interrupts):* Well — as it will be seen later — not only Church issues were concerned. They do not deal with — say, for instance, that in a little Hungarian village, the parish priest was offended by the borough councillors. Such offenses, for instance, such matters were not dealt with — but chiefly matters of a concrete political and military nature.

*Zakar:* This is the second group of the data, which I, acting under instructions the Primate...

*President (interrupting):* And he said that these...

*Zakar:* ...that these should be handed over by me.

*President:* And what was your task? That you should extract from the letters this data, and summarize them?

*Zakar:* No. But I handed over or sent in some other way to the Legation Secretary information compiled from the Primate's letters after it was translated.

*President:* And why did they decide that you and Koczak should be in direct contact, while their contacts were less open? I mean Chapin and Mindszenty.

*Zakar:* I do not know what was their motive, but at any rate, frequent meetings between the Minister

and the Prince Primate would have attracted attention.

*President:* So that was the idea. According to this, you received instructions that in the future, through Mr. Koczak...

*Zakar:* ...I should hand over partly what I have compiled and partly what the Primate gave me, most of which were his own letters.

*President:* After their visit, when did Mr. Koczak come again?

*Zakar:* He came about a month later, around March.

*President:* And then when did you meet Koczak again after that?

*Zakar:* I met him in another month or so, it was in May. That, too, was in Esztergom. There was a third meeting, in Budapest.

*President:* Where did you meet Koczak here?

*Zakar:* From the secretariat of the Budapest vicarage we went to the secretary's room in the Central Seminary.

*President:* What did you give him?

*Zakar:* Here again I gave him up-to-date copies of the pastoral letters and a political report concerning the Democratic People's Party.

*President:* Who prepared this?

*Zakar:* This was prepared by the Prince Primate.

*President:* Himself?

*Zakar:* Yes.

*President:* These data which he gave, were they translated into English or were they in Hungarian...

*Zakar:* That which I handed over was in Hungarian. Koczak understood this and could select what he wanted.

*President:* Then Koczak left for Italy, Rome?

*Zakar:* Yes, for Rome. And before he left for Rome he came to see me in Esztergom and indicated that if there were anything to be taken to Rome, he would gladly help. Then I gave him the letter written by the Prince Primate asking him to get it to the Holy See, through Gedeon Peterffy, Chargé d'affaires at the Holy See. He took it from me and delivered it to its destination.

*President:* What was the content of this letter?

*Zakar:* It contained a general report on the Hungarian political situation.

*President:* Did Koczak return then?

*Zakar:* Koczak came back.

*President:* Did he bring a letter of greetings back with him?

*Zakar:* Yes.

*President:* From whom?

*Zakar:* From Gedeon Peterffy, who was the Chargé d'affaires at the Holy See and who gave us the stand of the Holy See regarding these matters and information he obtained.

*President:* Now, please, when did Mindszenty and Chapin meet again?

*Zakar:* There was a meeting in August 1948, as I remember it was a return call after the visit at Esztergom in February, at the residence of the Minister in Huvosvolgy.

*President:* And when did Koczak come to see you again?

*Zakar:* He came in August or September. In September he came even twice in one week and then he gave a brief report on what he had heard in Vienna, because he just returned from there.

*President:* To whom did he give this report?

*Zakar:* To me.

*President:* To you. Did he speak at this time in front of Jozsef Mindszenty?

*Zakar:* He did not speak then, he only spoke with me and briefly.

*President:* What did he report from Vienna?

*Zakar:* He brought some news from the Pasmaneum, the Hungarian Seminary there.

*President:* In the meantime he also spoke of one of your men who had fled, didn't he?

*Zakar:* Yes, of Sandor Cserto, whom he met there. He reported that he had arrived.

*President:* And what did he ask for?

*Zakar:* He asked for letters for himself and Miklos Boer. The latter was asking a certificate from the Prince Primate to the effect that...

*President:* He is a political refugee.

*Zakar:* ...that the Primate should protect him otherwise he would be sent back to Hungary.

*President:* And what kind of material did you transmit to Koczak on this occasion?

*Zakar:* The transmission of material continued in the same manner.

*President:* When did you, please, last meet Koczak?

*Zakar:* I met him last on November 18th.

*President:* In the meantime, after the meeting at Huvosvolgy, when was Chapin last at Esztergom, or rather when was the last time you all met Chapin?

*Zakar:* The same week. As I recall it must have been November 14th — when the Minister made his last visit at Esztergom.

*President:* At whose initiative did this meeting take place?

*Zakar:* At the Prince Primate's initiative.

*President:* At his initiative. Who came? Mr. Chapin? Who accompanied him?

*Zakar:* Secretary Koczak.

*President:* And were you present at the conference?

*Zakar:* I was not present.

*President:* How long did this last?

*Zakar:* It lasted for approximately half an hour.

*President:* When did you meet Koczak?

*Zakar:* I met Koczak and then...

*President:* On November 18th.

*Zakar:* On November 18th and then I gave such political...

*President:* When did this Koczak come and to where?

*Zakar:* He came at night at quarter to 11, so late at night...

*President:* Always late at night? It is not usual to make calls at this hour, not even among close friends; it is considered tactless.

*Zakar:* Yes, it struck me so, too. But I could hardly refuse to receive him.

*President:* Did he usually come in such a manner, under the cover of night?

*Zakar:* He came several times thus, at night.

*President:* This would indicate that his business was not straightforward, wouldn't it?

*Zakar:* Once he told me he came at night because he was on his way to Vienna. He just stopped off at Dorog and wanted to continue on to Vienna.

*President:* All right. Well then why did he come on November 18?

*Zakar:* On November 18th, although he did not expressly say so, he came certainly for new material because then it was already known that the Prince Primate had issued an appeal as his last pastoral letter.

*President:* Did you give it to him?

*Zakar:* Yes I gave it to him. At the same time I also gave him a report of a political nature.

*President:* Yes. Now let us talk about the case of Zsigmond Mihalovics. Do you know that Zsigmond Mihalovics through, Mr. Fox, Mr. Brown and Father Flynn, constantly informed — in a biased way and with the same kind of bias we have discussed here — the American authorities and their government about the developments here. With bias?

*Zakar:* Yes. He mentioned to me that he takes advantage of the opportunity to give information on the entire Hungarian situation through the Americans who visit here and through other people who came to the office. He drew up reports for this, too.

*President:* Did you see such a report?

*Zakar:* Later, I saw a whole collection, which he gave me.

*President:* He gave it to you?

*Zakar:* For filing in the archives. In 1948, around March.

*President:* Did you look over this material at that time?

*Zakar:* I did not look it over, for there was very much of it.

*President:* Did you glance through it?

*Zakar:* Yes I did.

*President:* What was its style? A style suited for hatred against the State, arousing dislike for the State?

*Zakar:* At any rate, facts were emphasized which could be used against the State and would make for...

*President:* Were these biased writings?

*Zakar:* Yes, I...

*President:* They were biased writings. Did you know that Messrs. Fox, Brown and Flynn were in contact with members of the American secret service?

*Zakar:* No. This was not so clear to me. I knew that two of them had been soldiers before. Prelate Mihalovics indicated that they had a very important military status, and this is why they were interested in Hungarian affairs. But I did not know they were members of the American secret service.

*President:* What do you think, did Mihalovics know of this?

*Zakar:* At any rate, he behaved in such a way that one could say he served this aim, whether he knew it or not.

*President:* Do you know that at one time Fox and Flynn each gave 10,000 dollars to Jozsef Mindszenty?

*Zakar:* Yes, I know that Fox gave him 10,000 dollars.

*President:* You know only about Fox?

*Zakar:* Yes, for the Prince Primate told me afterwards that Fox had been here...

*President:* When did this occur?

*Zakar:* In the summer of 1947 when the Prince Primate returned from America.

*President:* Did the main accused, Jozsef Mindszenty, give you instructions to the effect that you should send information for Zsigmond Mihalovics after he left for abroad?

*Zakar:* He did not give me such instructions because we knew that the letter in which Mihalovics asked for this was known to the police.

*President:* How did you know that?

*Zakar:* Miklos Nagy had told me that he also had received a letter through the same channels. He called our attention to this.

*President:* Did you tell Jozsef Mindszenty that Miklos Nagy was asked to do the same thing?

*Zakar:* No, we did not speak about this.

*(Then the President of the Court, Olti, questioned Andras Zakar concerning foreign currency deals. Following questions by the people's judges, the Prosecutor asked questions.)*

*Prosecutor:* Who represents the Catholics of the world?

*Zakar:* The Pope.

*Prosecutor:* Who represents the Catholics of an individual country?

*Zakar:* In certain countries by historic law a certain hierarchy developed. Certain Bishoprics are privileged over others.

*Prosecutor:* In Hungary?

*Zakar:* In Hungary the Prince Primate.

*Prosecutor:* The Archbishop of Esztergom. Now if the Archbishop of Esztergom cannot represent them, who does?

*Zakar:* Then the Archbishop of Kalcesa does.

*Prosecutor:* If, let us suppose, he could not represent them either?

*Zakar:* Then the Archbishop of Eger does according to the hierarchy, and...

*Prosecutor:* ...and soon. Is Otto Hapsburg included in this hierarchy? Please, tell us.

*Zakar:* No, he is not included.

*Prosecutor:* Now do tell us if, according to this, Otto Hapsburg had no right to represent the Catholics of Hungary, did he not represent the Legitimists of Hungary with Jozsef Mindszenty's letter?

*Zakar:* I, too, think that this representation meant a political representation.

*Prosecutor:* Probably it means a political representation. Please give some details from this memorandum of Juszti Baranyai. Do you remember it?

*Zakar:* Yes, I looked through it before I put it away. It said that during difficult periods of transition it is a good thing if there is a central authority in the country to eliminate unnecessary disturbances. This has occurred several times in history and it has a certain basis in common and in statute law.

*Prosecutor:* Yes.

*Zakar:* In the present case this would be the Prince Primate.

*Prosecutor:* But, today a legal central authority exists; Hungary has a president and a cabinet appointed by him, as well as a responsible national assembly. Now in what circumstances would the Prince Primate come to the fore as a political factor in this respect?

*Zakar:* As it is not his calling, it is not possible that he himself should lead... Let us say a political settlement.

*Prosecutor:* When would this be timely?

*Zakar:* This would have been possible only if through foreign influence and irrespective of his desires a new development in foreign politics occurred, and the present constitutional status would come to an end in the country.

*Prosecutor:* If this constitutional power comes to an end. Well, this memorandum contained a cabinet list.

*Zakar:* Yes, if I remember correctly, I saw this on a separate sheet.

*Prosecutor:* It is on a separate sheet. You are quite correct. In general we know the names from the data of the trial. But what was your opinion of this list? That these are in general older men to whom anything may happen. Or perhaps this memorandum foresaw the taking over of power so soon that the compilation of the cabinet list was considered necessary at this time?

*Zakar:* Since the compilation did occur, one could conclude that the time was imminent, if for no other reason than that there was much talk of war, rumours on the threat of war.

*Prosecutor:* So you all expected this change of power to occur.

*Zakar:* Partly. Partly, since it is a matter of election, in that memorandum... I thought that after all this list is a temporary draft.

*Prosecutor:* Of course, this depends on the extent to which those occupation powers would have interfered with the so-called elections. Now tell me, please, why did Jozsef Mindszenty give a car to the Vatican Radio Station. After all there were the dollars. There were many dollars; why did you leave this car there?

*Zakar:* Well, partly in order to... to bring home the dollars.

*Prosecutor:* But you did not bring them home and the car was left behind also.

*Zakar:* On the other hand — and this was the main point — because the director of Vatican Radio named that concretely as something they needed.

*Prosecutor:* Yes. And what did the Vatican Radio give in return?

*Zakar:* This was not, so to speak, a formal deal. But the Prince Primate declared that there are news broadcasts in every tongue, why not in Hungarian. He said that there is not enough coal in Rome and not enough money either. And not enough cars to bring over the individual speakers on schedule for the programme.

*Prosecutor:* And this is what it was needed for?

*Zakar:* So the Prince Primate thought it best that he donates a car.

*Prosecutor:* So he left it there. And what happened after this?

*Zakar:* Then they started Hungarian news broadcasts.

*President:* Now it is the Counsel for the accused who has the word.

*Counsel:* There were two kinds of material which you gave to Koczak, one chosen by you and the other selected and compiled by Primate Mindszenty.

*Zakar:* Yes.

*Counsel:* Now as far as you remember did the material selected by you contain any secret which could not have been told anyone — well, not anyone, but a wider circle of people?

*Zakar:* Well, inasmuch as these reports dealt with the attitude of certain political parties in connection with certain Catholic celebrations, and on the other hand this party Resolution which was mentioned... inasmuch as this is an internal affair, to that extent they may have been considered secret by other people.

*Counsel:* Did you know the material compiled by the Primate — or did you know only part of it?

*Zakar:* The Prince Primate compiled these data of economic, political and other nature on the basis of newspaper and other studies, then periodically compiling them into a whole. These were the texts read by me when they were ready and on their way to the translator. This is when I got to know about the compiled material.

*President:* Well, the rest of the attorneys? Does the Counsel of the main defendant have any questions?

*Mindszenty's Counsel:* I would like to put one. Did the Primate know of the selling of these foreign currencies on the black market, or did the Primate have any idea how these were cashed, he who lived in an ivory tower?

*Zakar:* Well, he gave part of that which remained in Esztergom to the office. Then, he did not care what the office actually did with it, that he paid no attention to.

*Mindszenty's Counsel:* Yes. Neither did he know how those cheques were sold which he gave to other people?

*Zakar:* At one time he expressly told me that once he gives something out of his hands, that is the responsibility of the person he gives it to.

*President:* Well, if you please, did Mindszenty know what is the official rate of a dollar?

*Zakar:* Yes.

*President:* Most probably if he gave money for exchange then he received its value in forints, or rather disposed of the money, didn't he?

*Zakar:* Yes.

*President:* If then, for instance, you purchased two duplicators for an amount of approximately 60,000 forints, then he must have noticed whether he received 11,000 or 60,000 or 40,000 forints for 1,000 dollars.

*Zakar:* Yes, this he knew.

*President:* From this one can conclude that he knew, that he had to know that these were sold at black-market rates.

*Zakar:* Well, he knew, but instructions, let us say, he did not give, according to my positive knowledge.

## HEARING OF JOZSEF MINDSZENTY

*President:* I reopen the trial in the case of Jozsef Mindszenty and accomplices. Jozsef Mindszenty, if you please, did you understand the indictment?

*Mindszenty:* I did.

*President:* Do you feel guilty?

*Mindszenty:* To the extent that I did commit a considerable part of the activities charged to me in the indictment, or as I indicated in my letter to the Minister of Justice which you kindly read out this morning, substantially, to that extent, I feel guilty. What I have done, I do not wish to try to place in a favourable light. Of course, this does not mean that I accept the conclusions of the Indictment. For example, with regard to the offences mentioned in Section A, I do not deny one or another part of it, but I do not subscribe to the conclusion that I might have been involved in the planning of the overthrow of the democratic State order and the Republic, even less, as the Indictment states, that I might have played the leading role.

*President:* If you please, we shall precede... Where were you educated?

*Mindszenty:* At Szombathely.

*President:* Yes, in theology, wasn't it?

*Mindszenty:* Yes, Theological College.

*President:* After finishing in theology, what did you do?

*Mindszenty:* I was Chaplain at Felsopaty for a year and a half. Then for another year and a half I was a teacher of religion at the State *Gimnazium* in the County of Zala. Afterwards I became a priest at Zalaegerszeg.

*President:* When?

*Mindszenty:* Autumn, 1919. I was a priest there for 26 years and later became Bishop of Veszprem.

*President:* When?

*Mindszenty:* At the end of March, 1944. Then on October 8, 1945, I became the Prince Primate.

*President:* Yes... If you please, the Prosecutor's Office has enclosed here, among other things, your article. *Beware of the Newspapers*. This was published at Zalaegerszeg in September, 1919?

*Mindszenty:* Yes.

*President:* It contains your speech to a women's meeting. Do you recognize it?

*Mindszenty:* Yes, I do.

*President:* You also remember its details? This article, according to the statement of the Prosecutor's Office, stirs up racial hatred. Do you deny this or do you admit that there are parts of it which do stir up racial hatred?

*Mindszenty:* I had collected quotations from the press of the time. In any case, it was a pity that those quotations were published in those papers. Today, however, I would not write that pamphlet in the way I wrote it then.

*President:* In fact, there are statements in the article like this: "The press, until now, has been the vanguard of Jewry striving for world domination, crashing through every obstruction. In the future, the press will be ours, Christian Hungarians. The Jewish press destroyed Hungary, the Christian press will resurrect it." This kind of writing is swarming with incitement to racial hatred, as the Indictment indicates. Today you no longer agree with this?

*Mindszenty:* I would not write it like that now.

*President:* This bore fruit in the course of the sad events of 1944.

*Mindszenty:* Yes, yes.

*President:* The prosecutor charges you with having proposed at a meeting of the Borough Council on November 18, 1938, that Imredy — Bela Imredy who has since been executed — be elected Freeman of Zalaegerszeg.

*Mindszenty:* This is correct. But, if you please, that does not mean that I agreed with Imredy's policies. I did not.



*President:* If you please, if a person formally proposes somebody as a Freeman, one cannot logically conclude from this that he disagrees with the policies of the man concerned... Were you detained on November 21, 1944?

*Mindszenty:* Yes, I was.

*President:* Was it for political reasons, or was it because of personal antagonisms, your disagreement with Ferenc Siberna, the so-called County Prefect of the Arrow Cross? Perhaps as a consequence of his irascibility?

*Mindszenty:* I had signed a memorandum, along with the Trans-Danubian Bishops, which I had taken to Budapest on November 13, and there handed over to Vice-Premier Szollosy. In that memorandum, I had protested against the war and the destroying of the towns and villages of Trans-Danubia as a consequence of the war.

*President:* Then how could Siberna, a local figure in Veszprem, know of this?

*Mindszenty:* He knew of it because he had been notified by the Government. When I presented that memorandum, it had such an effect that I felt sure I could not leave the Prime Minister's Office, that I would be arrested immediately.

*President:* But you did get out, and soon afterwards you filed another petition to the same Szollosy, in which you stated that the circumstances surrounding your arrest were unlawful. Here is a copy of that petition which you filed on January 12, 1945, addressed like this: "Mr. Leno Szollosy, Royal Hungarian Deputy Prime Minister at Koszeg." It states the following: "I protest to the Hungarian Government against Ferenc Siberna, County Prefect." Did you consider the Arrow Cross people the Royal Hungarian Government? This does not indicate that you were against them! Then in Section VIII of the petition, you state: "I bought 1,800 shirts and 1,800 pairs of underpants for 110,000 pengos in order to distribute them among the needy wounded soldiers, refugees, and the poor. Upon my arrest, he confiscated them without a court order, and thus diverted them from their destination." From that it can be concluded that for the clothing you had bought, he moved against you. Besides, the petition as a whole, indicates that you then — on January 12, 1945 — considered Siberna to have acted with anti-religious motives. You emphasize, for example, such things as: "He, with his religious attitude does not belong in a Government directed by a head of State who attends religious services and lives the life of a fervent Catholic... Members of the Government are emphasizing more and more that they not only do not persecute religion but are definitely against irreligious elements... These are the occurrences," states the petition (that is, that you and some other church people were arrested) "which convinced the common people of three counties that it was the fault of Doctor Siberna that church and religion are persecuted in our country. Because of this, our people's resistance against the really irreligious Soviet system is obviously weakened..." You just stated that you had filed a petition with Szollosy, stating: "We should discontinue this war because it has become purposeless."

*Mindszenty:* That is correct.

*President:* And in this petition of January 12, 1945, you say the opposite: "Because of this, our people's resistance against the really irreligious Soviet system is obviously weakened..." From this it follows that you wished the resistance to be strengthened instead of weakened.

*Mindszenty:* If you please, Mr. President, it was *argumentum ad hominem* that was employed.

*President:* *Argumentum ad hominem* in debating is not the best of methods as we once learned in rhetorics.

*Mindszenty:* Hear! Hear! The fact is, however, that I was commissioned by the Trans-Danubian Bishops to file such a memorandum.

*President:* Yes, but there is no doubt about the fact that you, in your individual petition of January 12, 1945, took a stand in favour of increasing resistance... In the 25 years between the two wars did you declare yourself a Legitimist, an active Legitimist?

*Mindszenty:* Yes.

*President:* Since what time? When did you join the Legitimist movement?

*Mindszenty:* Perhaps about 1920 or 1921.

*President:* So about 1921.

*Mindszenty:* Yes.

*President:* Were you then, in the 25 years between the two world wars, in direct touch with the former royal family of Hapsburg?

*Mindszenty:* Yes, I was, on one occasion.

*President:* Were you abroad?

*Mindszenty:* Yes.

*President:* Did you visit them?

*Mindszenty:* When I was in Lourdes, I spent half an hour in Lequeitio along with the pilgrimage which visited that places.

*President:* Did you make a special trip to visit the family?

*Mindszenty:* Lequeitio was on the way.

*President:* When was that?

*Mindszenty:* It might have been in 1924.

*President:* So in 1924. Afterwards, was there any correspondence, exchange of messages? We are still speaking of the time of the Horthy era.

*Mindszenty:* Not until the beginning of 1946, I think.

*President:* So, there was none until the beginning of 1946?

*Mindszenty:* None.

*President:* Did you consider that more favourable circumstances for your Legitimist ideas existed after the 1946?

*Mindszenty:* No.

*President:* Did you consider that more favourable circumstances for your Legitimist ideas existed after the liberation than between the two world wars?

*Mindszenty:* At that time, in the spring of 1945, I could not yet form an opinion because I could not yet determine whether the relationship which had developed among the great powers would last or not.

*President:* If you please, at the end of 1945, in the autumn, there were legislative discussions in progress concerning the form of State, weren't there?

*Mindszenty:* Yes.

*President:* Concerning the founding of the Republic which later materialized in Law I: 1946. Is that true?

*Mindszenty:* Yes.

*President:* Did you take any steps against the establishment and the enactment of the Republic?

*Mindszenty:* Yes.

*President:* What steps? Tell us, please.

*Mindszenty:* I warned Bela Varga, a Smallholder Party Member of Parliament, I think in writing — (*hesitating*) that he should be careful. Then, as I remember, I also wrote to the Prime Minister.

*President:* I'm going to read your petition to the former Prime Minister, Zoltan Tildy. The petition, dated December 31, 1945, bearing the number 53/1946, reads as follows: "Mr. Prime Minister! Until now, I have received no official information, but because this report is being repeated in serious quarters, I am compelled to bring it up and, if it is substantiated, to protest against it for serious reasons. I understand that the National Assembly will soon place constitutional reforms upon the agenda, among them the question of the Republic, the plan to put an end to the thousand-year-old Hungarian Monarchy. If this news is true, even though I have not received official confirmation of it, I protest against these plans on the basis of the legal rights exercised by Hungarian Primates for more than 900 years..." You sent a copy of this letter three days later, on January .3, 1946, to Canon Bela Varga, a member of the National Supreme Council?

*Mindszenty:* Yes.

*President:* Yes. This letter reads as follows: "I am sending to you, as a member of the National Supreme Council, the enclosed copy of the petition which I have sent to the Prime Minister in connection with rumours of projected constitutional reforms..."

*Mindszenty:* Yes.

*President:* You sent it to him so that he too should protest and throw his political weight against the establishment of a Republic, did you not? Did you protest in a similar manner at the beginning of January? There is no date on this draft. Is this draft written in your own handwriting?

*Mindszenty:* Yes.

*President [reading]:* "To Bela Varga. Confidential. The Very Reverend Canon, Member of the National Assembly! Your Honour has been asking instructions from me regarding the stand you should take in certain questions. I believe the time has come to give advice at this significant turning point. Your Honour has never pledged himself for a Republic, but to the contrary, has been entrusted by his Majesty, the King. Under such circumstances, your Honour can take a stand only on the side of the Monarchy, openly, proclaiming its timeliness, lending definite support to its defending camp. As a matter of fact, this stand was taken by the Prime Minister in your presence on November 16 when you both visited me. The idea which is now trying to be realized is in opposition to the one thousand-year-old Hungarian Constitution, endangering our independence. The list of candidates is disadvantageous for Catholicism. In this, no Catholic believer and especially no Catholic priest may cooperate." Here (*the President presents another letter*) you answer the letter of January 2. Bela Varga had written a long apologetic letter explaining that faced by a stronger force, he must retreat?

*Mindszenty:* Yes.

*President:* And then you answered it. The letter substantially is this (*reading*): "The Very Reverend Canon, Mr. Member of Parliament! To your letter of January 2, I have the following comments to make: In the question of state form, serious action should have been taken. I see none anywhere. Not only have the most competent failed to take the initiative, but as I see, they have failed even to support the initiative taken by laymen. In public life one must take a strong stand on principles and not equivocate. I understood from your Honour that you were directing the party. But now I realize that the Party is sweeping the clergy along with it..." These were the first steps you took against the proposal and proclamation of the Republic. And later when the Republic was actually formed, did you stop your Legitimist activities then, or did you continue with them?

*Mindszenty:* In any case, I took into consideration the decision of the Hungarian people that a Republic should exist.

*President:* We shall examine this, too.

*Mindszenty:* Here and there deviations occur, but in any case it was my determined intention to respect the decision of Parliament.

*President:* Did you know Gyorgy Pallavicini, Jr., personally?

*Mindszenty:* Yes.

*President:* Did Gyorgy Pallavicini come to see you in 1945, informing you that he wished to make a journey to see Otto Hapsburg?

*Mindszenty:* He came to see me once.

*President:* Only on a single occasion?

*Mindszenty:* As I recall, he came to see me once.

*President:* What did Pallavicini tell you then?

*Mindszenty:* That he wished to go abroad. He said that it was possible that he would meet Otto Hapsburg, but he was not sure that he could. He just thought that he might.

*President:* And did he ask you what message you had for Otto Hapsburg?

*Mindszenty:* Yes, he did.

*President:* And what did you answer?

*Mindszenty:* I simply sent my greetings.

*President:* Then did Pallavicini return in a few weeks?

*Mindszenty:* How long it was before he returned, I couldn't say, but after a certain period he returned.

*President:* And did he tell you that he had delivered your regards?

*Mindszenty:* Yes, and brought greetings in return.

*President:* Did he bring any concrete message on the subject of what you Legitimists should do, or whether there existed any possibility for the restoration of the Monarchy?

*Mindszenty:* Well, what he brought was very little. It was only that we should stay in the background and be as quiet as possible since times were difficult and we could expect even more difficult times. As I remember this was the content.

*President:* So you were not organizing any political party as yet. When did you next contact Otto Hapsburg?

*Mindszenty:* It must have been in February, 1946. He addressed a letter to me in Rome when I was there to receive my Cardinal's Hat. I answered this letter.

*President:* Did you send this answer through the Belgian Cardinal Van Roey?

*Mindszenty:* I don't remember whether I sent it through him.

*President:* You don't remember... Well, if you please, in 1946, Jozsef Kozi-Horvath, Papal Chamberlain, former Member of Parliament, fled from Hungary.

*Mindszenty:* Yes.

*President:* Then Kozi-Horvath sent a letter and a message to you through Father Istvan Borbely, a Jesuit, didn't he?

*Mindszenty:* Yes, on one occasion I received a letter. Yes.

*President:* What did Jozsef Kozi-Horvath say in this letter?

*Mindszenty:* He wrote that he had negotiated with minority leaders of various former member-states of the Monarchy, and then also that he had met Otto.

*President:* Yes. And what was Otto's message?

*Mindszenty:* I don't remember. Only that there was a message. But what it was, I cannot remember.

*President:* I present to you your testimony made during the investigation (*reading*): "At the conference Otto outlined his plans for the Restoration." He wrote to you and informed you of the prospects. Furthermore, he informed you of his extensive negotiations with Croatian, Slovenian, Slovakian, Ukrainian and Austrian Legitimists. Furthermore, Kozi-Horvath declared that the secret services were actively working at the preparation of a third world war and were directing underground organizations against the Soviet Union and the People's Democracies. He emphasized that you could not leave everything to the great powers, but "we Christians must organize ourselves against Bolshevism." Was this the content of the letter?

*Mindszenty:* Yes, this was its content.

*President:* Well, this then was the third contact with Otto Hapsburg. The first time through Gyorgy Pallavicini, the second time through Cardinal Van Roey, and the third time through Jozsef Kozi-Horvath. After the Liberation did Hungarian Legitimists — and I want to know whether you knew this — look upon you as their director and leader?

*Mindszenty:* I did not know this.

*President:* Did they consider you the most serious representative of the Legitimist idea?

*Mindszenty:* I did not know this, for I was not in direct contact with them.

*President:* Were you not in direct contact with the Legitimist group?

*Mindszenty:* I did meet Professor Baranyai. He visited me several times and we discussed this question, but not with the group.

*President:* Did Baranyai repeatedly inform you that they were meeting at Csekonics' apartment? Did he inform you what was going on among the Legitimists?

*Mindszenty:* Yes, but I sent messages on two occasions that they should cease more active

movements and should restrict themselves to social contacts, that they must not make any conspicuous commotion.

*President:* All right, let us continue... “In the spring of 1947,” so goes your testimony during the investigation, “We discussed the possibility and prospects of the restoration of the Hapsburgs with Jusztin Baranyai on several occasions.” Is that true?

*Mindszenty:* Yes. Among the many possibilities this came up in the course of the conversation.

*President:* Well then, in the course of these talks, how did you see it? How could *de facto* a restoration come about here? The Republic had existed since the spring of 1947 for a year already, hadn't it?

*Mindszenty:* Yes.

*President:* Economically too, it was constantly growing stronger and more robust, wasn't it?

*Mindszenty:* Yes. We didn't feel it was possible to realize our aim. Only in the event of a historic change coming from outside could the thought and possibility of this arise at all. From the inside it could not by any means arise.

*President:* So you recognized clearly that the great mass of Hungarians did not desire the restoration of the Hapsburgs?

*Mindszenty:* What we did know, was that we did not want to start here any kind of disorder. If something happened as a result of world-historic events, that was another matter.

*President:* But you did start something. After all, during Baranyai's examination this morning we learned that the Legitimists met at Csekonics' apartment, divided the country among themselves, deciding who would carry out Legitimist activity in what section. They established cooperation among the Legitimists, distributing the various Ministries among themselves in order to place Legitimists inside of these as well. So, such a movement already existed here. What is more, even a list for the Cabinet was introduced. These in themselves constitute quite positive indications of a certain trend — and this trend was the Restoration.

*Mindszenty:* I did not take part in these detailed affairs. I received information from time to time, but was not informed of everything.

*President:* It is natural that you couldn't know every little detail, but you knew essentially how the Legitimist organization was progressing?

*Mindszenty:* Yes.

*President:* We shall take the points one by one and see just what you knew, what you approved of and what you did not approve of... In the spring of 1947 then you repeatedly discussed what role the Prince Primate might play in the event a change occurred.

*Mindszenty:* Yes, we discussed this.

*President:* And then the idea came up that you would become Provisional Head of State until Otto came home and was crowned?

*Mindszenty:* Only in the form if — as it was strongly rumored all over Europe in 1947, that a third world war was on the threshold — if the historic turn of events would create such a situation on the territory of Hungary, that here, too, through external forces, as a result of war, a change might occur. And then, what should be and what could be done here then, should — as the Professor of Law expressed himself — *a vacuum juris* be created here. And he mentioned to me the example of Greece where the Patriarch took over the role of Provisional Head of State. I replied that for such a role as this no one would extend his hand.

*President:* Put then later you made a statement to the effect that you would be willing to accept this position?

*Mindszenty:* Yes. But only in the event the necessity should arise. I stress, not through overthrowing anything.

*President:* But, after all, only by overthrowing the State could anything of the sort be imagined.

*Mindszenty:* Yes, but not that we should overthrow something from the inside.

*President:* Hand in glove with outside forces then?

*Mindszenty:* No, this was not mentioned either.

*President:* This is maintained by the Prosecutor's Office which has enclosed a number of statements about it. Your letter, for instance, according to which, intervention would serve the overthrow of internal forces.

*Mindszenty:* When the Professor and I spoke together, we emphasized that we were not to take part in the overthrow of the State. If, however, it occurred through the action of external forces, in that case, in that *vacuum juris*, for the good of the nation, we would not refuse.

*President:* Jozsef Kozi-Horvath seems to give voice to another point of view. As I have read already, he stresses that 'we cannot leave everything to the great powers, but must organise.' And here already certain organizing actions are evident, for example, the dividing of ministries among themselves, the rallying of Legitimists, establishing contacts, keeping the idea alive, etc.

*Mindszenty:* I do not know whether I received definite information on the discussions.

*President:* Well, when the society was dissolved, obviously the question arose among you how the Legitimists, in what kind of organization, or under what form, should stick together and keep in touch in order that they should not be dispersed?

*Mindszenty:* Yes.

*President:* And that is when it was suggested that contacts be kept up socially?

*Mindszenty:* Yes.

*President:* During these social gatherings at which you were not present, the territorial division and the distribution of ministries now took place. According to evidence at this trial, there is no doubt about that. Did Jusztin Baranyai always report to you about these questions?

*Mindszenty:* How the division of the country occurred I do not remember, or whether he gave me any information about it.

*President:* Jusztin Baranyai made a plan for you, to which he later attached the list of proposed Cabinet members, didn't he?

*Mindszenty:* Yes.

*President:* Well, please read this again.

*Mindszenty: (reading)* "If the great *vacuum juris* occurs, the very first, the most important, and the most difficult question will be to found a regime based on a moral foundation. It would be a political impossibility to base it directly on the defeated revolution. To restore the Horthy regime would create new and unpredictable complications. There is only one possibility of quiet evolution. The Prince Primate of the country, with the high rank of prince primate, is the only one in this land sanctified by the traditions of centuries, of nearly a thousand years. According to the ancestral laws of our nation, in the absence of the king ruling power is deposited in the Prince Primate. His authority has never been doubted by public opinion in the country. In times of difficulty or catastrophe, the nation has always expected him to take the initiative. Today the extremely fortunate situation exists that the present bearer of this rank, Cardinal Jozsef Mindszenty, has raised in the last two years, in these particularly sad years of our national life, the prestige of the prince primate to extraordinary heights. For the first time, perhaps, in the recent history of the country, it has occurred that Protestants, Calvinists, and Lutherans, standing on a nationalist platform, also see him as the only true, predestined leader of the nation. Today the national aspirations of the whole nation are anchored in him. In politics too, only his words are heeded. Like the Metropolitan of Athens, he seems to be the only competent authority, and in the same way here, at the beginning of American occupation, it would be his duty to appoint the new government."

*President:* Here is a list of Cabinet members.

*Mindszenty:* Yes,

*President:* Were lists of government members submitted on other occasions as well?

*Mindszenty:* Yes.

*President:* Well then: you received this project. Did you study it?

*Mindszenty:* Yes.

*President:* You had spoken of this subject previously and again discussed it afterwards? Were you in agreement with it?

*Mindszenty:* First he came, brought up the idea, and I replied as I have already recounted. Then a few weeks later, I couldn't say exactly when, perhaps over a month later, I received it. Events then seemed to indicate that the rumours which had been so widespread in Hungary, and I think in Western Europe as well, had quieted down.

*President:* What were these rumours? That the third world war was upon us?

*Mindszenty:* That the third world war was upon us. Seeing then, that strictly speaking, the matter had real foundation, I considered the whole matter of the list of Cabinet members and the manifesto as a legal case.

*President:* The project was sent to you after a month?

*Mindszenty:* Yes.

*President:* And did you talk it over then?

*Mindszenty:* Yes.

*President:* It seems then that the stand you had taken was, after all, not completely negative, because afterwards the defendant Jusztin Baranyai worked out the list of Cabinet members, which he later brought to you. So this does not indicate that the project was considered unimportant by the time you received it, because if you had considered it unimportant, you would have probably thrown it into the waste basket. Before Jusztin Baranyai prepared the Cabinet list, did you discuss it in general, approximately who should be in it, and whether the candidates should be taken from a wide circle or from as narrow a circle as possible?

*Mindszenty:* As I remember, it was mentioned that it was important that it should be a government of men of official standing.

*President:* When you discussed this, were any names mentioned?

*Mindszenty:* Only as examples.

*President:* Did you discuss them one by one: that this one or that one might be considered?

*Mindszenty:* I think we merely referred to names as examples.

*President:* Essentially, would the cabinet have been formed according to the testimony you gave during the investigation? More specifically, the Prime Minister was to be either Lipot Baranyai or Karoly Rassay? No?

*Mindszenty:* Yes.

*President:* Did you receive that list, and did you put it away with instructions that it be treated as confidential?

*Mindszenty:* I put it away because there was nothing to be done about it.

*President:* If you receive a draft of a project that you regard as unrealisable, or not serious, and there is nothing you want to do about it, then you would throw it away. If we kept piling up all the papers that are sent us, then in one or two years time our homes and our archives would be stuffed full.

*Mindszenty:* It was our custom at Esztergom that every paper that had already been examined and was not to be kept inside was sent outside. So really all documents were taken out and not destroyed.

*President:* I asked defendant Andras Zakar, your secretary, whether there had been objects which he had considered of no further importance, which he had thrown away, destroyed.

*Mindszenty:* That was a personal letter, such a thing was usual.

*President:* This was not even a personal letter! Were there some things which were marked for the files and in addition confidential things which were handled separately?

*Mindszenty:* Yes.

*President:* And now the fact that neither the memorandum nor the list of members of government were thrown in the wastebasket, did that not indicate that you had some plans for them after all, and that

you did not consider them important?

*Mindszenty:* I had no further plans concerning the matter.

*President:* Then why were they put in writing? It was done by serious men!

*Mindszenty:* You see, that for which it had been prepared — if I may put it like this — time had passed over.

*President:* Let us continue. Have you knowledge of the memorandum that Jusztin Baranyai wrote for the American Government, to be signed by four persons, in which the restoration of the Hapsburgs was advocated?

*Mindszenty:* I know of a memorandum, but I don't remember who should sign it.

*President:* Still you sent a special message saying that Ullmann also should sign it as fourth signatory.

*Mindszenty:* Yes, that's so.

*President:* So such a memorandum was drawn up. Did you discuss with Jusztin Baranyai what it was to contain?

*Mindszenty:* (after a short silence) I don't remember its content any more.

*President:* You don't remember, then. When did Baron Ullmann visit you for the first time? He was also a member of the Legitimists here, wasn't he?

*Mindszenty:* I think he came to me in Buda soon after my coming into office at Esztergom. He came to pay his respects, since my deceased predecessor had been fond of his family and he felt he should visit his successor.

*President:* Did he tell you on this first meeting, that he too was an old follower of the Legitimists and that he was happy to present himself to you in this capacity?

*Mindszenty:* Whether on the first or second occasion, I don't know. But it happened.

*President:* So it happened.

*Mindszenty:* Yes.

*President:* Did he also tell you that he was soon going abroad, to France, and so would get in touch with Otto?

*Mindszenty:* I think he said this, too.

*President:* He did, in fact, leave and discussed matters with Otto abroad in 1947, and returning home in October 1947, he visited you again?

*Mindszenty:* Whether in October, I don't know, it is unimportant. But he visited me.

*President:* It is unimportant. Is it correct that it could have been in 1947 in the autumn? The year before last?

*Mindszenty:* Yes, I think so.

*President:* Where did you meet? You will certainly remember the place better.

*Mindszenty:* I think at the central seminary.

*President:* Did Ullmann report what he had discussed with Otto?

*Mindszenty:* Yes. He sent his greetings.

*President:* Did you write to United States Minister Chapin on August 31, 1947, asking him that the Hungarian Holy Crown which was in the possession of the American Army should not be sent to Hungary but to Rome?

*Mindszenty:* Yes.

*President:* What was the reason for this? To whom does the Crown belong?

*Mindszenty:* Undoubtedly to the Hungarian nation.

*President:* Who is entitled to deal with the Crown? To it? And where should this be done?

*Mindszenty:* In any case, in normal times we all consider it natural that the Holy Crown be guarded in Budapest in the Castle of Buda. Nevertheless, in the given situation the matter did not appear to be so, since everybody thought the Holy Crown lost and was sorry about it.

*President:* It was known at that time that it was not lost. It survived the events of war and the



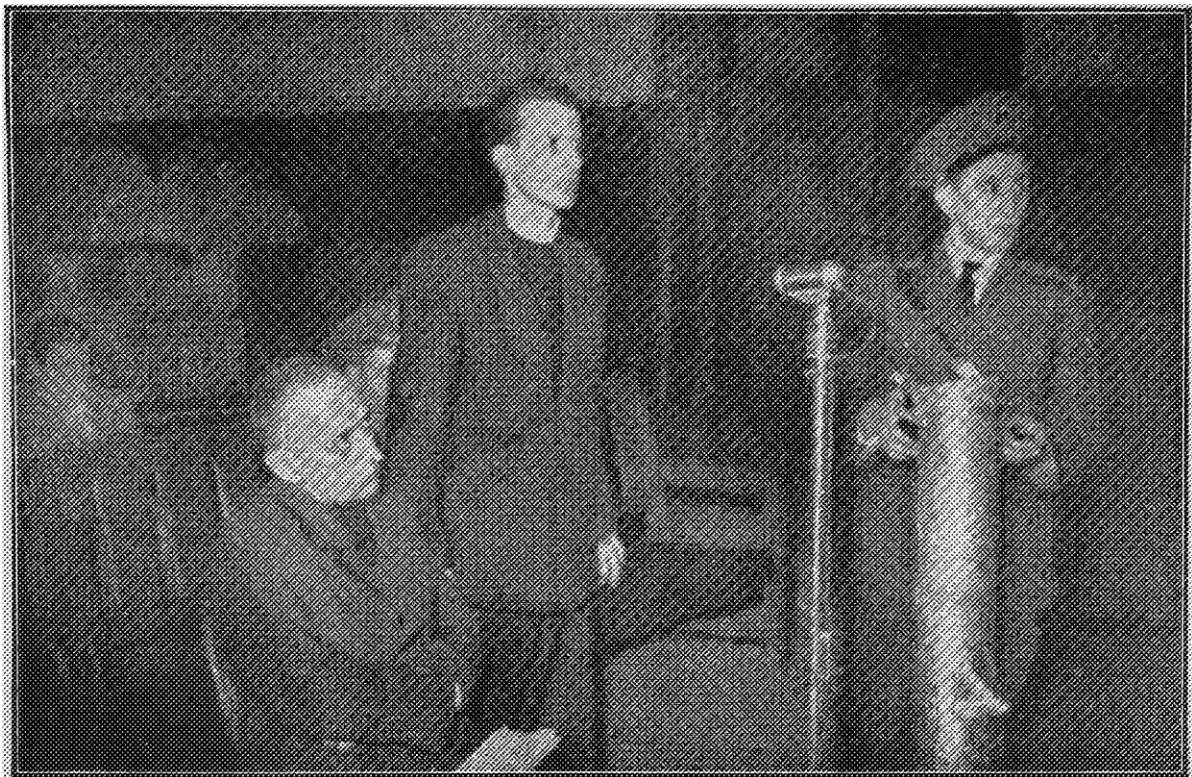
excesses of the Arrow Cross.

*Mindszenty:* Yes.

*President:* Now I am going to review the letter marked A/8 (*showing it*). Is this your own handwriting?



*Mindszenty in conversation with his Counsel.*



*Mindszenty and Zakar with the metal container found in the cellar  
of the archiepiscopal palace at Esztergom.*



*Foreign journalists at the trial.*



*Special Senate of the People's Court. In the center President of the Court, Vilmos Olti.*

*Mindszenty:* Yes.

*President:* Here is also Zakar's own English translation:

"Your Excellency,

The United States returned, her soldiers brought back the Holy Right Hand of Saint Stephen, our first king, which has remained preserved for 909 years. His Holy Crown our most valued constitutional and historical relic, is also in the hands of the United States Army in Wiesbaden, Germany.

My request to you is to obtain an order from your Government, effecting the transportation of the Crown by the Army and its transfer to the same Apostolic Power, His Holiness the Pope, whose predecessor presented St. Stephan with the Holy Crown in the year of 1000.

Since this cause is a very important one for our nation, and since demands for its return and military advances might be fatal for the Crown, only Rome could reassure us.

Please accept my sincere esteem, etc."

*Defense Counsel:* I beg the People's Court to permit the Prince Primate to sit down if he wishes.

*President:* I beg you, please tell me if you are tired, then of course. Are you? A chair please. (*Guard brings a chair, Mindszenty sits down.*) If you are also mentally tired, please tell me, and I shall order a recess. Should we go on with the trial?

*Mindszenty:* Yes.

*President:* So here is the original letter from Selden Chapin, dated September 2, 1947. It reads as follows:

"Legation of the  
United States of America

Budapest, Hungary  
September 12, 1947

My dear Cardinal Mindszenty:

I have received your letter of August 31 with regard to the disposition of the Holy Crown of Saint Stephen that you state is now in the hands of the United States Army in Wiesbaden.

Permit me to assure you, my dear Cardinal, that your suggestion will be given due consideration at such time as the disposition of this relic is brought to the attention of this Legation.

Sincerely yours,  
Signed: Selden Chapin  
American Minister.

His Eminence

Joseph Cardinal Mindszenty,  
Arch Primate of Hungary  
Archbishop of Esztergom,  
Esztergom, Hungary."

Did Zoltan Csaky visit you in September 1947? Did you know him formerly?

*Mindszenty:* No, never.

*President:* How did he happen to come to you? Who recommended him to you?

*Mindszenty:* I think he came with a letter from Professor Baranyai.

*President:* Here is the letter written to you by Baranyai on August 26, 1947. (*He reads the letter.*) Baranyai considers you alone competent to deal with the matter of the Crown. This also shows that you considered this matter from the Legitimists' viewpoint. Isn't it so? You said just now that only the Hungarian Government was competent.

*Mindszenty:* In any case, I thought that for the religious side I had some role in this respect.

*President:* Did you report to any official of the Hungarian Government in what danger the Crown was, and that it would be a good idea to get it to Rome for the time being, and later after the

international tension had ceased, we could bring it home? Did you suggest this to anybody?

*Mindszenty:* No, I did not report this to anybody because I was told meanwhile that the American Government was already beginning to be reluctant about returning certain Hungarian property. This I heard in Hungary from the Ministry of Finance.

*President:* All the more reason! If you had wanted to save the Crown for the Hungarian nation and not to make use of it against the existing State, then you would have cooperated with the Government organs. We had an entire organization abroad searching for looted property, until its work was made impossible. This would have been the natural course to follow.

*Mindszenty:* I never thought of it.

*President:* This would have been legal and natural, wouldn't it?

*Mindszenty:* I didn't take such steps.

*President:* You didn't take any steps for this purpose. Did Zoltan Csaky visit you later on with the above mentioned letter? What did he report on?

*Mindszenty:* I think he referred to his relationship with Erno Pajtas and said that he no longer doubted that the Holy Crown was in Wiesbaden. He said this and said he could cooperate in bringing the Holy Crown perhaps to Rome. Then I gave a commission to Csaky, wrote a letter for him that he could intervene with the authorities concerned. If I remember well, the Archbishop of Vienna and then the Archbishop of Salzburg, were directly mentioned.

*President:* You actually wrote the letter of recommendation. Is this your own writing? (*Be shows it.*)

*Mindszenty:* Yes.

*President:* (*He reads Mindszenty's letter to the Archbishop of Vienna and to the Archbishop of Salzburg and the letter of recommendation for Zoltan Csaky.*) Did you send the two letters of recommendation to the above mentioned Archbishops?

*Mindszenty:* Yes. Then Csaky turned to other people whose names I had not expressly mentioned.

*President:* Did you know that Csaky returned home from the West illegally?

*Mindszenty:* This I only knew when he returned the following year. If I remember well it was in the middle of January, and he showed me the replies. I asked him why these letters had come so late, though they were addressed to me. He answered: "I didn't want to send them any other way. I wanted to bring them personally and was not able to pass the frontier." Then I knew that he used to go illegally.

*President:* Csaky asked you for financial support for these trips on his first visit. Did he get it? Did you give him any financial support?

*Mindszenty:* Yes, I did. I couldn't say exactly how much. I gave him 4-5000 forints.

*President:* You gave him 4-5000 forints.

*Mindszenty:* That's right.

*President:* The money you dealt with was given you for Catholic Church purposes, wasn't it?

*Mindszenty:* Yes.

*President:* It is not a small sum, 5,000 forints. If you wanted to ensure that the Hungarian nation received the Crown back, if you were in agreement with the State and acted according to the interests of the State, then nothing would be more natural than the legal way which was at hand.

*Mindszenty:* Yes.

*President:* It shows again, that this was an illegal method and illegal activity against the State. Wasn't it?

*Mindszenty:* I'm sorry that I did not think at that time to turn to the Government for help.

*President:* Csaky left. He sojourned abroad and when he returned in January, he gave a long report of his activity.

*Mindszenty:* And then he brought letters, replies.

*President:* He brought letters. One of them, for example, the number A/13 of November 18, 1947, was the letter Archbishop Rohrachner wrote to Cardinal Spellman. Did Rohrachner send you the copy of this letter through Csaky, signed by his own hand?

*Mindszenty:* Yes.

*(The President reads the letter up to the section which states that the delivery of the Crown to Hungary under the present political circumstances would be equivalent to the loss of the relic.)*

*President:* (after reading the letter) Here the political importance of the action and its political character are to be seen directly. This letter reveals that Csaky instructed Rohrachner. And Csaky was your messenger. This is obvious from your letter of commission. To Archbishop Rohrachner, it was obviously a reflection of your intentions. This is the only logical conclusion. And Rohrachner's letter reveals that there was no question of the Crown being endangered by a possible war, but that it would be lost for Mindszenty and his followers forever in case the State received the Crown. This is obvious from the letter.

*Mindszenty:* Please, Mr. President, Zoltan Csaky was certainly my emissary. I talked with Zoltan Csaky. What use he made of my expressions of opinion and what he did not, I could not tell.

*President:* It is inconceivable that Csaky, who did not even possess three or four thousand forints for the trip, would have followed an independent political line. Rohrachner in his letter to the Holy Father, asks the American Military authorities, if not officially, at least unofficially, to take the Crown under their protection to the Pope. Csaky would have been afraid of being made responsible if he had acted differently from your instructions. Did you take him to task? Did you ask what sort of policy was this and say I do not want to deprive the Hungarian Government of the Crown, but I am afraid that it will get lost because of a war? Why does this letter show action against the State? Why did you advise His Eminence Rohrachner in this way? You didn't take him to task, did you? You certainly wrote it because you were interested in the fate of the Crown. Here, I am afraid, there is a contradiction between the defence and the facts reflected by the letter. I have to underline this to show matters in their right light.

*Mindszenty:* Obviously it shows that we wanted the Holy Crown to be transported to Rome and not to Budapest.

*President:* Yes, but this is but a fraction of the whole. He is asking furthermore that... *(he reads)* "the guardian of the Holy Crown, Colonel Pajtas, resident in upper Bavaria, and his Companion, Count John Csaky, also participate. In the interest of this petition of the Hungarian Catholics, it would be necessary to get directly in touch with the President of the United States. The line of action which I was to recommend to General Clay and which would have caused great joy to the Hungarian faithful, would certainly succeed..." *(After reading)* This is Rohrachner's part in it. Cardinal Faulhaber also wrote a letter to Cardinal Spellman. A copy of it was brought to you also by Csaky. *(He reads):* "Munich, November 21, 1947. Dear Cardinal! It was important and also agreeable for me that your Eminence wrote a letter to me about the appointment of Wagner, new Governor of Bavaria. I am grateful to you for this information and I am ready to cooperate with the new Governor. Walter Muller, who leaves Bavaria in a few weeks, will be so good as to deliver this letter to your Eminence. The name of your Eminence is honored and admired here also. This letter contains the humble request to help us save the Crown of Saint Stephen. Your Eminence knows about the matter already and the intention to deliver this relic legally to the Holy Father for the duration of the present critical times. Colonel Walter Muller, as an officer, enjoyed very great prestige in Bavaria. On Sundays, when he appeared in Church with his soldiers, he did us a great service. He also brought the gifts of the Holy Father from the Vatican to Munich under his protection. For this, the Holy Father Pius XII decorated him with the Order of Saint Sylvester." Csaky also gave you an account of the situation regarding the Holy Crown and the steps taken in this respect. He expressly writes, that with the American Military authorities in Germany the right hand does not know what the left hand is doing, so there are some who promise not to deliver the Crown to the Hungarians, but other American organizations, which have no knowledge of this, might deliver the Crown to the Restitution Commission. You, according to your defence, did not give instructions to Csaky to deprive the Hungarian State of the Crown, but from this letter, from this account, it is obvious that he did just that. But you did not disagree with Csaky. You remained in contact with him, and he left once again on your instructions to continue the activities.



*Mindszenty:* I acknowledge having left the Government organs out of this matter.

*President:* Now, it is not this which matters. But here was an action aimed directly at the Hungarian State. Please look here, the report contains, for instance, this: *(he reads)* "I could prevent the delivery of the Holy Crown to the Hungarian Government by remaining in close touch with the American Army in Germany." Here it can be read in parentheses: Alas, I consider this work very necessary, because sad experience with the American services proves that the right hand really does not know what the left is doing. And then he writes in this letter of "the complete secrecy as far as my person is concerned." This makes it obvious that this was an illegal act. But you also wrote letters to the Holy See, to the Pope. Obviously the letter of Montini, the Under-Secretary of State, dated September 9, 1947, was the answer to this letter, wasn't it?

*Mindszenty:* Yes, it was.

*President:*... The letter which Montini, Under-Secretary of State, wrote to you, enclosing the answer of the American Secretary of War to the intervention of Archbishop Spellman; where Kenneth O. Royall notifies Spellman of having transmitted the request to the State Department for careful consideration, if the request could be complied with...

*Mindszenty:* This is it.

*President:* The Prosecutor charges you with having called for American intervention in the interest of overthrowing the State and also for wanton interference by the Government of the United States in Hungarian internal affairs. You turned to the Government of the United States through the accredited American Minister in Budapest with several petitions, asking the United States Government to intervene in Hungarian internal affairs. So you sent memoranda through the accredited American Minister to Hungary asking for intervention by the United States Government.

*Mindszenty:* Yes.

*President:* Every state, every people, may shape its life and the form of its government according to its desires and needs.

*Mindszenty:* That is so. Unfortunately, I overlooked my original principles, and this is how it happened that I asked for this intervention.

*President:* Do you think this act of yours regrettable?

*Mindszenty:* I do.

*President:* The first letter in the files before us, asking for intervention, was drafted in connection with the suit against the conspirators. *(He reads the draft of the letter.)*

*Mindszenty:* May I make a statement?

*President:* You may.

*Mindszenty:* As announced before, I accept the evidence before the Court and regret having despatched these documents. These documents should be divided into three parts. A smaller portion of the first group was completed and addressed, but was never sent off, but retained: these are among the documents. Not each and every one of those letters was sent, and I emphasize that the portion retained is the smaller part.

*President:* Will you please state if any of them were not sent.

*Mindszenty:* Well then, the major part was actually sent. The primary aim of these letters was not to expose faults or to do harm or to blacken people. My intention was to help, but I chose the wrong way to do the right thing. At any rate, it would have been better not to have dispatched those letters. I regret having sent them, and in the future I shall never depart from my basic principle — pointed out in my letter to the Minister of Justice— to observe the external and internal policy of the Hungarian state in the light of its complete sovereignty.

*President:* Yes.

*Mindszenty:* Kindly accept my statement.

*President:* We shall put it on record, and shall consider its value. Let us proceed. We have to go through every document singly, according to the rules of the court procedure, and we shall only be able

to estimate their worth if we discuss them in Court, and you make a statement concerning each of them. Will you, please, take particular care as to which of them was actually sent, and which were only drafts.

*Mindszenty:* I would be unable to state that here and now.

*President:* The receipt of most of them was confirmed by the American Minister. There is no doubt in such cases, is there?

*Mindszenty:* No, there is no doubt. At the police interrogation, some letters were produced to which there was no answer: these may not have been dispatched.

*President:* The Prosecution does not maintain that all memoranda, applications or requests written by you are criminal. We only examine those which are stated to be criminal. We shall discuss these and decide whether or not they are actually criminal.

*Mindszenty:* Yes.

*President:* Was there a Conference of Bishops with reference to the elections of 1947?

*Mindszenty:* Yes, there was.

*President:* Did it deal with the elections?

*Mindszenty:* Yes, it did.

*President:* Was a resolution adopted?

*Mindszenty:* Yes.

*President:* Was that resolution ever published?

*Mindszenty:* It was.

*President:* The "Magyar Kurir..."

*Mindszenty:* Indeed.

*President:* ...printed it, and so did the newspapers. What was the official standpoint adopted?

*Mindszenty:* That the conference did not adopt any stand for any of the political parties, but left it up to the faithful members of the congregation what to do.

*President:* They should not interfere with the elections.

*Mindszenty:* That is correct.

*President:* That was the official standpoint. But was there any other decision in the background, under the cover of the official standpoint?

*Mindszenty:* Individually, certain dioceses gave their support to the Women's Camp, or to the Barankovics Party which was launched at that time, others to Pfeiffer, others again to the Smallholders. This was jointly discussed at the conference.

*President:* Wasn't there a decision that you were not to back any of the parties openly, but actually you advised the dioceses to let the congregations know, through the priests attached to the various chapters, to support the Christian Women's Camp wherever it **was** taking part...

*Mindszenty:* Yes.

*President:* ...and where not, to support Pfeiffer, and where the latter had no candidates or no chance of election, to vote for Barankovics's party, and in the last place for the Smallholders.

*Mindszenty:* Yes, there was such a clause.

*President:* Was there such a clause?

*Mindszenty:* Yes, there was.

*President:* In that case, this meant interfering with the elections, didn't it?

*Mindszenty:* Yes.

*President:* So it meant interfering with the elections. You gave 2,000 forints to support the Schlachta Party, is that so?

*Mindszenty:* I gave financial support, but I could not tell you whether it was exactly that amount, more or less.

*President:* In the summer of 1948, in connection with the Mihalovics case, we tried one Odon Lenard, who was sentenced to six years by the People's Court for the spreading of inciting leaflets. At that time we suspected that these leaflets had emanated from you: This has now been confirmed by the



investigation. Do you recall that? It was in connection with the nationalisation of schools.

*Mindszenty:* I drafted some of those. I did not draft them all, but I certainly drafted many such leaflets.

*President:* I see.

*Mindszenty:* Or, if someone else had drafted them, I corrected them.

*President:* Then, the leaflets were secretly and illegally multigraphed on the two machines that you had ordered to be purchased.

*Mindszenty:* They asked for my approval, when buying the machines.

*President:* Yes. Did they also ask you for money?

*Mindszenty:* Yes, they did, and they got some. As to how they prepared the leaflets, I had no say.

*President:* Another example of interventionist activities is your memorandum of May 4, 1946, addressed to the American and British Ministers, asking them to send British and American military forces into Hungary. Did you send such a memorandum?

*Mindszenty:* I did.

*President:* You did. Well, this is another gesture which is anything but friendly towards the Hungarian State...

*Mindszenty: (interrupting)* This is a matter about which I have already made a statement.

*President:* Yes. I am going to read your memorandum No. A/21 to the American Minister, forwarded to him on December 12, 1946. Here is the confirmation in your own handwriting that this is a copy of your letter. *(He reads the letter in which Mindszenty urged American intervention for public officials discharged because of their fascist past.)* On December 16, 1946 you again urged American intervention in a long memorandum. It is at the end that you request intervention. *(He reads, quoting from letter No A/22:)*

“...I request the help of America, which is fighting for freedom and justice, to put an end to the tremendous pressure and rotting so that the unfortunate Hungarian people can be preserved for Western civilization. A solution is possible with outside help. I could point out the ways and means of this. The evidence supporting my statement is in my possession.

Please accept, dear Sir, my sincere respect.

*Mindszenty:*  
Cardinal Prince Primate  
Bishop of Esztergom.”

To these letters asking for intervention Minister Arthur Schoenfeld replied to you on December 27, 1946. The original of this letter is here on file. *(He reads the letter, a photostatic copy of which is reprinted in the Yellow Book, as written by Mr. Schoenfeld, the American Minister to Hungary:)*

“Legation of the

United States of America

Budapest, Hungary, December 27, 1946

Your Eminence:

I have the honour to acknowledge receipt of your letter of November 22, concerning certain actions taken by the Czechoslovak Government affecting the Hungarian minority in Slovakia, as well as your letter of December 12 concerning the program for retrenchment of the Hungarian civil service. and your letter of December 16 containing observations on general matters of political interest in Hungary at the present time.

Copies of your letters have been forwarded to the Department of State.

It is noted that your letters of December 12 and December 16, touching on internal political problems of Hungary, requested the assistance of the United States Government in altering certain conditions which Your Eminence deplors. In this connection you are of course aware of my Government's long standing policy of non-interference in the internal affairs of other nations. This

policy has proven over a long period of time and through many trying situations the best guarantee of spontaneous, vigorous and genuine democratic development. It will be clear to Your Eminence that it necessarily precludes action by this Legation which could properly be construed as interference in Hungarian domestic affairs or which lies outside the normal functions of diplomatic missions.

I should like to take this opportunity to assure Your Eminence that I shall continue to welcome the expression of your views on any matters to which you may desire to draw my attention.

In conveying to Your Eminence my best wishes for the holiday season, I take the opportunity to renew the assurance of my highest consideration.

Signed: H. F. Arthur Schoenfeld  
American Minister

His Eminence

Joseph Cardinal Mindszenty,  
Prince Primate of Hungary,  
Esztergom, Hungary.”

*President:* Wasn't it unpleasant for you that the American Minister gave you such a lesson?

*Mindszenty:* It was.

*President:* I am going to produce another letter addressed to Schoenfeld in which you informed him that if his waiver of the requested intervention was merely a demonstrative, official gesture, you take note of it trusting that he will do everything to prevent the developments in progress here... Is this correct? Did you write such a statement?

*Mindszenty:* I did.

*President:* Later, you made another statement, and submitted another request directly to President Truman through the American Legation. Is that so?

*Mindszenty:* Yes.

*President:* Did you ask him also to intervene in the domestic affairs of the country?

*Mindszenty:* Yes.

*President:* You close your letter with the following request: “We are asking for aid to get rid of this unbearable oppression, mendacity and cruelty.”

*Mindszenty:* Yes.

*President:* With this you were asking for intervention. Well, your priests were sending you reports from various parts of the country, weren't they?

*Mindszenty:* Not regularly, but it did happen sometimes. And it happened also that I asked for reports.

*President:* You forwarded these reports to the American Legation, didn't you?

*Mindszenty:* Not the reports themselves, as far as I know, but summaries were made of them.

*President:* The data were extracted...?

*Mindszenty:* Yes, that was the way.

*President:* What kind of data were these? (*Mindszenty is silent.*) Just give us a few examples. On the political and economic situation of the country?

*Mindszenty:* I think there were some referring to the drought. And then some atrocities occurred in the country, data were given about these too.

*President:* Then, for instance, about military forces, the supplies for the military forces, and their budget?

*Mindszenty:* As I remember there was only reference to the supplies for a few months for the occupation forces in Esztergom and Komarom counties.

*President:* Now let us talk about your journey to America. Until now we have discussed the fact that you were in contact with Otto Hapsburg through various persons, through messages and exchanges of correspondence.

*Mindszenty:* Yes.

*President:* Did Otto Hapsburg know of you? Did he know that you were loyal to him? Did he know that you were one of the leading figures of the Hapsburg restoration movement here in Hungary? Did he?

*Mindszenty:* Probably he knew.

*President:* When did you leave for America?

*Mindszenty:* About June 17, 1947.

*President:* Together with your Secretary, the defendant Andras Zakar?

*Mindszenty:* Yes, we went together.

*President:* Did you go to Vienna by a British Military plane? And from there by a scheduled airliner?

*Mindszenty:* Yes. I went by a regular service to Vienna.

*President:* Between Vienna and Budapest there was no scheduled passenger plane. Did you go by a British Military plane?

*Mindszenty:* Yes.

*President:* Upon arriving at Ottawa did you attend the Congress of the Virgin Mary there?

*Mindszenty:* Yes.

*President:* Was Pal Zsamboki attached to you?

*Mindszenty:* Yes, the Bishops and the Cardinals from the United States detailed Pal Zsamboki to assist me.

*President:* Pal Zsamboki was also a Legitimist, an old friend of the Hapsburg family, their confessor, and loyal to them, wasn't he?

*Mindszenty:* Whether he was their confessor, I do not know, but it is true that he was in their service.

*President:* He was detailed to you. When did he mention to you that he would like to put you in touch with Zita and Otto Hapsburg?

*Mindszenty:* We were in Ottawa toward the end of the Congress and then he reported that the widowed Queen had arrived at Ottawa and desired a meeting.

*President:* Then you visited her. The meeting was held at a Convent?

*Mindszenty:* Correct.

*President:* Were you accompanied by Zsamboki and Zakar?

*Mindszenty:* Correct.

*President:* Did you talk at this meeting about the chances of Legitimism and about Legitimists in Hungary?

*Mindszenty:* Well, it is possible that we touched on this matter.

*President:* Was there any mention that her son, Otto Hapsburg, would also like to meet you, and did she ask you for such a meeting?

*Mindszenty:* I think she mentioned that.

*President:* Zsamboki appeared one day, asking whether you could meet Otto in Chicago, didn't he?

*Mindszenty:* He did. The previous year I had not received him in Rome. I did not want to be impolite this time and I said, "All right, let there be a meeting."

*President:* Weil then, Zsamboki arranged the meeting. Where did this take place? In Chicago?

*Mindszenty:* In a Convent.

*President:* It came about in a Convent. Who took part?

*Mindszenty:* Only the two of us.

*President:* You were alone then, and the two escorts remained outside?

*Mindszenty:* Yes.

*President:* Did this conference last about an hour?

*Mindszenty:* Yes.

*President:* What did he ask, whether the movement for the Hapsburg restoration had many

followers? Whether you could get help and support from the United States of America? Did he, or did he not have a favourable opinion about the chances of a Hapsburg restoration with the present international tension?

*Mindszenty:* Well, if you please, he was not too optimistic in this matter. Or rather let us say, he had some hopes, but he was not too optimistic.

*President:* Did he say that he had excellent contacts with the American Department of State and with American leading personalities?

*Mindszenty:* He mentioned something of the sort.

*President:* Did he say that he was in constant contact with these?

*Mindszenty:* Yes, he said that too.

*President:* And that there was a possibility for the restoration of the Hapsburg throne? Certain American leading circles saw that it was a wrong policy on their part to have...

*Mindszenty:* To have liquidated the Monarchy.

*President:* They admitted it and were inclined to its reconstruction under a certain given international situation?

*Mindszenty:* Yes.

*President:* Did he tell you what his plan was, what sort of a setup?

*Mindszenty:* Well, if you please, he mentioned as much that he considers Austria and Hungary separately. This is how he said it.

*President:* Yes. In a Personal Union?

*Mindszenty:* He could visualise it as a Personal Union.

*President:* Is such a setup in line with certain intentions of American power politics?

*Mindszenty:* He mentioned something of the kind.

*President:* And you, as the highest priest in the Hungarian Republic, did not get up right away saying, excuse me, please, I am the highest priest of the Hungarian Catholic Church in the Hungarian Republic, I no longer wish to take part in a matter of this sort, since there is a Republic here, my country is a Republic, and therefore I cannot take a stand against...

*Mindszenty:* This did not arise as plans or tasks for tomorrow or the day after tomorrow; these were only plans and so I listened to them as such, but there was nothing in this which would have been directed against the present order in Hungary.

*President:* Then why did you wish to keep this, as well as the conversation with Zita, a great secret, and treated as a secret, if there was nothing to it.

*Mindszenty:* Well, because the matter could be misinterpreted. This was just an act of courtesy at a meeting already requested for the second time. The first time I did not fulfil the request, but the second time...

*President:* Well, this was not just a simple meeting. A courtesy call may last for 8 to 10 minutes, — this was more in the nature of a conference lasting an hour. At a courtesy call there would have been no objection to other people having been present.

*Mindszenty:* Well, Mr. President, our talk did not follow such a course or direction that I should have felt obliged to act in such a way as you have suggested.

*President:* Did he ask your support, that you should stand at his side, that the Legitimists should hold out at home in hard times? There would be hard times in the future, but the outcome of the issue was approaching...?

*Mindszenty:* Well, he went as far as to say that the followers of the Hungarian Legitimists should not be in the limelight too much, no sacrifices should be made for the idea, and not a single person should get into any trouble or inconvenience because of the cause; that the people should restrict themselves to social activities only. This is what he touched on.

*President:* You stated that you were an old supporter of his and would do everything you could to strengthen further the Legitimist cause here, and that in favourable circumstances they would be ready?

Mindszenty: He had no doubts that I...

President: But did you bring out the point that you were an old follower of his?

Mindszenty: I think I mentioned that.

President: Did Otto ask you who were the leading personalities of the Legitimist cause here today?

Mindszenty: Yes, he did.

President: Who were these persons who stood ready? Whom did you name?

Mindszenty: I mentioned Professor Baranyai, Jozsef Cziraky, and then I don't know whom as third and fourth.

President: Three or four persons?

*Handwritten signature*

### *Handwritten title*

*Handwritten text paragraph 1*

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*Handwritten text paragraph 5*

Mindszenty's letter to the Minister of Justice. (1)



szövegében és az azóta megírt és kiderített  
szövegben a végső határozatnak megfelelően  
fennmaradt az államháztartás és a köznevelési  
minisztérium feladatai.

És a bizalmasan írtak és a miniszternek  
közvetlenül, hogy az újabb határozatnak megfelelően  
meghatározottakat, melyek a miniszternek, az  
újabb és az újabb határozatnak, az újabb határozatnak,  
és a miniszternek feladatát.

Magyarországi Magyarországi Magyarországi és Magyar  
Minisztérium

Budapest, 1944 júni 27. Magyarországi Magyar  
Minisztérium, 1944

Mindszenty's letter to the Minister of Justice. (3)

Körmend

Körmend, 1944 júni 27. Magyarországi Magyar  
Minisztérium, 1944

Körmend és Magyarországi Magyar

Körmend és Magyarországi Magyar

Körmend és Magyarországi Magyar

I. 23.

Mindszenty

Körmend és Magyarországi Magyar  
Minisztérium, 1944

Körmend és Magyarországi Magyar

Körmend és Magyarországi Magyar  
Minisztérium, 1944

Mindszenty

Mindszenty's letter to M. Chapin, Minister of the USA to Hungary, asking for help to escape.

*Mindszenty:* Three or four persons.

*President:* Those who are playing a role at this trial? That they used to meet with each other?

*Mindszenty:* Yes.

*President:* Well then, afterwards you took leave of each other. The conference lasted for an hour. Then you went to New York where you were a guest of Cardinal Spellman.

*Mindszenty:* Yes.

*President:* When you conferred with Spellman, did you tell him of your conference with Otto?

*Mindszenty:* Yes, I did.

*President:* Yes. There is no doubt that you really conferred and talked with Otto.

*Mindszenty:* I do not deny it.

*President:* Well, that's all very well. But then Otto makes a statement for the world press. Here it is: the Osservatore Romano reports it. It said things like this: As far as the expressed accusations of the Budapest Government are concerned, according to which Otto had met Mindszenty, in Chicago during the Cardinal's American journey, Otto declares that the first knowledge he had of this was when he read it in the newspapers recently... This is what Otto Hapsburg states. Here it is in the Osservatore Romano... Well, then you talked in New York with Cardinal Spellman about your conference with Otto.

*Mindszenty:* Yes.

*President:* Did you inform him of the situation, the activities, and the strength of the Hungarian Legitimists? Was he interested?

*Mindszenty:* I spoke of that; at this meeting, I spoke of that.

*President:* Was he interested in what sort of climate there was for this Legitimist movement, what strength it had here?

*Mindszenty:* I said, that I did not think the thing was timely now.

*President:* But this is not the idea shown in the drawing up of the Cabinet list; in thinking of the Regency, becoming provisional head of the State; in planning the whole setup in the one hour conference with Otto. In a matter which one considers untimely, one does not negotiate, one does not plan.

*Mindszenty:* In the spring of that year, at that time, it was still strongly rumoured in public opinion — there are waves of this kind of rumour — that a historic change might come about.

*President:* A third world war?

*Mindszenty:* A third world war. This is what they were talking about.

*President:* Now you were thinking of a third world war, that they would establish a system of Government here which would suit you; instead of concentrating all your strength here and abroad to prevent the outbreak of such a third world war.

*Mindszenty:* I beg your pardon, Mr. President, I was not working for a third world war.

*President:* This premise, this desire was the condition *sine qua non*.

*Mindszenty:* In any case, I as a Hungarian, dread a third world war.

*President:* But the whole plan is based on this. You thought of a new sea of blood. The war would break out and the Anglo-Saxon Powers would win.

*Mindszenty:* These ideas had gained ground among the people.

*President:* The war was the condition *sine qua non*. Without war you well knew that in two or three months such a change, the overthrowing of the state order could not be imagined.

*Mindszenty:* Yes, however, public opinion then took the world war almost for granted.

*President:* But, if you please, was there any step taken, was there even one stroke of the pen made against the outbreak of war, for the lessening of international tension?

*Mindszenty:* We did so, for we always prayed for peace.

*President:* But at the same time you drafted a whole series of petitions aimed at making the international situation worse, isn't that so?

*Mindszenty:* Yes.



*President:* There seems to be a big contradiction here with your outward actions. You based everything on international tension. Wasn't that your presupposition? And then you say that you were praying for peace. In any case, your actions are listed here in front of the Court; documents which it is impossible to interpret otherwise. Manifest expectation of an approaching war. Right to the end, the whole series of conferences, the Cabinet list, all was for this.

*Mindszenty:* Indeed, this was the starting point.

*President:* This was the starting point. Can a Cardinal, a Catholic priest, make a sea of blood, a new war a starting point? You should have fought teeth and nail with all your power in every continent to prevent another war.

*Mindszenty:* I did not desire war.

*President:* These documents indicate otherwise.

*Mindszenty:* At the most I considered it as a basis.

*President:* All these actions intended to drive things to the extreme. It really seems that you wanted to make relations with the Americans worse. All the reports had a certain tendency. They all showed the country and the development here in an unfavourable light.

*Mindszenty:* Yes, but Mr. President, I have already expressed my regret for having sent these letters.

*President:* That is very nice, but now it is my duty to establish logical connection between these questions, for this is how they are connected in reality also. But let us go on. Once more we are going back to your conversation with Otto... Otto called attention to the fact, that Selden Chapin, a new American Minister, was to come to Budapest. How did he characterize Chapin for you in comparison with Schonfeld?

*Mindszenty:* He said he was a more active person than his predecessor was.

*President:* Did he say that he had already spoken with him? That he knew him?

*Mindszenty:* He said that he had met him.

*President:* Did he say that it would be good if you could contact him while you were still in America?

*Mindszenty:* I do not know whether he said this, for as I remember, by the time we got there. Minister Chapin had already left for Hungary.

*President:* Did you speak with Spellman about Otto? Did Spellman know Otto?

*Mindszenty:* Yes, he knew him.

*President:* How did he characterize him?

*Mindszenty:* As I recall, he spoke of him favourably.

*President:* How did you come to discuss the matter of your giving an authorization to Otto? Whose idea was this?

*Mindszenty:* I think it was that of Cardinal Spellman.

*President:* What reasons did he give, why was this authorization needed?

*Mindszenty:* We were saying that it would be good if one nation or another were more strongly supported, as for instance he found that the Slovak and the Czech people were getting more support and it would be useful if someone as a representative would have the authority to do something for Hungarians along this line.

*President:* For what kind of support?

*Mindszenty:* Well, let us say in official circles.

*President:* But what right did you have to give such an authorization? It was not even appointing a priest as representative, although in America you would not have had the authority to do even that. This was a political authorization. And in such matters Hungarians are represented by our Hungarian Legation in Washington and by the Hungarian Consulate General in New York. By what right did you do it? Was this not a Legitimist authorization?

*Mindszenty:* No.

*President:* What kind of an authorization was this?

*Mindszenty:* I think it was a brief two-line affair, something like, “I entrust *blank* that in case I am prevented” — because I did not give this unconditionally but with certain conditions — “...in case I am prevented, he should be empowered to represent the Hungarian Catholics.”

*President:* But what do you mean by being prevented? You mention that he as a representative should secure help for Hungary since you were not in the States, that he should have authorization empowering him to deal with such matters.

*Mindszenty:* First of all I had in mind that he should urge the American Catholic Relief Organisation to send money.

*President:* All right. But then why this proviso? That “in case I am prevented...” Wasn’t he supposed to urge them whenever he could?

*Mindszenty:* I thought that while I could keep in touch (*with America*) by mail and otherwise, I could do this myself.

*President:* If there were no mail, no relief could come!

*Mindszenty:* Well then, if you please, they could support the Hungarian people who were outside the mutilated country, for instance, the displaced Hungarians, and so on... We considered them to be the same, as far as relief was concerned.

*President:* So you gave this, drafting it in Hungarian, to Cardinal Spellman.

*Mindszenty:* Yes, I gave it to him. I did not want to refuse doing this for the great benefactor and supporter of the Hungarian people, Cardinal Spellman, and therefore I gave it, only in a restricted form.

*President:* When you arrived home you gave a report to the other Legitimists, to the leaders of Legitimist circles, on what you discussed with Otto, what your impressions were in America, was that so?

*Mindszenty:* Yes.

*President:* To whom, will you please tell us?

*Mindszenty:* Well, I know surely that I told Professor Baranyai. Who the others were, I’m not quite sure. Maybe I could mention a few names...

*President:* Please tell us then, who?

*Mindszenty:* imagine Jozsef Cziraky and then Professor Gruber, and I’m not quite sure whether Margit Schlachta.

*President:* You told them that you had spoken with Otto and what you spoke about, as you mentioned a short time ago.

*Mindszenty:* Separately to each.

*President:* This had an inspiring effect on the Legitimists here, it gave them strength and confidence, didn’t it?

*Mindszenty:* Well, if you please, I do not know, what this meant as far as their outside behaviour in the world is concerned. This I cannot tell, but at any rate Professor Baranyai, for instance, was glad to hear that Otto sent him greetings.

*President:* No, that is not what I’m talking about. The hopes of the Hapsburg restoration, which was sketched for you by Otto, the aid that could be expected from American circles, a possible change in American power politics, the fact that increasingly more people were believing that their Central European policy in liquidating the Austro-Hungarian Monarchy was incorrect?

*Mindszenty:* Because of their views of course, they liked to hear this.

*President:* When you returned from your American journey, were you visited in Esztergom by Chapin, the newly appointed American Minister?

*Mindszenty:* Yes. This was his first visit.

*President:* For how long did it last, approximately?

*Mindszenty:* Perhaps for half an hour.

*President:* For half or three-quarters of an hour. Did political questions come up during this first conversation?

*Mindszenty:* I think very briefly.

*President:* Did you return this visit in two or three weeks to the American Legation?

*Mindszenty:* In two or three weeks I did.

*President:* Accompanied by your secretary?

*Mindszenty:* Yes.

*President:* Here again this meeting took approximately the same time?

*Mindszenty:* Yes, approximately as long, or even somewhat longer.

*President:* Here you were discussing concrete issues, weren't you?

*Mindszenty:* Yes.

*President:* Did you talk, for instance, about fighting against the development going on here through pastoral letters?

*Mindszenty:* The pastoral letters were mentioned and he asked how the flock takes them and how the clergy takes them; and he said that he was sorry that he knew them only from translations.

*President:* Did he not say that he very much approved of this aggressive tone and that resistance against the development should be continued further.

*Mindszenty:* It is possible that he said so, but I do not positively remember it.

*President:* The third meeting occurred then on February 16, 1948, at Esztergom. Chapin came accompanied by Koczak, his wife, and two other women employees of the Legation.

*Mindszenty:* Yes.

*President:* During this visit did you Chapin and Koczak withdraw for a talk?

*Mindszenty:* Yes.

*President:* What did Chapin tell you then? How you should keep in touch in the future, how you should get your information to him through whom?

*Mindszenty:* Through my secretary and his secretary.

*President:* Why was this necessary?

*Mindszenty:* He said that we live far from each other.

*President:* Well...

*Mindszenty:* Well, he said so.

*President:* There are automobiles, there is telephone, mail, this is no distance today.

*Mindszenty:* I do not live in Budapest, as your Honour knows. This is what he was referring to.

*President:* Wasn't it in order that this constant keeping in touch should not get too obvious and therefore it would be better if you kept in touch with each other through your secretaries secretly?

*Mindszenty:* Well, if you please, our meetings had not been frequent up to then.

*President:* So then you were to meet in the future through your secretaries. Then, according to this, you instructed Zakar that in the future when Koczak came, he should always give him material, was it so?

*Mindszenty:* Well, I said that he could supply the right kind of material.

*President:* What right kind of material, what data were those? Those, which praise the development going on here, the results achieved? Such material should be given so that the Americans should see what fine fruits the efforts of the Hungarian people yield? What data? What data do you mean?

*Mindszenty:* I think...

*President:* Yes?

*Mindszenty:* that Church and Church data were concerned.

*President:* But I asked whether the data were favourable? For when one is in touch with foreigners, then after all, one likes to show up the advantages, the results, the cultural, artistic, scientific results, economic results, political results, proudly. You know this too. Was this the kind of results you indicated?

*Mindszenty:* Rather negative...

*President:* Rather negative results. Well, what was the aim of giving negative results? What was the

aim? Please make a statement! To get the American Government to take an unfriendly stand against the present regime, isn't that the truth?

*Mindszenty:* Well, even if that was not the aim at any rate this could have come of it.

*President:* Now then, on your part, this was not an isolated act, that is, you did not inform in this way only the foreign legations, but other organizations also. Through Actio Catholica also such false information was sent abroad through Zsigmond Mihalovics. He reported to you several times what information he sent abroad, for instance through the representatives of the Danish Red Cross.

*Mindszenty:* Yes.

*President:* Until now we have spoken of three conferences and meetings with Chapin, then the fourth one came. For the fourth time you went to see him. Where to?

*Mindszenty:* I think to his house.

*President:* What made this talk timely?

*Mindszenty:* As a matter of fact, they informed me that at this time there was a great change in Yugoslavia and as far as Hungary is concerned, because, they said, it was not impossible that something would start in Yugoslavia from Tito's side which wouldn't remain an isolated phenomenon.

*President:* Then you thought right away that if there was a certain reactionary step taken in Yugoslavia, that is, a step against progress, then you should quickly size up the situation to investigate the possibilities for a similar regressive step in Hungary. Was this what you thought? Why didn't you ask the Hungarian Foreign Ministry if you wanted information? Why did you get together with the Minister of a foreign power and his adviser? Who took part at this Conference? Chapin, Koczak and then from Yugoslavia...?

*Mindszenty:* The American South-Eastern-European adviser.

*President:* Wasn't there talk of the actions or steps that the Legitimists should take should we be on the verge of a change?

*Mindszenty:* From the political side I was advised to keep my eyes open, but whether this was from the Legitimists or by whom I do not remember.

*President:* Now this the fifth meeting came about in the middle of November, 1948. Then you asked that Chapin should go to see you. He visited you together with Koczak. Between these two meetings, the meeting in the summer and this meeting, Koczak had been in Esztergom several times, always collecting material from Zakar?

*Mindszenty:* Well, I beg you, I do not know how many times he was there, because in most cases I did not even know of it.

*President:* He came at night, around eleven o'clock to your house.

*Mindszenty:* I only learned it when my Secretary mentioned it, in the morning.

*President:* Didn't it seem strange to you, that a representative of the Legation kept coming to the palace of the Primate at night? Once you, too, met him at night, didn't you?

*Mindszenty:* Yes, once I did.

*President:* After all this is rather strange. Diplomats don't usually call at night.

*Mindszenty:* I thought that he had more time then.

*President:* At night? Well, this is a very naive plea. Obviously he went at night in order not to be seen, not to call attention to himself. But he did call attention.

*Mindszenty:* Yes.

*President:* Let us go on. In November 1948, Chapin came to see you at Esztergom at your request, in the company of Koczak. What did you talk about then? You conferred again for about three quarters of an hour. You discussed...

*Mindszenty:* I mentioned how strong a campaign there is against me in the press and in other ways. And then we discussed...

*President:* And what sort of statement did Chapin make? That he too had noticed this?

*Mindszenty:*... He had noticed, he had seen it and... he brought up the proposal that... *(after some*

*pause*) that I should go abroad. '

*President:* And he would help you in this...?

*Mindszenty:* It seemed that he would not refuse to.

*President:* Do not give such diplomatic answers, but answer straight. Did he offer that in case you decided to take this step, he would help you, or did he say that he would not help you?

*Mindszenty:* Is it absolutely necessary that I give an answer?

*President:* No, you do not have to answer a single question. Court procedure permits your not answering, but perhaps you are taking away from yourself a point of defence, something that it is my duty to call to your attention. You are not obliged to answer, if there is any question you do not wish to answer, simply say, "I do not wish to answer this". But at the enquiry before the Prosecutor you did answer this question.

*Mindszenty:* Yes.

*President:* Do you wish to answer how?

*Mindszenty:* Yes.

*President:* Then please go ahead. Then did he offer to help you to get out of the country?

*Mindszenty:* He did offer, not that he would get me out, but that he would help me.

*President:* ...that he would help in getting you abroad?

*Mindszenty:* Yes.

*President:* And what did you answer to this?

*Mindszenty:* I said to this...

*President:* Please speak louder.

*Mindszenty:* ...that I would remain at home.

*President:* After this, did you not consider flight at all?

*Mindszenty:* Please, your Honour, permit me not to answer.

*President:* As you wish. You are not obliged to answer. Now the Prosecution charges you with having always been in touch, both during your travels abroad and at home, with emigrants, sworn enemies of the regime, with people condemned, political criminals, for whose arrests warrants had been issued; and in some miraculous fashion, or perhaps very understandably, these all sought you out. So, for instance, at the time of your journey to Rome in February 1946, Miklos Kallay contacted you. Miklos Horthy, Jr. sent his secretary to you, saying he wished to meet you. Then Miklos Horthy sent Aladar Kovacs in 1947 or 1948, you said that you did not remember accurately, with a message to you. Correct?

*Mindszenty:* Yes.

*President:* Then Dezso Sulyok who had left the country, sent his letter to you on December 28, 1947.

*Mindszenty:* Correct.

*President:* He addressed the letter to you, offered his services. He asked you to give him political instructions, because he wished to act as directed by you. Correct?

*Mindszenty:* Yes.

*President:* This letter too, is here among the documents. It was written to you. All these people are organizing abroad along the Legitimist lines. Is that right?

*Mindszenty:* Yes.

*President:* They are busy trying to set up a Central European Catholic Kingdom. Is that right?

*Mindszenty:* How many of them stand for this cause...

*President:* Sulyok stands for it. They live together, they form a group. Is that right?

*Mindszenty:* But as far as I know, they do not all live together. The letters did not show it.

*President:* Zsigmond Mihalovics fled abroad, didn't he?

*Mindszenty:* Yes.

*President:* He sent you three letters. Correct?

*Mindszenty:* I recall a long letter...

*President:* The third one is a long letter. This is a long, typewritten letter, stating that he got into touch with the CIC abroad.

*Mindszenty:* Yes.

*President:* The CIC provided him with forged papers. Is that correct?

*Mindszenty:* Yes, your Honor.

*President:* With these forged papers, he wanted to get to Rome, and to establish an office abroad, an information bureau. Is that right?

*Mindszenty:* Yes, it is.

*President:* He asked for data, confidential information; he could use it, and it would be paid for, etc. Is that so?

*Mindszenty:* Yes.

*President:* His intention was to work in two ways: partly to spread the data communicated to them, which was intended to make Hungary appear in an unfavourable light in the foreign press, and partly to obtain confidential information, as he explicitly stated. This was spying. Does this hold good?

*Mindszenty:* Yes, it does. He asked for data, but I never sent him any.

*President:* Is it true that you suspected that the letter in which he had asked for data had gone through the hands of our political police?

*Mindszenty:* I had heard something about that.

*President:* I wonder, if you had not suspected that, whether in that case, the Mihalovics group would not have obtained the same kind of information that the American Minister did obtain? Isn't that so?

*(Mindszenty does not answer.)*

*President:* Let us consider the foreign currency offences. Upon your first trip to Rome in 1945, how many dollars did you get from Undersecretary of State, Montini?

*Mindszenty:* 30,000...

*President:* 30,000 dollars?

*Mindszenty:* If I remember correctly.

*President:* Would you like to have a rest or would you rather we continued the hearing? Can you follow?

*Mindszenty:* I can. I shall answer as much as I can remember.

*President:* If you feel too tired to follow, please tell us, and we shall stop to give you a rest. For the moment you seem to be fresh enough to reply to all you remember.

*Mindszenty:* I am at your disposal, willingly.

*President:* Then let us proceed. Your second trip to Rome in 1946. On that occasion you received 10,000 dollars in one sum from the Holy See.

*Mindszenty:* I did.

*President:* There is an item of 3,000 dollars from Spellman, another for 1,000 dollars from Gigan, one of 5,000 dollars from donations, according to Zakar.

*Mindszenty:* This would be about right, as far as I can judge.

*President:* Then you purchased three motorcars, for three or four thousand dollars.

*Mindszenty:* Yes.

*President:* You brought home with you 12,000 dollars. Is that correct? Did you report this to the National Bank?

*Mindszenty:* I do not know.

*President:* Don't you know?

*Mindszenty:* I don't know. I did not handle the money at home.

*President:* Well then, how did you distribute the money? You gave 4,000 dollars to whom? To the Bishops?

*Mindszenty:* Yes, for the dioceses...

*President:* All right. Mihalovics got 2,000 dollars. Is that correct?

*Mindszenty:* Yes.

*President:* 2,000 dollars you kept. You gave it to Boka.

*Mindszenty:* Yes.

*President:* I see. What did Boka do with the money? Obviously, he changed it into forints. Is that so?

*Mindszenty:* That is so.

*President:* You were aware of the regulations concerning the traffic in dollars, as a foreign currency? I do not mean any recent regulations.

*Mindszenty:* Yes, I was.

*President:* This regulation has existed for about a decade. Did you know about it?

*Mindszenty:* I did.

*President:* You also knew that the dollars were exchanged at a black market rate, higher than the official quotation, didn't you?

*Mindszenty:* I only knew of a single item of 5,000 dollars, I believe it was a cheque, that was exchanged that way.

*President:* Yes.

*Mindszenty:* Then in November last I asked my man about this when we were attacked for this reason...

*President:* Yes.

*Mindszenty:* I think it was on November 27. I was then reassured I need have no fear on account of the foreign currency.

*President:* May I ask, did you receive statements of account weekly?

*Mindszenty:* Yes.

*President:* You received weekly statements of account. Those statements showed receipts and disbursements, didn't they?

*Mindszenty:* Yes.

*President:* No doubt, you always examined them carefully. You saw there, for instance, the sale of 1,000 or 2,000 dollars. It is not important whether you received 11,000 forints from the sale of 1,000 dollars, or 45,000 or 50,000 forints, or is it? Please tell us: whenever you needed some cash, and you had dollars, did you give instructions to sell so and so many?

*Mindszenty:* Sometimes I did.

*President:* Can you imagine that they would have sold a part of the foreign currency without your permission? Could Boka have done so, for instance? Was he authorised to do so? Would he have dared do it?

*Mindszenty:* I do not know what he dared do, but, if you please, I realise the mistakes and feel that...

*President (interrupting):* Please first answer the question, then I shall listen to where you see the mistakes. Please answer me: was Boka authorised to trade or sell any of the foreign currency in your possession without your knowledge?

*Mindszenty:* Please, I am the accused.

*President:* That is a fact, but we cannot check your responsibility unless you answer these questions. Please reply. Of course it isn't Boka who is accused.

*Mindszenty:* From time to time, I gave instructions to sell.

*President:* You knew that he did not deliver and sell the dollars to the National Bank, that these dollars were not even registered at the Bank?

*Mindszenty:* Please, in any case, I take the blame on myself for all that has happened. I have written to the People's Court concerning reparations. Kindly separate the dollars that I personally handled from the foreign currency charges against the others, and the damages caused to the state...

*President:* Whatever you did not handle, shall not of course be charged against you.

*Mindszenty:* ...I shall make it good with my best efforts.

*President:* That is not the point. That is a separate matter, the problem of reparations and damages. That is quite another problem. We are now examining whether or not there was a criminal offence committed with foreign currency in your case, or not. We have to clear the matter up, whether or not it is painful to you. We have to deal with this matter. Therefore, please reply: did you or did you not know that you were not supposed to keep foreign currency at home, but that it had to be surrendered to the National Bank?

*Mindszenty:* I knew it.

*President:* Were you aware that in spite of that, you were keeping foreign currency?

*Mindszenty:* I knew it.

*President:* Then you obviously knew that you were violating the laws of this country.

*Mindszenty:* Although I did not give direct instructions for this, yet in the face of the situation, I take the responsibility for it in the same manner as if I had given direct instructions.

*President:* Do you feel guilty of these acts?

*Mindszenty:* I do.

*President:* Over a period of 2-3 years, you carried out a series of foreign currency deals. In my experience, the special court handling financial crimes has passed sentences of one or two years penal servitude for amounts ranging from 100 dollars to five or ten dollars. We never dreamed that there were dollar manipulations of this size somewhere in the back ground. And that these should be pursued by the Archbishop of Esztergom! It is unprecedented in Hungarian jurisdiction that such enormous dollar amounts should be involved in speculation. Is this permissible according to Catholic ethics? Whom were the foreign currency law's meant to serve?

*Mindszenty:* In any case I regret and...

*President:* Yes, you have said so. Please, tell me: whom were the foreign currency laws meant to serve?

*Mindszenty:* The country's economy.

*President:* The country's economic welfare, a stable currency, the stable forint?

*Mindszenty:* Yes.

*President:* And of all people, you, the Archbishop of Esztergom violated them... Are there any questions, members of the Court?

*Member of the Court:* You collected the documents of the present case, and you gave them to your secretary to safeguard in a confidential place.

*Mindszenty:* Yes.

*Member of the Court:* When did you instruct him to hide them underground?

*Mindszenty:* I think it was early last Autumn.

*Member of the Court:* What made you issue the order? Why did you wish to hide them? Did you have the feeling that this was criminal material?

*Mindszenty:* Their contents were of a delicate nature.

*Member of the Court:* Will you please tell us: did you feel that they were criminal actions, or did you feel that they were not criminal actions but just confidential documents?

*Mindszenty:* I had an uneasy feeling about them, but I never reckoned with their being as highly criminal as they have turned out to be here in Court.

*President:* Yes.

*Mindszenty:* This is why we decided to bury them underground.

*President:* If you please, did you instruct Zakar and Fabian...

*Mindszenty:* I did.

*President:* To hide this? (*Showing the metal container.*)

*Mindszenty:* Yes.

*President:* Please, take a look: is this the identical thing?

*Mindszenty:* Please, I did not see it before it was buried.



*President:* When did you see it?

*Mindszenty:* When it was discovered and produced at the hearing. It was there that I first saw it.

*President:* Please, open it and see whether it is the same. Was that it? Please, look at it.

*Mindszenty:* This is what they produced at the hearing.

*President:* Defendant Andras Zakar, please take a look. Who made this?

*Zakar:* This was in our archives. We have had such document cases for many years. We took one of them, and put the documents into it.

*President:* When you decided to hide it in the cellar, did you report it first to the defendant Jozsef Mindszenty?

*Zakar:* Yes, we reported it.

*President:* Did he approve of the scheme?

*Zakar:* I told him that it seemed best to bury them underground. He did not ask about details, but merely said: "Provide that they are in a good safe place."

*President:* I see. And then you put in the documents. Did you choose what to put in, and what not?

*Zakar:* The Prince Primate handed these documents over to me.

*President:* In order that they should be put away?

*Zakar:* In order that they should be put away.

*President:* Then it was not you who made the selection, who chose the papers?

*Zakar:* Part of them, those which had been safeguarded by us, we put in, another part the Prince Primate...

*President:* Mr. Prosecutor?

*Prosecutor:* You said here in Court that this whole affair which has been unrolled before us, with the list of the cabinet, the *vacuum*, and the rest of it, was just one of the result of many possibilities. You, as good Hungarians, thought of this possibility, among others.

*Mindszenty:* Yes.

*Prosecutor:* Well then, you thought of many possibilities. Why didn't you work out a scheme for other events? Why did you draw up a memorandum and prepare a list of the cabinet, etc., for just this event?

*Mindszenty:* Well, I daresay, obviously to those who worked out the scheme, this idea...

*Prosecutor:* ...was the one they insisted on.

*Mindszenty:* This issue was closer.

*Prosecutor:* This issue was closer to them.

*Mindszenty:* Yes. This was the *vacuum*.

*Prosecutor:* This was the objective.

*Mindszenty:* Yes.

*Prosecutor:* Next, it is characteristic that the list of the proposed cabinet is made up of men of an advanced age. I ask, didn't you think that some trouble might befall these men, or did you think that the change was so imminent that the list was already due?

*Mindszenty:* Please, Mr. Prosecutor, this was not a deliberate scheme, just because it was based on sudden rumor, and — as you may recall — the matter was dropped, and there was no sequence to it.

*Prosecutor:* Indeed, for the preliminaries did not come about.

*Mindszenty:* That is, if I had considered the matter in earnest, then, I repeat, I would have worked out a second and third set too, but since I did not really mean it...

*Prosecutor:* All right, that is not the point. This proposed list of a cabinet was preserved in a tin box, in this tin tube, in which it was buried in the ground, evidently in the hope of better times. Had you dropped the idea — all the more as it had passed through your mind that the contents of the documents are of a delicate nature, and as a rule, citizens do not usually busy themselves with setting up lists of cabinets on paper, you decided to hide it — I repeat, had you definitely dropped the idea, you would have destroyed the list and thrown it into the fire.

*Mindszenty:* Mr. Prosecutor, when I looked into some of the documents before they were placed...

*Prosecutor:* Buried...

*Mindszenty:* ...in the tube to be buried — I did not check the documents and this document wasn't in my hand at that time. I did not check everything.

*Prosecutor:* Still, what an amazing coincidence. Even if I accept your statements, the contents of this tin tube are all highly compromising for you. I cannot accept this as a mere coincidence.

*Mindszenty:* Before hiding these documents, we kept in our office those of them which were not strictly clerical in a separate place.

*Prosecutor:* Yes, and these were kept in a separate place too.

*Mindszenty:* These may have been among the clerical papers.

*Prosecutor:* Very few of these papers have any clerical character. I am sufficiently familiar with them.

*Mindszenty:* Yes.

*Prosecutor:* Among these, the letters to and from foreign legations, copies of reports to foreign legations, the letters of Mihalovics and their copies, the list of the cabinet, the petitions, the legal and historic setup of the taking over of power and the reasons thereof: these are not clerical, but political matters. So, our point of departure was the cabinet list, and we have arrived at this point.

*Mindszenty:* Yes.

*Prosecutor:* From the composition of the cabinet list, one might assume that in 1947 you considered that the chances for a war were so imminent that the list of a new government was topical. Did you think a war was so close at hand?

*Mindszenty:* At that time, there were such strong rumors — you may remember yourself—that people reckoned with this possibility.

*Prosecutor:* Did you reckon with it too?

*Mindszenty:* Well, if you please, I was one of the general public.

*Prosecutor:* My next question refers to something that was not yet precisely answered: if that certain *vacuum juris* that you referred to, had occurred...

*Mindszenty:* Yes, but with the co-operation of other than Hungarian forces.

*Prosecutor:* With one word; if the Hungarian Republic and her sovereignty did not exist. This is what you meant by *vacuum*.

*Mindszenty:* If outside historic forces should wipe out something without the cooperation of inside forces.

*Prosecutor:* Yes. Well, what part did you...

*President:* I beg your pardon, inside forces were not to be passive, they were to be active, in order to make the outside force take action. I refer to what you said yourself: the aim of the negative reports was also to bring matters to a head.

*Mindszenty:* I beg your pardon, the action taken on this side was too modest to bring about such a decisive step, so to speak, so that as compared to the aim ascribed to them or charged against them...

*Prosecutor:* You mentioned in your deposition that the projected government would have been a cabinet of officials, so to speak. That is what you said, if I remember well.

*Mindszenty:* Yes, I did say that.

*Prosecutor:* Well then, if I look through the list, I see names like Peyer, Rassay, Keresztes-Fischer, Gyula Mor, Valentiny, Apor; not one of these are officials, they are all men against whom proceedings have been introduced for high treason, some already escaped, so that this is not a government of officials. These men are enemies of the Republic.

*Mindszenty:* It appears that the list was modified while we were considering it.

*Prosecutor:* If you please, you stated that you had been an old follower of Otto and you had said so in Chicago to him, personally. Are you faithful to the Republic?

*Mindszenty:* If you please, as I stated, I wish to be an obedient subject of the Republic and of the

present Hungarian system of government and its laws...

*Prosecutor:* It will be hard to reconcile that someone should be the adherent of a popular democratic republic and at the same time of Otto Hapsburg. The two are opposed to each other; there is an antagonism between them... We have heard about a talk with Mr. Chapin when you declared that you wished to stay in the country. In this connection would you recognize your own handwriting in a letter which I am going to read to you? (*reading the letter*): "Mr. Minister, you must take action by Thursday and I request you to do so, for a death sentence is likely and the trial will be pointed against America. They want to prove that I was paid by America for secret information. Please send a car and a plane, there is no other way out. With warmest regards, Mindszenty. January 23.

"P. S. Please instruct Koczak immediately to meet the bearer of this letter to-day to discuss every detail. Mindszenty.

"P. S. Please promise the pilot 4,000 dollars in the interest of the cause. I shall refund it.

Mindszenty"

*Prosecutor:* Did you write such a letter?

*Mindszenty:* Yes. (*Unrest and noise in the court.*)

*President:* Any other questions? (*Mindszenty turns to his attorney.*) The Defence Counsel of the first defendant, please ask questions.

*Kalman Kiczko (Counsel for Mindszenty):* Your Eminence, do you identify yourself with the scheme worked out by Jusztin Baranyai so completely that you clearly understood every single phrase of it, that you studied it, or did you simply adopt it as a finished plan?

*Mindszenty:* If you please, by the fact that in the end I did not pursue the matter...

*Counsel:* Yes.

*Mindszenty:* ...and provided no printing paper\* ... it may be seen that I did not identify myself with it.

*President:* You did not say so a while ago. You just said that before the scheme was worked out, you had discussed it with Baranyai, then after a few weeks perhaps after a month, he had come to see you and handed it to you. You studied it together and discussed it again. You agreed with him. Then Baranyai set up the list of the projected government after previously discussing it with you; you agreed that Baranyai was to make up a list for a cabinet of officials. Certain names were mentioned too. Baranyai prepared the list and sent it to you, and you more or less agreed with it. This is what you said here two hours ago. Is that correct?

*Mindszenty:* Yes.

*Counsel:* Although you studied the matter, you did not fully grasp its meaning.

*President:* That he did not say.

*Counsel:* He does say it now.

*President:* That is exactly why I remind him of his statement made to the Court.

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\* See: Indictment.

## HEARING OF PAL ESZTERHAZY

*President:* Dr. Pal Eszterhazy, do you understand the charges?

*Eszterhazy:* Yes.

*President:* Do you plead guilty?

*Eszterhazy:* Yes.

*President:* Before the liberation you had an entailed estate of 200,000 holds?\*

*Eszterhazy:* In Hungary.

*President:* On the territory of Hungary.

*Eszterhazy:* Yes.

*President:* Under the land reform the whole estate was distributed.

*Eszterhazy:* Yes. A few houses remained and a brick factory. The flour mill was nationalized last year.

*President:* You mentioned that according to your 1948 tax return you still have a fortune of about 3 million forints.

*Eszterhazy:* Yes.

*President:* This is what your fortune amounts to, today?

*Eszterhazy:* Well, it is less now, because the flour mill was included.

*President:* So it is that much less now. In addition you have abroad, namely in Austria 100,000 holds...

*Eszterhazy:* About 100,000 holds...

*President:* Also entailed property and in Bavaria...?

*Eszterhazy:* That is about 1,200 holds, not entailed. This had a special reservation, but that has now been cancelled.

*President:* So it is a larger property, 1,200 holds.

*Eszterhazy:* About.

*President:* You have an apartment building in Budapest?

*Eszterhazy:* In Budapest I have two apartment houses, one at 41, Jozsef-kortit.

*President:* How many floors?

*Eszterhazy:* Three. The other one is a mansion-like building in the XII district, 32, Maros Street.

*President:* And what else?

*Eszterhazy:* There is a house-lot in Budapest at No. 70, Egresi Street and the entailed estate includes a damaged house on Castle Hill, at numbers 7-9-11-13 Tarnok Street.

*President:* Yes. And what else?

*Eszterhazy:* These are in Budapest. Now in the country, at Dombovar there are about 10 or 14 houses, but I could not say exactly.

*President:* 10 to 14 houses. They are all rented?

*Eszterhazy:* Yes.

*President:* In addition?

*Eszterhazy:* In addition there is the wine business at Badacsony.

*President:* A wholesale business?

*Eszterhazy:* Well, it used to be a wholesale business, but the turnover has greatly decreased lately.

*President:* Yes.

*Eszterhazy:* There is still the beach property.

*President:* A beach property on the shore of Lake Balaton.

*Eszterhazy:* Yes, on the beach at Balaton. There is a restaurant-building on it, the so-called Kisfaludy House, which is also rented.

*President:* Now, please, what about shares and securities...

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\* One hold equals 1.4 acres.

*Eszterhazy:* I couldn't tell you off-hand.

*President:* How much do you think you possess in foreign currency?

*Eszterhazy:* It is shown here in the tax returns. I couldn't tell you by heart.

*President:* Jewelry?

*Eszterhazy:* None.

*President:* Please, you have saved a certain amount of foreign currency during the siege...

*Eszterhazy:* Yes.

*President:* How much was that, please?

*Eszterhazy:* I couldn't say, off-hand...

*President:* About how much? You don't have to give an absolute, exact figure.

*Eszterhazy:* The indictment says it was 11,000 dollars.

*President:* Well, it seems evident that you have mentioned that figure, otherwise they wouldn't have put it down.

*Eszterhazy:* Unfortunately, it wasn't I who handled this sort of thing, but my secretary. Dr. Horvath.

*President:* Anyway, you think this is the right figure.

*Eszterhazy:* If he says so, I accept it.

*President:* You instructed your secretary, Dr. Gabor Horvath, in the autumn of 1946, to purchase further amounts of dollars on the black market.

*Eszterhazy:* Yes.

*President:* Why did you want to buy foreign currency after August 1st 1946, when the forint was introduced, and after P. M. Decree 8400/1946. M.E. was issued forbid the purchase of foreign currency except through the legal channels of the National Bank?

*Eszterhazy:* Permit me to say in my defense, that a great part of my fortune in Hungary was lost.

*President:* A great part. But there was still much left. I do not think that anyone in this room would even dream of possessing 3 million forints. This is a tremendous fortune. Did you ever intend to liquidate your fortune in Hungary and to move abroad, maybe to your estates in Austria or Bavaria?

*Eszterhazy:* Theoretically I have thought of this but in practice I didn't think the time was ripe...

*President:* Didn't your dollar purchases — and the pumping of your fortune out of Hungary into the countries mentioned, show such a desire?

*Eszterhazy:* Not necessarily. I was looking around for a basis on which to build myself a new existence.

*President:* Thus, ever since the autumn of 1946, your secretary. Dr. Gabor Horvath kept on buying dollars on your instructions?

*Eszterhazy:* Yes.

*President:* At the end of 1947 Gabor Horvath reported to you that he could buy, through Tivadar Wydler, cheques to the value of several thousand dollars which were in the possession of Jozsef Mindszenty. Is this true?

*Eszterhazy:* It is.

*President:* Did you know Jozsef Mindszenty personally?

*Eszterhazy:* I knew Cardinal Mindszenty at the time when he was Abbé at Zalaegerszeg and acted as the Bishop's commissary. The distribution of the parishes was one of his duties.

*President:* And you were the patron?

*Eszterhazy:* Yes.

*President:* So you met him when he was still abbé at Zalaegerszeg. Did you know that Jozsef Mindszenty was a Legitimist?

*Eszterhazy:* I thought he was.

*President:* Are you also a Legitimist?

*Eszterhazy:* Please, I don't want to give offence to the existing State order, but in my soul I must confess to being a Legitimist due to the past of my ancestors.

*President:* Just so. Thus you call yourself a Legitimist. Did it cause you any harm, any personal harm, I mean, that your 200,000 holds of entailed property were distributed among the poor peasants?

*Eszterhazy:* It pained me very much, but I tried to accept it and to create a new existence for myself.

*President:* Yes. In connection with this and with the social and political development in this country, did you feel insecure? Did you have the feeling that your future here is insecure?

*Eszterhazy:* This was constantly in my mind.

*President:* Constantly. Now, naturally, by force of logic, you came up against the State.

*Eszterhazy:* In so far as the living...

*President:* You were not enthusiastic, you were not happy about the changes which have come about here because you felt they went against your interests?

*Eszterhazy:* Well, one has to resign oneself to the development of history. Everything changes and that which has gone will never return. It was on this basis that I tried to build a new existence for myself and to fit peacefully into it all.

*President:* In case of a Hapsburg restoration you could hope for much more favourable conditions for yourself than under the People's Democracy?

*Eszterhazy:* Well, maybe I would have been given back part of my fortune.

*President:* Yes. Well, when you heard that Jozsef Mindszenty had dollar cheques to the value of several thousand dollars and wanted to sell them, did you instruct your secretary to buy them?

*Eszterhazy:* The matter was mentioned and I gave instructions.

*President:* Was it also mentioned at what price you will buy those cheques?

*Eszterhazy:* It was probably mentioned, but I cannot remember it.

*President:* Do you remember whether the dollar price was higher than the black market rate in those days?

*Eszterhazy:* I suppose so.

*President:* Why do you suppose so? Either you know it, or you don't. On what do you base your supposition? Please, explain.

*Eszterhazy:* Foreign currency sold illegally is always sold at a price higher than the National Bank rate.

*President:* I didn't ask you whether the price you paid was higher than the National Bank rate, but whether it was higher than the black market rate at that time?

*Eszterhazy:* I think it was higher.

*President:* You think it was higher. Now tell me, why should you have wanted to pay a higher price to Jozsef Mindszenty than you would have paid to a person unknown to you also engaged in selling dollars on the black market? Did you intend to assist Jozsef Mindszenty in this way?

*Eszterhazy:* I thought that eventually the difference will be used for Legitimist purposes.

*President:* Yes. Did you know that Mindszenty was the central figure of the Hungarian Legitimist movement and that he was living in the hope of an imminent restoration?

*Eszterhazy:* I had heard that he was the leader of the Legitimists in Hungary.

*President:* So you heard this. And from whom, please?

*Eszterhazy:* It was spoken about, everywhere.

*President:* Spoken about by the Legitimists?

*Eszterhazy:* Yes. This is what was generally believed...

*President:* Yes...

*Eszterhazy:* On the basis of his past.

*President:* Tell me, please, how many dollars, in cheques, did your secretary buy on your instructions?

*Eszterhazy:* Even in my statement made to the police I was unable to give an exact answer to this. Then we reconstructed this with his help and, if I remember well, it was 8,000 dollars.

*President:* Yes. 8,000 dollars. That was the figure in the deposition.

*Eszterhazy:* In cheques.

*President:* Yes. When the offer came that Mindszenty wanted to sell dollar cheques, did your secretary warn you that there were certain risks involved as it would take some time before you could cash the cheques in America and they might no longer be covered?

*Eszterhazy:* Yes, please, there was a danger that this might happen.

*President:* Did your secretary warn you expressly of this? Do you remember?

*Eszterhazy:* I think he did. Yes.

*President:* Well. Now, what else did your secretary tell you? What wish of Jozsef Mindszenty's did Tivadar Wydler express?

*Eszterhazy:* I received a warning, indirectly, that it would be advisable to send those cheques abroad.

*President:* To send them abroad. Was there, please, an endorsement on these cheques?

*Eszterhazy:* Yes, the signature of the last owner.

*President:* Who was the drawer of the cheques?

*Eszterhazy:* On two of the cheques, I think, it was Spellman, Archbishop of New York. The drawer of the third cheque was someone else, an American clerical...

*President:* An American clerical personality. You do not remember his name. And beside these, did you have dollars bought from other sources than Jozsef Mindszenty, the first accused?

*Eszterhazy:* There were purchases made.

*President:* How many dollars, in cheques and banknotes did you buy up, and later send abroad?

*Eszterhazy:* Eighteen thousand after the liberation, 11 before that, that is 29.

*President:* 29,000 dollars. How did you sent them abroad?

*Eszterhazy:* Packed in a suitcase and with the help of a man who was in my employ and another one who is still in my employ, but they did not know about it.

*President:* They didn't. Now, what kind of a suitcase was that?

*Eszterhazy:* I cannot remember it exactly.

*President:* Was it a double-bottomed suitcase? Was it made specially for this purpose?

*Eszterhazy:* Yes, I had it made specially for this purpose.

*President:* Please, you were telling me that the expropriation of your 200,000 hold entailed estate shook the foundations of your existence. How did you try to fit into the new circumstances brought about by the People's Democracy? What work did you do?

*Eszterhazy:* Until now I was busy with the liquidation of my property.

*People's Prosecutor:* But you had Horvath do this for you, too. He bought the dollars from Mindszenty, he put them into the double-bottomed suitcase. Thus, these things did not give you any work. What was your work, day by day?

*Eszterhazy:* Well, I still have an office at 41, Jozsef Korut, where I have an employee and a legal adviser and from time to time we come across another small part of my property which can still be sold, and then...

*People's Prosecutor:* Thus you were busy with sales, but in effect they were carried out by your employee and your legal adviser.

*Eszterhazy:* Excuse me, please, but these problems are so complicated that I needed an employee who was an expert in entailed estate manipulations.

*People's Prosecutor:* One would expect that you are a better expert than your employee. After all, your experience in the handling of entailed estates is several generations old. In addition, you are a doctor at Law, so why didn't you handle these things?

*Eszterhazy:* When the entire fortune was still there it was the custom to have experts for every field of the work and I took care of the central direction.

*People's Prosecutor:* How many people were there in your employ?

*Eszterhazy:* I couldn't tell you off hand. There were about 160 clerks.

*People's Prosecutor:* 160. And there were also workers.

*Eszterhazy:* Among the workers there were different categories. There were the farmhands... but the statistical reports on the estate are not at hand. I couldn't recite them by heart.

*People's Prosecutor:* So you couldn't give us the figure.

*Eszterhazy:* No.

*People's Prosecutor:* You can't tell us. As it is, the forints, which by your manipulations became dollars and were smuggled out of the country, were the fruit of their work.



## HEARING OF MIKLOS NAGY

*After an intermission of 15 minutes, Miklos Nagy, secretary of the Actio Catholica, was questioned.*

*President:* Do you plead guilty?

*Nagy:* Yes, to the extent that I carried on illegal correspondence with Zsigmond Mihalovics and knew that Janos Varadi had in his possession a considerable sum of foreign currency which had not been registered.

*President:* Did Mihalovics, before his departure, entrust you to dispose of the foreign currency funds?

*Nagy:* Mihalovics said the following, word for word: "Go to see Janos Varadi and draw out at any time the amount of money you need." Janos Varadi was the treasurer of the Jesuit Order. At that time, Varadi had according to his own account, foreign and Hungarian currency valued at 700,000 forints. Besides this, he had an uncertain amount of Swiss francs, and as Varadi himself said, 24,000 dollars. I knew that they exchanged the dollars on the black market, at black market rates. They sold a total of 4,000 dollars, for which they received 106,000 forints.

*President:* What letters did you receive from Mihalovics?

*Nagy:* Mihalovics sent me some six or seven letters, not by way of legal postal service, but through Sandor Cserto, secretary at the Cardinal's Budapest office, through Richardis, then through the American Legation, then through Flynn, a representative of the American Catholics.

*President:* Did Mihalovics ask you to supply information which he could utilize against the Hungarian democratic State order?

*Nagy:* Yes. Mihalovics first sent me a letter from Salzburg asking me to collect news. Then Bela Ispanky let me know that a foreign lady had brought me a letter from Mihalovics. I directed Ispanky to go to see this lady and if he was convinced that she really brought letters from Mihalovics, to open them. In these letters Mihalovics gave an account of having established the information agency.

*President:* What did Mihalovics write, from whom were you to get material?

*Nagy:* From Laszlo Toth, and Andras Zakar, he wrote. And he recommended that I should find other helpmates, too. Ispanky asked me to visit this foreign lady and by means of a password to obtain the special ink and paper with which Mihalovics could be answered secretly. Mihalovics wrote that, deposited with Varadi, 5,000 forints were available for the purpose of collecting news.

*President:* Did you realize that you were speaking with a woman spy?

*Nagy:* I saw that clearly.

*President:* Why did you not turn her over?

*Nagy:* I am guilty for this.

## HEARING OF BELA ISPANKY

*President:* Dr. Bela Ispanky!

*Ispanky:* Yes, Your Honour.

*President:* Did you understand the charges?

*Ispanky:* I did.

*President:* Do you feel guilty?

*Ispanky:* I do, insofar as I undertook something that was against the interests of my people and my country.

*President:* Then you do feel guilty? Did you undertake such things?

*Ispanky:* The case charged against me, that I had communicated information to Mihalovics, is true.

*President:* In the autumn of 1948, a foreign lady called on you, is that correct?

*Ispanky:* She did, in 1948.

*President:* On September 15th, is that right?

*Ispanky:* Yes.

*President:* About that time?

*Ispanky:* Yes.

*President:* Where did the lady see you?

*Ispanky:* In my flat.

*President:* Had you met her before?

*Ispanky:* I had not.

*President:* Please, tell us, how your first meeting came about.

*Ispanky:* The lady called at my home. She told me that she had come from Rome for the Autumn Fair, instead of her husband. She produced a French passport and a Fair certificate. She put these on my table, and said that she had a letter of recommendation from Janos K. Toth.

*President:* Who was Janos K. Toth?

*Ispanky:* He was my senior at school in Rome. He was a priest with a scholarship, parson of the diocese of Esztergom, former liaison agent with the Ministry for Foreign affairs.

*President:* Did he stay in Rome at that time?

*Ispanky:* Yes, he did.

*President:* What else did the lady tell you?

*Ispanky:* She showed me the letter of Janos K. Toth in which he asked me to assist the lady in her spiritual need. We spoke of Rome which the lady seemed not to know well. We were interrupted several times by my pupils, and the lady asked me to see her at a time when we would not be disturbed. The next day she returned, and putting aside all spiritual concern she asked me to introduce her to Dr. Gyorgy Eszterhas, a Democratic People's Party member of Parliament, and to Miklos Nagy, secretary of the *Actio Catholica*. She had messages for them from Mihalovics. She hinted that the messages here reference to some information that Mihalovics, while he was in Hungary...

*President:* What was the name of the lady?

*Ispanky:* She stated, it was Mme Pomrelot...

*President:* Did you ask her: who sent you, Madam?

*Ispanky:* I asked her, how it happened that Zsigmond Mihalovics with whom I had a personal quarrel a year ago, should have thought of me of all people? She told me that Zsigmond Mihalovics did not know that she was coming to see me, but that it was Janos K. Toth who had recommended me. Then I asked her, what exactly did she want. She told me that Zsigmond Mihalovics needed information of the kind that he had been preparing before. I told her that I knew these reports drawn up for the diocese authorities, from 1943/44, when I was a chaplain at the Primate's court.

*President:* Let us go on.

*Ispanky:* In this connection she brought two letters addressed to the member of Parliament and to

Miklos Nagy, secretary of Actio Catholica respectively. She also brought something that was to be used for the forwarding of the news. She would, however, like to hand these over personally, for they also contained instructions for their use.

*President:* To whom?

*Ispanky:* To Dr. Gyorgy Eszterhas, member of Parliament, and to Miklos Nagy, secretary to Actio Catholica. I visited once more...

*President:* Both?

*Ispanky:* ...both, although the lady wanted me to take the messages to them without asking first. I called on both, and informed them of this fact. Dr. Gyorgy Eszterhas refused to accept any message, and so did Miklos Nagy.

*President:* What happened afterwards?

*Ispanky:* Mme Pomrelot said that she had no friends here, and as she had to leave urgently, she begged me to take the things and keep them. She or rather Mihalovics would persuade the two gentlemen to undertake the work they asked them to do, and in the meantime I should safeguard the things. I then took over all letters from her. One of these was addressed to...

*President:* Jozsef Mindszenty, first accused!

*Ispanky:* Primate Jozsef Mindszenty, another to Dr. Gyorgy Eszterhas, M. P., which I immediately burnt, according to my instructions, and one to Miklos Nagy.

*President:* Let us go on. What happened next, and what was in the package?

*Ispanky:* The package contained two sheets of paper treated with chemicals, one for Dr. Gyorgy Eszterhas, and another for Dr. Miklos Nagy.

*President:* What else was in it?

*Ispanky:* Some chemical substance for developing the writing, two tubes of it.

*President:* I see, two tubes of developing material. And what else?

*Ispanky:* There were 200 dollars.

*President:* 200 dollars. Did you open the package while the lady was there?

*Ispanky:* She opened it, and gave it to me.

*President:* What did she say?

*Ispanky:* She told me that if the two above named gentlemen should come to see me, I was to tell them to use these chemically treated sheets...

*President:* Louder, please.

*Ispanky:* ...which had been simply treated with wax, so that writing leaves no visible marks on it; they may, cover the sheets with writing, and if they make a chemical solution of the pills in hot water, and rub the sheets with the solution, the writing will become apparent.

*President:* These were instruments used for secret writing, weren't they?

*Ispanky:* Yes.

*President:* Did she show you how it should be used?

*Ispanky:* She only explained it to me.

*President:* Well then, she explained it to you. Did she make it clear to you how you had to do it?

*Ispanky:* Yes.

*President:* What happened to the 200 dollars?

*Ispanky:* I was afraid of a search, and therefore I cashed them with Dr. Kornel Barany.

*President:* Yes, but what did the lady tell you, who was to dispose of the 200 dollars, what was it meant for?

*Ispanky:* I was to give them to Dr. Eszterhas and Miklos Nagy, 100 dollars to each...

*President:* You were to have given it to them.

*Ispanky:* ...in case they reported.

*President:* What if they did not report?

*Ispanky:* If they did not report, the lady declared that she did not care about the money, and asked

me to burn the chemical stuff.

*President:* Was there a letter to Laszlo Toth?

*Ispanky:* There was one.

*President:* Did you read it?

*Ispanky:* I handed it to Laszlo Toth in a closed envelope which he opened, and read.

*President:* What was the letter about?

*Ispanky:* For a long time, I could not speak to him, for his hearing aid was so bad at that time...

*President:* When was his hearing aid repaired?

*Ispanky:* When it was repaired, I spoke to him, and he told me that formerly Mihalovics had obtained information through him. I stated that I had known about these reports which were made up for the information of the ecclesiastic authorities.

*President:* Let us go on.

*Ispanky:* I stated that the letter of Mihalovics was most confusing, sometimes he would mention Americans, then again the British, and at times he spoke about his intention to organise a news agency himself.

*President:* It is all clearly stated there, if you read the letter: he wanted a part of the news for the office where he would deal personally with them, to provide slanderous bits of news to the foreign press. But he also refers to another line, doesn't he?

*Ispanky:* I do not remember.

*President:* He intimated where the money for these news items was drawn from, and that there was another source which paid generously for useful information. They would pay any price. Is that so?

*Ispanky:* As I merely glanced through the letters, I cannot remember such details.

*President:* You do not remember. Very well, let us go on. What did you agree about with Laszlo Toth?

*Ispanky:* We agreed that considering it very likely that Mihalovics either wanted to open up such a news agency in Rome in order to make a living — I thought, he probably wanted to take charge of the Italian translation of the "Magyar Kurir" edited by Gedeon Peterffy, in Rome for his living — or that he wished to keep the Vatican informed. Toth would pass on to me a page or two of news once or twice a week, and I would forward them to Mihalovics.

*President:* So you would forward them to Mihalovics. Written with chemical ink, in a clandestine manner.

*Ispanky:* This process was so simple...

*President:* Simple, yet effective. To conceal secrets — just plain spying, I would call it. An honest person would only hear about such things in criminal trials.

*Ispanky:* This was certainly no secret to the authorities, for...

*President:* To authorities dealing with spies, certainly not; but to the prefect of the St. Imre College it certainly was... How did you send the reports abroad?

*Ispanky:* By regular mail.

*President:* By regular mail, but written in chemical ink.

*Ispanky:* To be exact, on this waxed paper.

*President:* On waxed paper, so that if anyone looked at it, they merely saw a neutral text, under which the real, hidden text could be called forth by the process described by the lady.

*Ispanky:* If some official organ should have checked it and found it suspicious, it would have been enough to draw a line across the letter with any kind of dye or acid solution, and the writing would have been discovered.

*President:* Do you think, they do that, drawing lines across every single letter? All right. Did you write your name on the letters, as sender?

*Ispanky:* I wrote another address.

*President:* You wrote another address. Very well, then. In this manner, you sent off seven reports.

Who prepared these seven reports?

*Ispanky:* I prepared them, mostly from the news given to me by Laszlo Toth.

*President:* You prepared the reports from the news collected by Laszlo Toth, that he communicated to you. Wasn't that so?

*Ispanky:* It was so.

*President:* You wrote it on an ordinary sheet of note paper, with some neutral text on it. Did you also write the neutral text?

*Ispanky:* I did.

*President:* For instance, what?

*Ispanky:* Family...

*President:* "My dear friend, grandmother is well", something like that, unimportant sentences.

*Ispanky:* Neutral texts.

*President:* To whom did you address them?

*Ispanky:* I had received two addresses in Rome.

*President:* What were these two neutral addresses in Rome?

*Ispanky:* One of them was a Magda Kamcheva...

*President:* Excuse me, one of them was: Carlo Michel, Roma, Piazza Regina, Ginone Primo, Scala destra 2?

*Ispanky:* Interno due, yes.

*President:* This was one. The other was K. Magda Kamcheva, Roma, is that correct?

*Ispanky:* It is.

*President:* And the address?

*Ispanky:* Via Salaria 320.

*President:* Well then, this is where you sent the letter. And who were they? Did you know them personally?

*Ispanky:* I did not.

*President:* You did not know them. Obviously they were the local members of the network of spies. Is that a fact?

*Ispanky:* The fact is that Mihailovics did not want to give his own address, and that...

*President:* Did you ever get a reply from them?

*Ispanky:* I never got any reply or any message.

*President:* Who gave you these two addresses?

*Ispanky:* The lady gave them to me before her departure.

*President:* That shows that you were in full agreement with her. You had agreed that you would forward the information to these addresses. The lady — the agent — told you what sort of information she wanted, she handed you the chemical ink, the chemically treated paper, showed you how to handle them, and left you money for it.

*Ispanky:* On the second or third visit of the lady, I asked her what exactly she wanted. She explained that she wanted to meet the two gentlemen mentioned above because she wanted to explain to them personally the instructions for the use of the secret writing which was attached to the letter.

*President:* The facts you just brought up in your defence only aggravated your position, for you wish to prove that you undertook to do of your own free will what the secret agent wanted to be done by others.

*Ispanky:* Please, Your Honour, the lady has forced me to take these things.

*President:* How is this possible? How old was the lady?

*Ispanky:* 45 or 50.

*President:* You are a young man, how could she have forced you to take them? Why didn't you pick up the telephone and ask for the police, to "protect you from a secret agent who was forcing you to do things?"

*Ispanky:* I beg your pardon, among the letters...

*President:* They would have come immediately and caught her.

*Ispanky:* There was a letter among the others addressed to my bishop.

*President:* You might have taken it out or discarded it, but what can such an agent have to write?...

According to your agreement, you received the first material from Laszlo Toth. What was it about?

*Ispanky:* I can not exactly remember the stuff that was given me on seven or eight occasions. That is too much.

*President:* Did you make copies of the material you got?

*Ispanky:* I did not. I received it all written up.

*President:* All written up?

*Ispanky:* Yes.

*President:* Did you write the report in your own hand or on the typewriter?

*Ispanky:* One could only write them in handwriting, with printed capital letters.

*President:* With printed capitals only. I see. Would you, please, let us know some facts. For instance what kind of information did you forward?

*Ispanky:* The bulk of it referred to Church policy.

*President:* Then, there were facts like this: All men up to the age of 48 would be called up for military service. Is that correct?

*Ispanky:* Laszlo Toth had told me that on November 1st, they would call up every man up to 48.

*President:* But you just said that you had supplied information on Church policy, and on matters concerning the Church. I dare say, the Church does not draft soldiers... Let us go on. "Several divisions of the armed forces were supplied with Russian arms." Is that so?

*Ispanky:* Yes.

*President:* Was this passed on?

*Ispanky:* It was.

*President:* Why does a canon in Rome want to know of this?

*Ispanky:* What I meant to say was that Toth passed this on to me. I do not remember whether I passed it on.

*President:* Obviously, you did not leave out information that the secret service agency was most interested in. In that case, you would soon have been fired, and would not have received any more dollars.

*Ispanky:* I did not receive any.

*President:* Of course, because you were caught before. Then there was information concerning the "ratio of the various political parties in county and town municipalities". Is that right?

*Ispanky:* It is.

*President (reading from a paper):* "Among others, I reported on the basis of my own activity, that in the Vertes Mountains they were searching for radio-active materials. A new runway was built in the Ferihegy airfield. In Magyarovar, they were manufacturing shell fuses." What is all this, may I ask?

*Ispanky:* In this connection, last Summer I heard someone explain when offering cigarettes and striking a lighter that it was made in Magyarovar. It was a fuse-lighter. He also mentioned that the Magyarovar factory was making such peacetime products for reparation deliveries.

*President:* That is not the point. You are evading the issue. The point is; why did you transmit information abroad that in Hungary, or in Magyarovar they were manufacturing cannon, shell fuses?

*Ispanky:* For reparation purposes. This word was left out.

*President:* It makes no difference, whether it was for reparations or for something else. Why should you have to report it abroad? Or, for instance, what was the good of reporting that a new runway was built at the Ferihegy airfield?

*Ispanky:* It was in the papers that the civilian airfield in Ferihegy will be the largest in Budapest.

*President:* But why did you have to write all this abroad? Let us hear it! Then why did you report

data concerning the cellulose requirements of the country, and possible military arrangements here? Why, a boy in the second class of general school would tell you, if you asked him, whether you were allowed to pass such information to the enemy, that you were not! And you, a man with a doctor's degree, who spent years abroad on scholarship! Why, anybody would know that such information cannot be transmitted abroad. You also knew it, didn't you? Did you know that you were not supposed to pass it on? That by doing so you were acting disloyally to your country? Did you know that?

*Ispanky:* I knew it.

*President:* In the course of the investigation, you admitted that you accepted 200 dollars from Mme. Pomrelot, which you sold to the chemist Barany who paid you 5000 forints for it; therefrom you gave 2000 forints to Laszlo Toth, and 3000 forints...

*Ispanky (cutting in):* As they never told me during the investigation, how much they found in my flat, I do not know how much of it I used.

*President:* Then you paid yourself too for this activity. During the investigation you made the following deposition (*reading*) "I admit having passed on military, political and economic data abroad knowing that through Zsigmond Mihalovics they would be referred to the agents of a foreign power. I collaborated in the building up of an organisation providing information." Is that correct?

*Ispanky:* Yes.

*President:* Very likely, you did not pass on information that they could have read in the papers or heard on the radio. They did not need to pay dollars to special agents for that, did they?

*Ispanky:* That is true

## MINDSZENTY DECLARES ONE OF HIS LETTERS INVALID

President of the Court, Vilmos Olti, reopened the trial on February 4, at half past two in the afternoon. He read the letter written by Jozsef Mindszenty to the Chapter of Esztergom.

*President:* In this letter there are sentences like these; “They are planning an attempt upon my life.” “Should they announce that I have resigned my position as Prince Primate that will either be intended to deceive or it will be the result of violence surpassing human strength...” Did you write this letter?

*Mindszenty:* Yes, I did.

*President:* Were you influenced in your confession or forced to make statements?

*Mindszenty:* No, I was not.

*President:* When was this letter written?

*Mindszenty:* Long before my arrest.

*President:* In November 1948?

*Mindszenty:* In November 1948, I gave order that the letter be handed over in case I was arrested. This is why there is no date on it. The instructions provided that the letter be given to the Chapter of Esztergom, to two Archbishops and two Bishops. In connection with this, I wish to make the following statement: when I wrote the letter just read, I did not see many things which I see today. My present attitude is expressed in the letter written to the Minister of Justice, read out by Your Honour at yesterday’s session. I consider the letter just read, invalid.

*President:* The letter to the Chapter is offensive, indeed. The truth is that you could defend yourself in complete freedom.

*Mindszenty:* This is why I have just made a statement, if you please.



## HEARING OF LASZLO TOTH

*President:* Dr. Laszlo Toth.

*Toth:* I am Dr. Laszlo Toth.

*President:* Please, have you, understood the charges?

*Toth:* I have understood them.

*President:* Do you feel guilty?

*Toth:* I feel guilty, in part, because I offended against the law and I know, being a man and a jurist, that I have to answer for this, that I have to take my punishment and give satisfaction to State and Society for what I did. I beg the President and the Court, to permit me, in view of my deafness which is only slightly corrected by the hearing aid, to present my defense to the indictment in a short, coherent speech.

*President:* As you wish. But please, stick to the facts in the Indictment.

*Toth:* I must, before I begin, ask for your patience and tolerance in case it should happen that I cannot answer questions exactly and immediately.

*President:* All right. Go ahead, please.

*Toth:* Permit me to tell you of my relationship with Zsigmond Mihalovics and in connection with that I shall be able to tell you in what and why I feel guilty. I knew Zsigmond Mihalovics from my youth. Later, as editor of the "Nemzeti Ujsag", official paper of the catholic clergy, I had close contact with him who was head of the *Charitas* and later of the *Actio Catholica*, and in the course of time I came to feel convinced that whatever he asked of me I did for Catholicism. If he told me that I should attack a statement made by the President of Parliament, I did it. And if he told me to support Prince Eszterhazy, I did it...

*President:* All right. But now let us speak of the period after the liberation.

*Toth:* After the debacle I was without a job and without money. I went to see Mihalovics and asked him to help me, that is, to give me work at the paper "Uj Ember" which was just being started. He said, that for certain reasons this was impossible but that he would find a way to help me. He gave me smaller and more important jobs to do. Once I asked him for help, to give me more work to relieve my family troubles. He said that he couldn't give me more money but that he would give me work to do. At first this was dull and eminently uninteresting.

*President:* And later?

*Toth:* Then he entrusted me with tasks, one after the other, of the kind I mentioned in the course of the investigation. For instance reports on the effects of the land reform, economy, public supply and society, or on the balance of commerce and other such things.

*President:* The picture which you were to give of circumstances in Hungary, was it supposed to be positive or negative?

*Toth:* They were to be written on the basis of criticism, in accordance with the Catholic attitude in those days and it is natural that these articles were not, so to say, favourable to the government.

*President:* Did you know why Mihalovics needed these articles and reports?

*Toth:* At first Mihalovics told me they served as information for leading Catholic personalities abroad.

*President:* Yes.

*Toth:* This is why he had them translated and sent abroad. To be published in Catholic newspapers or for information — I don't know which. Confidential information. Then, later, I told him that I was afraid that I might get into trouble. He said no, because these are his articles for which he accepts all legal, financial and criminal responsibility. This reassured me at the times. Later, when the new American Minister had arrived, I don't quite remember when this was, as I had not seen Mihalovics in the summer of 1947 because he was away from Budapest. Well, about three or four weeks after the arrival of the new Minister Mihalovics told me that he had made contact with the new Minister...

*President:* With Chapin.

*Toth:* ...and that he passed on the information written by me to the Minister as well.

*President:* Now let us speak of the situation after Mihalovics flight. Ispanky came to see you. Let us speak of this.

*Toth:* Now, if you please, I recognize that this was a grave mistake on my part, that I continued to work although I was aware of the fact that he handed these reports to citizens of a foreign State and that this might cause harm to Hungarian interests. Of Mihalovics' flight I knew nothing until after it had happened. When I went to Budapest, I heard that there was an investigation going on against him and later I heard that he had left Hungary. Then for a long time, I heard nothing from him. Then, one day in September, I don't quite remember when it was, a young Catholic priest stopped me on the Ferenciek tere (Franciscan square), I remembered him but at first I couldn't place him. This was Bela Ispanky.

*President:* Just so.

*Toth:* He asked me whether I was Mr. Toth, the editor. I said I was Laszlo Toth, who had once been an editor. He asked me to enter the doorway of the Franciscan convent with him. He took me into the doorway and said that he had brought me a letter.

*President:* Yes. And what happened then?

*Toth:* He said, he had brought me a letter from Mihalovics. I committed the mistake of taking the letter from him although I should not have established contact with anyone there. In the letter he said, that he needed reports, reports like those I had prepared for him before and that I should turn to Miklos in this matter. He said only Miklos and did not mention any other name.

*President:* Yes.

*Toth:* And Miklos was to pay for them and send them on to him. I... Then he said in the letter, that the bearer of the letter was the representative of a foreign power.

*President:* He wrote: the official but confidential emissary of the British Empire.

*Toth:* Yes, the confidential emissary, and that he should hand me that...

*President:* Yes.

*Toth:* Then he said, that they needed certain information. Here I couldn't quite understand what he meant, that they were of great importance and that there was a certain organization which would take them from me and pay for them.

*President:* When you read this, what did you think the organization he mentioned was?

*Toth:* I thought right away, that he meant some State's...

*President:* Secret service.

*Toth:* Yes, secret service or something like that. I don't deny that.

*President:* All right. Go ahead, please.

*Toth:* After this — I don't know whether it was the same day or the next — Bela Ispanky visited me. He took me into a room where we were alone. Then I asked him, as he was the person who had handed me the letter, whether he was the person mentioned in it. He said no, that was a foreigner who wasn't here any longer, who had left Budapest but had asked him to bring me the letter. Then I told him that I dared not get in touch with that person and that I dared not accept the job. Then Ispanky said, that I should do for him what I would have done for Miklos Nagy and that he would pay me for it. He asked me how much I got from Mihalovics for this work. I told him, that he, Ispanky, could also get me 400-500 forints from clerical sources. Please, I know that I have here again committed a fault, because I shouldn't have discussed this with him at all. I should have known, I should have felt, that even if I sent the material to Mihalovics it might, through Mihalovics' connections, get into the hands of a foreign State, or anyone. But then we agreed on this. That I would send him these reports or appreciations.

*President:* Just so. Now will you please tell me how many of these reports you prepared for Ispanky?

*Toth:* I gave him about six or eight of them. Sometimes in writing, sometimes verbal reports.

## SPEECH OF THE PROSECUTOR

On the third day of the trial, the Prosecutor underlined the acute interest manifested in the trial both in Hungary and abroad. There is no doubt — the Prosecutor stated — that those who followed the trial, and listened to the evidence of the accusation and the defence could see that the rules of criminal procedure were carefully observed in the course of the trial, and that the accused and their defence Counsels were allowed to make their pleas in perfect freedom. It is on the basis of this material that I built up the indictment, and request the People's Tribunal to pass judgment.

Is there anyone who, seeing the defendants, would dare maintain that they were intimidated, harassed or influenced in any way? Is there anyone who would dare to say that we did not grant perfectly free access to the defendants, to the documentary evidence, and who would dare to state that the defendants were not allowed to speak in utter freedom and frankness on the subject of the letters and documents produced?

The indictment is now before the People's Court. I have put the evidence before the Court. Not a single word of the accusation is based on the sermons and pastoral letters of Mindszenty, nor on any of his religious activities. Not, that his sermons did not contain material that should have been prosecuted as political propaganda, but I wanted to avoid even the semblance of prosecuting him for deeds committed or statements made during the performance of his religious functions.

It is not Jozsef Mindszenty, the head of the Roman Catholic Church in Hungary who is accused, but Jozsef Mindszenty, Hungarian citizen, who, according to the Hungarian criminal law, committed major crimes. Mindszenty must answer for these deeds according to our criminal code. According to our laws, and to the laws of all democratic countries, he, who committed crimes, belongs into the dock, even though he is clad in the purple of a cardinal.

The deeds of Mindszenty have been disclosed during the trial. The charges refer to a series of actions committed by Mindszenty since the liberation, and especially after the inauguration of the Republic in Hungary. Mindszenty made himself appear as a member of the Hungarian resistance movement. This presumption is readily dismissed by the memorandum he had addressed to the Arrow Cross Ferenc Szollosy, from which it may be stated that the reason why he conflicted with the Arrow Cross people was that he wanted to save the linen stored in the episcopal palace.

Apart from the economic crime, the criminal acts committed by Mindszenty and his accomplices may be summarised under two headings. The first charge against Mindszenty is his having plotted for overthrowing our Republic, and our democratic government, and to have been the leader of the plot. The purpose of the organisation was to set Otto Hapsburg on the throne of Hungary. Until then, Mindszenty would have taken charge of the government — of course, after abolishing the republican form of government. To a Hungarian who loves his country there is no name more hateful than that of the Hapsburgs. Hungary's road to freedom is marked with names like Bocskay, Bethlen, Rakoczi, Thokoly, Kossuth, Erdre Ady, all of whom felt a passionate hatred for the Hapsburgs. I do not wish to enumerate here the crimes that the Hapsburgs have committed against the Hungarian people in the course of history. It was an offspring of the Hapsburgs that Mindszenty wanted the Hungarian people to shoulder again, and thus to deprive them of their national independence acquired at the cost of so much suffering.

In the seat of the Bishop of Esztergom, Mindszenty followed the example of his sorry predecessors, the bishops Janos Ham and Janos Scitovszky, who, a hundred years ago, during our war of liberty turned traitors to our country in the service of the House of Hapsburgs, just like Mindszenty.

On the basis of the evidence produced, there is no doubt that Mindszenty and his accomplices wanted to resurrect the kingdom in Hungary. This was, by the way, fully admitted by Mindszenty, Baranyai and their co-defendants, and was also confirmed by all details of the events revealed during the trial.

There is also no doubt that Mindszenty and his accomplices plotted for the realisation of their purposes, with Mindszenty as the leader. They conducted negotiations with Otto Hapsburg, first through Gyorgy Pallavicini Jr., Jozsef Kozi-Horvath and the Archbishop of Belgium, and later Mindszenty spoke

to the offspring of the Hapsburg himself. In the hope of an early materialisation of their plans, they elaborated a list of the projected cabinet members. Those who were involved in the plot, divided up, among themselves, public offices, bodies and the counties to prepare the ground for the Legitimist movement. In short, they developed a plot for overthrowing the Hungarian Republic, and installing Otto Hapsburg on the throne.

These actions were the more criminal, because, after the devastation and bloodshed of two wars, they speculated on a third world war, in order to help them to come into power.

They counted on war to attain their purpose. His partners in the plot, and also Mindszenty, testified in Court that the whole plot was founded on the outbreak of the third war.

In order to attain their purpose, the main defendant and his accomplices got into touch with imperialist politicians who hate popular democracies, with certain officials and agents of the United States. They wanted to make them believe that there was a strong Legitimist movement existing in Hungary. They wanted to make them believe that the Hungarian people would welcome the outbreak of a new war. They were making deliberate schemes with the objective of making the imperialists of the United States start a war against our country.

One link in the chain of this plot was the power of attorney that Jozsef Mindszenty gave, when he was in America, to Otto Hapsburg, through Cardinal Spellman. The underlying intention was to increase the credit and weight of Otto Hapsburg — who was negotiating at large with all kinds of American factions — in the eyes of imperialist politicians who wanted to make use of him for their own purpose. This is the truth. I do not think there is any faithful Catholic in Hungary who would think of giving power to Otto Hapsburg to represent the camp of Hungarian Catholicism.

Jozsef Mindszenty and Andras Zakar stated here in Court that if the Archbishop of Esztergom could no longer exercise his functions as a Cardinal, he would be succeeded by the Archbishop of Kalocsa, and he in turn by the Archbishop of Eger, and he in turn by other high priests in the historically established order of succession. Nobody would spontaneously get the idea that in this order of succession Otto Hapsburg, as a layman might play any role at all. It is characteristic that this idea was raised by Cardinal Spellman and Mindszenty complied with it without hesitating.

It was cleared up in the course of the trial that the former royal Crown was retained by the American military authorities as a result of the intrigues of this plot. By having the royal Crown retained, Mindszenty not only wished to deprive our State from this precious relic, but he wanted to be sure that it will be ready at hand in case he wanted to put it on the head of Otto Hapsburg.

Prosecutor Alapi then pointed out that he did not wish to dwell upon the details of the evidence concerning the Crown. He emphasized that in this action Mindszenty had relied on Spellman, the well-known agent of American imperialism, who gave his continuous support to Mindszenty in preventing the Crown from being restored to Hungary. He spoke of Mindszenty's proceedings with the Archbishops Rohracher and Faulhaber and Cardinal Spellman's intervention with official American organs, and he produced the letter in which Kenneth C. Royall Undersecretary to the U. S. War Department wrote that he was giving Mindszenty's wish careful consideration. Besides, in order to prevent the restitution of the Crown, Mindszenty also availed himself of the influence of Mr. Selden Chapin, U. S. Minister to Hungary. Mindszenty's letter to Chapin on the subject is before the Court, and so is Chapin's reply in which he offered to intercede.

After returning from his trip to the U. S., Mindszenty started to organise on a large scale. At that time, Mindszenty and his accomplices deemed that their aims could be realised within the near future. In order to speed up the issue, he wished to take advantage of the confidential relationship that had existed between him and Minister Chapin ever since he had discussed Chapin's person and his political attitude in the course of his political talks with Otto Hapsburg. Mindszenty and Zakar unanimously stated that Otto Hapsburg had recommended Minister Chapin to Mindszenty as a man whose policy will be much more active, much firmer than that of his predecessor, Schoenfeld. Mindszenty followed Otto's advice, and overwhelmed Minister Chapin with letters and personal calls.

Naturally, this political objective would have contained provisions for the realisation of the purposes of Mindszenty's plot. The material produced in the trial gives convincing evidence that the plot of defendant Mindszenty and his partners was not an independently originated movement, but it was a complementary part of the vast imperialist organisation driving at the disrupting of international peace, at the launching of a third world war, and the oppression of the world by the United States.

In this light — following from the material of the trial — the Mindszenty plot is not merely an organisation of a few elderly men with an incurable longing for the past, desirous of recovering their former material wealth — matters that could be treated lightly — but rather a dangerous organisation weighted with reality, the immediate objective of which was the overthrow of the Hungarian Republic. The main feature of the trial was the relationship of Jozsef Mindszenty to responsible or irresponsible officials and personalities of the United States — which, as mentioned above, was an extremely close one.

In this manner the ties that existed between Jozsef Mindszenty and Minister Schoenfeld at first, and later with Minister Chapin are very revealing. This relationship is clearly shown by the fact that it was Minister Chapin who suggested to Mindszenty to help him escape from Hungary, thus making him, a Hungarian citizen, evade the sanctions of the Hungarian democratic law. The plot, the Hapsburg restoration, or the system of government in which Jozsef Mindszenty was to be provisionally vested with the functions of the head of the State, all these were but instruments. The details of the plot outlined up to now were merely the means for the realisation of the purposes of the plot.

The memoranda drafted — and kept on file — by Mindszenty, which contain his objectives, are full of vilification of our new farmers. In the same manner as Jozsef Mindszenty attempted to reach his goal of having the thousand *hold* estates restored, he also tried to revive racial laws — as he put it in another memorandum — in the same manner as the destroyers of the country had done after the German fascist occupation on 19 March 1944.

The process is an old one. This was the catchword by which they wanted to attract the masses, for they were fully aware that the land given to the Hungarian peasant could never be taken back by gentle means. Summing up: the return of the Hapsburgs instead of the people's rule, and instead of peaceful constructive work, and the steady improve merit of the living standard of our workers: a third world war. That was Mindszenty's political programme, for which he called the plot into being. Nobody could doubt that this plot was criminal action. There is not one country in the world, the government of which would not inflict the heaviest punishment on a plot contriving to overthrow the existing order. Who can doubt that the Hungarian People's Democracy has the same right?

Knowing the evidence produced in Court — the Prosecutor went on — the presumption that in performing his deeds, Jozsef Mindszenty was guided by the idea of defending religion, sounds rather false. There is no need for defending religion in the Hungarian People's Democracy, for the simple reason that nobody wants to harm it. Should anyone wish to do so, it would be the Hungarian People's Democracy in the first place, its organs, and not last the Prosecutor who would stand up in its defence. This is, what the Hungarian laws provide and nobody can doubt that they are being actually enforced.

Besides, the stand taken, by the various protestant Churches, different statements made by Hungarian Catholic bishops, and first of all the attitude of millions of Hungarian Catholics prove beyond all doubt that religion is not persecuted in Hungary, and consequently, there is no need for employing forceful means in its defence. But neither Mindszenty, nor any of his co-accused made reference during the trial to the fact that they had to defend their religion against anyone. Not the protection of their faith, but the hatred of democracy was the driving force that made the accused commit criminal deeds. They wanted to abolish the land reform. By the advent of Otto Hapsburg they hoped that the estates of the Bishopric of Esztergom, of Pal Eszterhazy, and the rest of the bishoprics, aristocrats and feudal lords would be restored, that the banks would be restored to Baron Gyorgy Ullmann and his like. And the Chorins, and Fellners who were in league with them, would recover their industries and mines. Therefore, they were aiming at the overthrow of the people's democracy for earthly wealth, and not in

the defence of religion.

The second charge was political treason. The accused wished a foreign power, the United States to interfere in the internal affairs of Hungary. They even wanted to induce her to start war against Hungary. This may be inferred from the statement in Minister Schoenfeld's letter that he would continue to welcome Mindszenty's comments, by which he encouraged the defendant to induce the Americans to take a stand favourable for Mindszenty and his group, first through Schoenfeld, later through Minister Selden Chapin, and even through President Truman himself.

Mindszenty went so far that he was not deterred from actual espionage. He supported a systematic network of an information service working through hired agents, like that of Zsigmond Mihalovics. The activity of Zsigmond Mihalovics abroad was helped by forged papers provided by the CIC, which continued to use his services, for the first time perhaps in Yugoslavia — as indicated by Mihalovics in his letter — then actively in providing information concerning Hungary. It is to this group that Miklos Nagy, Dr. Bela Ispanky, Laszlo Toth and all their accomplices belong to. They did so in order to furnish evidence to the U. S. A. and to certain agents of the Western powers that the ground was prepared, and ready for war.

“The same purpose was served” — the People's Prosecutor went on with his speech — “when they compiled and forwarded information not only regarding the Hungarian State, but also about the Karpatho-Ukraine. They knew that a republic which is a people's democracy, leans first of all on her friend and ally, the Soviet Union, so they wanted to serve the Americans even by supplying secret information about Soviet territories.”

Then the People's Prosecutor dealt with the charge of illegal dealings in foreign currency. He emphasized that the defendants committed their offenses at the same time when the Hungarian working people were concentrating all their efforts on freeing themselves from the misery of the inflation which came upon them as a result of the war, and on defending the stable currency they created with their work. “Jozsef Mindszenty felt no shame in carrying on the same sort of blackmarketeering in foreign currencies, dollar notes and cheques, as were carried on by the other vilest economic criminals.

I hardly think that anybody would state that the dollars had to be sold at black-market rates in defence of religion. I hardly think that there would be a single sober and unbiased person who would not feel indignation and would not wish to punish those who committed such crimes even if the offenders were not common criminals but important public figures.

Mindszenty did not register at the National Bank the dollar cheques and notes he received; he exchanged them at black-market rates, for three times the official rate, and made it possible to send them abroad. There is no doubt that this charge was fully proven against him and his accomplices.

Besides direct financial profits, the foreign currency speculations had other purposes, too. The selling of foreign currency, which was worth some 132,000 dollars at black market prices, served beyond doubt the purpose of causing economic difficulties in the country which of course they would exploit for realising the objectives of their organisation.

“In my judgement one cannot separate the foreign currency items, the sums at the disposal of the *Actio Catholica* i.e., Zsigmond Mihalovics and later Miklos Nagy and the amounts which were to be disposed of personally by Jozsef Mindszenty.”

Then Prosecutor Gyula Alapi reviewed the offenses committed by Mindszenty's accomplices. Juszti Baranyai was the one who worked out and planned the detailed form of the organisation, and outlined the manner in which power would be taken over. In cooperation with Jozsef Mindszenty, Juszti Baranyai drew up a cabinet list containing the names of enemies and of traitors to democracy.

Andras Zakar's activities are connected with those of Mindszenty's. First of all he was Mindszenty's interpreter at his conferences with foreign officials, he transmitted Mindszenty's instructions to Baranyai and the various members of the organisation.

Andras Zakar acted as interpreter for Mindszenty and Minister Chapin. Chapin's secretary, Koczak, came to see Andras Zakar late at night to get the material from him. Zakar executed Mindszenty's orders

in hiding the archives of the organisation and buried the metal case, later seized as part of the evidence. His acts have the role of independent criminal offenses in supporting the organising activities of Mindszenty.

The motives behind the acts committed by Pal Eszterhazy are two-fold: first of all he wished to smuggle his fortune out of the country, and second, at the same time he wished to support the plot which was headed by Jozsef Mindszenty and which aimed at the restoration of the Hapsburgs. Eszterhazy hoped that after this restoration — and now I am quoting his words at the trial — he would get back his land taken away by the land reform.

Pal Eszterhazy's foreign currency offenses had the purpose, by their very nature, to give substantial financial support to the plot which aimed at overthrowing the democratic Republic and, after the end of the expected third world war, the setting up of the Hapsburgs on the throne.

Miklos Nagy sent out information to Mihalovics, who had fled abroad, through the cooperation of Bela Ispanky and Laszlo Toth. Miklos Nagy was the person who brought up the idea of the "European Agency". Mihalovics submitted this plan in his letter written to Mindszenty. Mindszenty approved it. In the meantime Mihalovics urged Zakar, Miklos Nagy and Laszlo Toth to send him material. Miklos Nagy with the American legation and Abbess Richardis as intermediaries, sent espionage material on four occasions to Mihalovics.

Ispanky received from Madame Pomerlot the invisible ink, the various instructions and chemicals to make the invisible writing visible again. Ispanky sent information abroad on seven occasions. He made Laszlo Toth join the organisation by asking him to send information to him. This information, together with that he obtained himself, he sent to the Rome address given by Mihalovics.

There has never been another treason trial in Hungary which provided such absolute proof of the acts committed.

The prosecution leaves out completely Mindszenty's offenses committed while carrying out his religious duties and refers only to his political deeds. The People's Court should bring a verdict in this trial on the basis of facts and the fully proven actions.

Defendant Mindszenty admitted that he had, to a great extent, committed the offenses contained in the indictment. He admitted that the documents shown either originated from him or had been received by him. He admitted that the plans found among the documents were drawn up for him. He knew of them and approved of them. With the fact that he had copied these documents, he acknowledged that already at the start he knew that he was the leader of a plot. This transgresses the laws and is criminal.

At the trial defendant Jozsef Mindszenty said that he was sorry for his deeds of the past and declared that he does not desire to stand any longer in the way of an agreement between the Hungarian State and the Roman Catholic Church. He also gave evidence of his readiness to retire from his Church functions for a while.

This act of Jozsef Mindszenty implies repentance. This repentance, however, in the judgement of the prosecution, is only superficial. It is superficial only, because after all, while he was in custody, he attempted to smuggle out the letter which was shown here and which was admitted to be authentic, to American Minister Chapin. From the contents of this letter it is obvious that his intentions were to go on with his intrigues and with his actions against the Hungarian People's Democracy. Even while he was in custody, he wanted to dispatch a letter to evade the judgement of the penal code.

"I ask the People's Court to consider the facts and to confirm that religious persecution or any religious issues have nothing to do with this procedure. Jozsef Mindszenty and his accomplices have committed criminal acts and because of these criminal acts I ask that they be punished. One cannot talk of real repentance by Jozsef Mindszenty according to what was said above. When punishment is meted out, it must be considered that Jozsef Mindszenty's acts, just because of his high church dignity, have a different significance than the acts of other individuals. These deeds, because of the fact that they were committed by the first Archbishop of the land, appear as if they were acts supported by the Church and may give rise to the belief, that they were necessary in the defense of the Church. Jozsef Mindszenty did

not recoil from supporting his belief, and therefore when judging his acts, this circumstance must be taken into account.

“So I ask the People’s Court to declare Jozsef Mindszenty and his associates guilty as charged. The irrefutable papers, letters and documents before the Court, the authenticity of which the defendants did not even attempt to deny are sufficient in themselves to establish the facts.

“The open trial by the honourable People’s Court, the whole verdict, should be an historic confirmation of the truth that Jozsef Mindszenty and his accomplices have committed treason in order to restore the large estates, as part of the imperialist plan which endeavours to permeate the whole world and in which the bringing of a Hapsburg king into the country of the Hungarian people by destroying the liberty of the Hungarian people, would have been only a small episode. The People’s Court should present the truth to the Hungarian people and to everybody in search of truth all over the world. The correspondents sitting here should write the truth, that which they have seen with their own eyes, the fact, that in this trial the Hungarian People’s Court on the basis of democratic laws brings in a verdict in fullest compliance with legal criminal proceedings. Let this sentence, however, prove that the Court of the Hungarian people judges everyone who breaks the law and who acts against the interests of the country, without prejudice or discrimination. Let this verdict be a proof that the Hungarian people can protect the liberty it has received. Let this verdict brand everything that the defendants have committed, let the verdict be a hard and uncompromising defence of the cause of the people. Let it be to the service of all who are oppressed in the fight against tyranny, exploitation and special privilege. Let the verdict proclaim the brotherhood of the nations, the solidarity of the forces fighting for freedom, the indivisibility of world peace. Let the verdict of the People’s Court be a salutary one, let it deal a heavy blow to the traitors, spies and betrayers of the Hungarian people.



EXTRACT FROM THE SPEECH OF DR. KALMAN KICZKO, MINDSZENTY'S COUNSEL.

Esteemed People's Court, Honourable President!

First of all, I would like to declare that I am here as an attorney selected by the defendant, a circumstance which testifies to the fact that the defendants, according to law, have been free to defend themselves. In this, I completely share the view taken by the Prosecutor.

My defendant, as the Prosecutor has also stated, has admitted committing offenses outlined in the Indictment. He has declared here, as befits a man, as especially befits his dignity in the Church, that he is repentant for what he has done that has clashed with the laws of the State, and he has proclaimed that he is infinitely sorry for what has happened. He also declared that since he had acted on insufficient knowledge, if he were to find himself once again in a similar situation, he would behave differently.

My defendant, in his dignity as Primate, lived, one might say, in an ivory tower, and he was not aware of the inevitable path of progress in history. The Catholic Church has always been the biggest centralized power, whose hierarchy is built in such a way that the highest power is exercised by the Vatican, the Pope.

We know from the radio, from statements in the newspapers, that the Vatican did not welcome the development of people's democracy in Hungary, especially not the land reform, since it affected the Church. The dictates of the Vatican, and the stand taken here, were compulsory for all, especially for the Cardinal, Prince Primate Mindszenty. When the Pope *ex cathedra loquit*, he is holy and inviolate, what he says is indisputable, and this holds true for whatever stand he may take.

Mindszenty was not aware of the progress of the people's democracy, the immense reconstruction accomplished by the working people of the country, the clearing up of the ruins of the last war brought about by fascism.

Prince Primate Jozsef Mindszenty held the conviction that the secularization of the schools might subject the Catholic Church and the principles of the Catholic faith to grave danger. This was the most serious error of my defendant.

He has admitted this error here before the honourable People's Court, and he has said that if he had another chance, he would act differently. This admission must be regarded, whatever one's point of view, as a most sincere admission by the Prince Primate, the highest priest of Hungary.

As you have seen in the trial, he has answered all questions precisely, and when he could not answer, he said so. His testimony was absolutely factual, and I believe that the People's Court will respect this fact despite what the highly esteemed Prosecutor has said, because in this trial of world importance, with the eyes of the world upon us, in my opinion, this must be respected.

In accordance with the spirit and thought in which he was raised, and doubtlessly influenced by the Vatican, my defendant believed that he could best support the position of the Church by standing on the principles of Legitimism.

Permit me to read some details of a historic study, for my defendant is an outstanding historian of Church affairs, and he regards the world only as it is abstracted from these ideas. Such history, for example, as the National Assembly of 1580, when the Primate's office was unoccupied, and Protestants and representatives of other religions submitted an application to the king, asking the king in the name of Almighty God to be moved by their tears and fill the position of the See of Esztergom: for the Primate was the person to whom the country turned in difficult times.

This is the spirit of the education which Mindszenty received, and he was comparatively young when he was put into this high position. As I have said, he had a conception that on the basis of the principles of Legitimism, the interests of the country might best be served. Directed by this conception — as he too admitted — Prince Primate Mindszenty also believed that he might serve the Church better on the basis of Legitimism.

As the highly esteemed Prosecutor has mentioned already, Mindszenty, Prince Primate of Hungary has been tried only for criminal deeds, with reference to religious questions avoided. I think this was a correct stand, and therefore I wish to express the appreciation of the Defence to the Prosecution for

accusing the Prince Primate only of deeds which have nothing to do with his priestly functions. But it is difficult to draw a line here. I therefore must confide in the wisdom of the People's Court to judge which actions of the Prince Primate can be considered as being beyond his dignity as Primate.

In Hungary, the Church is particularly responsible for peace, but there can only be peace if the Church and the People's Democracy are able to understand each other.

In conclusion, I wish to state that my task was a hard one, but I tried to fulfil it in spite of my advanced age and to the full strength of my honour and integrity as a lawyer in the interest of my client, to help him in his situation after having pleaded guilty. I therefore request the esteemed People's Court to pass a wise judgement, for the esteemed Prosecutor is correct in stating that this trial, and the persons who have been involved in it, will be remembered in world history, and they may be called to account, after thousands of years, for the sentences passed here.

I appeal to you to pass an adequately lenient judgement in conjunction with your best conscience and wisdom. I, for my part, ask that Section 92 be applied to all actions committed by my client, also in the event that he might be declared guilty of crimes which might not be accepted by the Defence.

## FINAL PLEA OF JOZSEF MINDSZENTY

*President:* Jozsef Mindszenty! Do you wish to avail yourself of the opportunity to make a final plea?

*Mindszenty:* I do.

*President:* Will you please, stand here.

*Mindszenty:* Honourable People's Court! Availing himself of the right to make a final statement, a man is facing the Hungarian People's Court, the bearer of a high national office, burdened with accusations. It took half a century to make me what I am, by a strictly determined education and principles. This education, these basic principles are built into a man's life as firmly as rails are built on the ground. These rails carry you along the track, and this accounts for many things. Basic principles built like rails into a man's life must be accepted for what they are.

We, and that includes myself, have been facing the police authorities and the Court for 40 days. They question, and I answer. Questions and answer do not merely concern the interrogators, but all the while, you are replying to your own soul.

In the answers I give to myself, alongside the answers I give the court, I can see that I never abandoned good intentions throughout my life — and for this I am thankful to God.

I never meant to violate the laws of the country. If, for reasons of environment or for reasons beyond me this occurred on one or two occasions, I confessed to it here without embellishing the facts, I regretted it and still regret it, and I think that in honest loyalty to the basic principles referred to above, I might take a different stand in certain matters if I were again in a similar situation.

Secondly, I may state that thank God, according to my conscience I have never been and am not now an enemy of the Hungarian people. I have never had, have not now, any trouble with the Hungarian working classes, with the Hungarian farmers, to which class I and my family belong. I do not want to take from any class of society the rights due them. But, after the breakdown which followed the second world war, my role was a difficult, historic role: to proclaim the all embracing light and love of the Gospel.

Permit me to make a light deviation here, but what I wish to say logically belongs here. We have repeatedly spoken about the land reform in relation to the Hungarian Catholic Church. Therefore I feel it is my duty to make a statement in parenthesis — a statement important enough to override the parenthesis. In its circular letter of May 1945, the Bench of Bishops sent their blessing to those who had obtained land. Later, they issued statements at home and abroad on four occasions to the effect that the Church has not claimed and does not claim the restitution of the land that had been given to deserving, hardworking simple people who are attached to the Hungarian soil. This attitude of the Bench of Bishops was never disapproved by the Vatican.

To continue with my final plea: I thank God also that having strictly searched my mind, I cannot find myself guilty of being an enemy of peace. When the time came for the Church to make peace with the State, I was not against peace; I merely strictly outlined the preconditions therefore, and I sincerely meant that if we make peace, it should be a permanent one.

My recent standpoint was made manifest in my letter addressed to the Minister of Justice on January 29th, which the President of the Court read at the opening of my trial. I do not need to quote any part of it, it is still fresh in your memory.

As concerns my unintentional and unpremeditated violation of certain laws of the State, I confessed and admitted whatever had happened. I also offered to give material compensation. And I mean it.

This morning, the following prayer came to my lips: "Da pacem Domine, in diebus nostris, in diebus istis!" Lord, give us peace in our time... Not in the near or distant future, but — strangely enough — this ancient prayer beseeches: in our time.

And this peace I have asked for my Church, the love of which I brought with me here. This peace I asked for the Hungarian State, to which I have proved my obedience. This peace I ask also for my own soul.

May the Lord of Heavens bestow upon the People's Court wisdom to pass such judgement as may be the token of the hope for a happy solution of our tangles both at home and abroad.

## FINAL PLEA OF THE OTHER ACCUSED

*Andras Zakar* — Your Honour! The Honourable People's Court!

Permit me to make the following statement, not as an apology, but as an explanation:

Since October 7, 1945, when the Cardinal Prince Primate became head of the main diocese of Esztergom, I have been employed as his secretary. In my official duties I tried to do my work well, in the spirit of priestly obedience. In this capacity, I participated several times at conferences and in activities, which, according to the evidence submitted first during the investigation and then during the trial, are criminal actions. I made a detailed confession about this.

Let me point out that in the cases when my individual opinion differed, I fulfilled the order as given after I had expressed my views, because at my ordaining as a priest I took an oath of loyalty to my head pastor, whoever he might be, which I did not want to break and which I could not have broken.

There were cases when I rationalized some of my activities because I felt that natural laws form the basis and moral limit of a nation's formal laws, and if the two clash, the natural laws come first, as they are primary and fundamental.

I am sorry that in the course of my activities I acted counter to the laws of the Hungarian Republic. From this stand, I also want to ask pardon of all those to whom I caused loss or pain because of my activities, because of my attitude or my judgements which were arrived at without sufficient basis.

Should the verdict of the honourable People's Court and the mercy of God permit it, I should like, in the future, to become a simple worker for the spiritual and material peace and prosperity of the Hungarian people, remaining equally loyal to my Church and country.

*Bela Ispanky* — I think, that the mysterious person whom you know from the indictment and from events of the trial, a certain Mme Pomrelot visited me last Autumn. She involved me in the criminal, adventurous enterprise of which I am accused.

— I do not deny that I was thoughtless enough to send information to Mihalovics. For this thoughtlessness, I accept responsibility, and shall willingly subject myself to the sanctions of the law. But in addition to myself, I accuse those dissident elements who themselves avoiding responsibility, entangle others who work peacefully at home in adventures of this nature. I condemn the cursed feud between the State and the Church, owing to which one of my sisters lost her job as teacher in a nunnery. Her maintenance became the charge of my brother who is in employment.

— Your Honour, President of the Court! Honourable People's Court! Being a Hungarian, it is very hard for me to plead for mercy, to ask clemency. All I ask for, is a fair judgement.

*Jusztin Baranyai* stated that although he wished to clear himself of the charges, he does not deny the facts. In the second half of 1947, he considered inevitable the outbreak of a third world war, which would have resulted in Hungary being occupied by Western military forces. For this event, he considered it to be the best way out for the Primate of the country to take provisionally charge of the government. His first memorandum to the Primate dealt with the principle and personal details of the cabinet to be appointed by Mindszenty.

*Laszlo Toth*, made reference to his advanced age, his family status and his infirmity, and tried to evoke sympathy by quoting sentimental reasons.

*Dr. Pal Eszterhazy* and *Miklos Nagy* did not avail themselves of the right of making a final plea.

## THE VERDICT

In the name of the Hungarian Republic!

The Special Senate of the Budapest People's Court in the penal case against Jozsef Mindszenty and his accomplices for offenses falling under Law VII: 1946, Article 1, Paragraph 1, after the public trial held on February 3, 4, and 5, 1949, has returned the following sentence:

1. *Jozsef Mindszenty*, the first accused, is guilty of:

A) the crime of leading an organization aimed at the overthrow of the Republic and the democratic State order, committed once, falling under Law VII: 1946, Article 1, Paragraph 1;

B) of the crime of treason, committed once continuously, falling under Law III: 1930, Article 58; and guilty of

C) the crime of treason defined in Law III: 1930, Article 60, Paragraph 3, and qualified according to Law XVIII: 1934, Article 2, Paragraph 1, committed once; and guilty of

D) the crime of failing to deposit into a blocked account foreign currency, and failing to declare foreign assets, committed once and continuously, defined in the Decree 8400/1946, Article 1, Paragraph 1, Item (a) further owing to the infringement of the obligation comprised in Paragraph 2, Item (b) and considering Article 17, Paragraph 1, qualified according to Paragraph 2, of the said Article; and guilty of

E) the crime of speculation with foreign currency, committed once continuously, defined and punishable in consideration of Law XXVI: 1922, Article 1, Paragraph 1, Item 1, and of Law XIV: 1939, Article 1, as set out in P. M. Decree No. 8800/1946, Article 20, Paragraph (2); and guilty of

F) the crime of having sent out of the country foreign currency without a permit, committed once, defined under the infringement of the prohibition comprised in P. M. Decree No. 8400/1946, Article 4, Paragraph 1, Item (d), and Article 17, Paragraph 1, of the same Decree; and guilty of

G) the crime of disposing without a proper permit of valuables falling under declaration, committed once, and defined under the prohibition laid down in P. M. Decree No. 8400/1946, Article 3, Paragraph 3 and Article 17 of the same Decree Paragraph 1, Item I.

2. *Dr. Jusztin Baranyai*, the second accused, is guilty of having been an accomplice in pursuance of Article 70 of the Penal Code, in the crime of leading an organization aiming at the overthrow of the Republic and the democratic state order, committed once, defined by Law VII: 1946, Article 1, Paragraph 1.

3. *Dr. Andras Zakar*, the third accused, from November 19, 1948, in police custody and from December 29, 1948, in prison, is guilty of

A) the crime of active participation in an organization aiming at the overthrow of the Republic and the democratic state order, committed once, falling under Law VII: 1946, Article 1, Paragraph 2, and of

B) the crime of treason committed as accomplice according to the Penal Code Article 70, committed once continuously, falling under Law III: 1930, Article 58.

4. *Dr. Pal Eszterhazy*, the fourth accused, from December 26, 1948, in police custody and from December 29, 1948, in prison, is guilty of

A) the crime of promoting an organization aiming at the overthrow of the Republic and the democratic state order, committed once, falling under Law VII: 1946, Article 1, Paragraph 2; and guilty of

B) the crime of failing to deposit into a blocked account foreign currency, committed once, and falling in consideration of the infringement of the obligation defined in P. M. Decree, No. 8400/1946, Article 1, Paragraph 1, Item a) and Article 17, Paragraph 1, Item I, of the said order; and guilty of

C) the crime of speculation with foreign currency committed once, defined in consideration of Law XXVI: 1922, Article 1, Paragraph 1, Item 1, and of Law XIV: 1939, Article 1, as set out in P. M. Decree No. 8800/1946, Article 20, Paragraph 2; and guilty of

D) the crime of having sent out of the country foreign currency without a permit, committed once, defined in consideration of the infringement of the prohibition comprised in P. M. Decree No.

8400/1946, Article 4, Paragraph 1, Item and Article 17,. Paragraph 1, of the same order.

5. *Miklos Nagy*, the fifth accused, in police custody from November 26, 1948 and in prison from December 29, 1948, is guilty of

A) the crime of having failed to report a crime committed once, defined in Law III: 1930, Article 69;

B) the crime of failing to deposit into a blocked account foreign currency, committed once, and falling in consideration of the infringement of the obligation defined in P. M. Decree No. 8400/1946, Article 1, Paragraph 1, Item a), and Article 17, Paragraph 1, Item I, of the said order; and guilty of

C) the crime of speculation with foreign currency committed once, defined in consideration of Law XXVI: 1922, Article 1, Paragraph 1, Item 1, and of Law XIV: 1939, Article 1, as set out in P. M. Decree No. 8800/1946, Article 20, Paragraph 1.

6. *Dr. Bela Ispanky*, the sixth accused, is guilty of the crime of treason defined in Law III: 1930, Article 60, Paragraph 3, and qualified according to Law XVIII: 1934, Article 2, Paragraph 2, committed once continuously, and guilty of

B) the crime of failing to deposit into a blocked account foreign currency committed once, and falling in consideration of the infringement of the obligation defined in P. M. Decree No. 8400/1946, Article 1, Paragraph 1, Item a), and Article 17, Paragraph 1, Item 1, of the said order; and guilty of

C) the crime of speculation with foreign currency committed once, defined in consideration of Law XXVI: 1922, Article 1, Paragraph 1, Item 1, and of Law XIV: 1939, Article 1, as set out in P. M. Decree No. 8800/1946, Article 20, Paragraph 1.

7. *Dr. Laszlo Toth*, the seventh accused, in prison since January 25th, 1949, is guilty of the crime of treason, committed once continuously, falling under Law III: 1930, Article 60, Paragraph 3, and qualified according to Law XVIII: 1934, Article 2, Paragraph 1.

The Special Senate of the People's Court therefore sentences:

1. *Jozsef Mindszenty*, the first accused, in consideration of Law VIII: 1946, Article 10, Paragraph 1, and Law III: 1930, Article 58, Paragraph 1, and Law XVIII: 1934, Article 2, Paragraph 1, of P. M. Decree 8400/1946, Article 17, Paragraph 2, of P. M. Decree 8800/1946, Article 20, Paragraph 2, of the P. M. Decree 8400/1946, Article 17, Paragraph 1, Item 1, with reference to the Penal Code Article 96 and 99 but under application of the Penal Code Article 91 to accumulative penalty of: penal servitude for life as main penalty, further in consideration of Law VII: 1946, Article 10, Paragraph 5, and respectively Law III: 1930, Article 70, Paragraph 1, Law XXVI: 1922, Article 1, Paragraph 1, and Decree No. 8400/1946, Article 17, Paragraph 4; to ten years loss of office and ten years suspension of political rights further in virtue of Law VII: 1946, Article 10, Paragraph 5, and respectively of Law III: 1930, Article 70, to the confiscation of all of his property as supplementary punishment.

2. *Dr. Juszti Baranyai*, the second accused, is sentenced in consideration of Law VII: 1946, Article 10, Paragraph 1, under application of the Penal Code Article 92, to fifteen years penal servitude as main penalty and in addition on basis of Law VII: 1946, Article 10, Paragraph 5, to 10 years loss of office and 10 years suspension of political rights, and to the confiscation of all of his property as supplementary penalty.

3. *Dr. Andras Zakar*, the third accused, is sentenced on the basis of Law VII: 1946, Article 10, Paragraph 2, and of Law 111:1930, Article 58, Paragraph 1, with reference to the Penal Code Article 96 and 99 but under application of the Penal Code Article 92 to accumulative penalty of: 6 years penal servitude as main penalty further on basis of Law III: 1930, Article 70, Paragraph 1, and 2, and of Law VII: 1946, Article 10, Paragraph 5, to ten years loss of office, ten years suspension of political rights, and the confiscation of all of his property as supplementary penalty.

4. *Dr. Pal Eszterhazy*, the fourth accused, is sentenced on the basis of Law VII: 1946, Article 10, Paragraph 2, of P. M. Decree No. 8400/1946, Article 17, Paragraph 1, Item I, of P. M. Decree

8800/1946, Article 20, Paragraph 2, with reference to the Penal Code Articles 96 and 99 but under application of the Penal Code Articles 91 and 92, Item II, to accumulative penalty of: 15 years penal servitude as main penalty and in addition on basis of Law VII: 1946, Article 10, Paragraph 5, of P. M. Decree No. 8400/1946, Article 17, Paragraph 4, of Law XXVI: 1922, Article 1, Paragraph 1, for 10 years loss of office and 10 years suspension of political rights and the confiscation of all of his property as supplementary penalty.

5. *Miklos Nagy*, the fifth accused, is sentenced on the basis of Law III: 1930, Article 69, Paragraph 1, P. M. Decree No. 8400/1946, Article 17, Paragraph 1, Item 1, P. M. Decree No. 8800/1946, Article 20, Paragraph 1, with reference to the Penal Code Articles 96 and 99, but under application of the Penal Code Article 91, to accumulative penalty of: three years penal servitude as main penalty and in addition on basis of P. M. Decree No. 8400/1946, Article 17, Paragraph 4, and of Law XXVI: 1922, Article 1, Paragraph 1, to five years loss of office and five years suspension of political rights as supplementary penalty.

6. *Dr. Bela Ispanky*, the sixth accused, is sentenced on the basis of Law XVIII: 1934, Article 2, Paragraph 2, and of P. M. Decree No. 8400/1946, Article 17, Paragraph 1, Item 1, and of P. M. Decree No. 8800/1946, Article 20, Paragraph 1, and with reference to the Penal Code Articles 96 and 99, but with the application of the Penal Code Article 90 to accumulative penalty of: penal servitude for life as main penalty and in addition on basis of Law III: 1930, Article 70, Paragraph 1 and 2, and of P. M. Decree No. 8400/1946, Article 17, Paragraph 4, of Law XXVI: 1922, Article 1, Paragraph 1, to 10 years loss of office and ten years suspension of political rights and to loss of all of his property as supplementary penalty.

7. *Dr. Laszlo Toth* the seventh accused, is sentenced on the basis of Law XVIII: 1934, Article 2, Paragraph 1, under application of the Penal Code Article 91, to: ten years penal servitude as main penalty and in addition on basis of Law III: 1930, Article 70, Paragraph 1, and 2, to ten years loss of office, ten years suspension of political rights, and to the confiscation of his real property as supplementary penalty.

The Special Senate of the People's Court on basis of the Penal Code Article 94, and of Law XXXIV: 1947, Article 2, Paragraph 2, computing the time spent in police custody and in prison considers the following parts of the penalty to have been served, in the case of:

1. Jozsef Mindszenty, first accused,
2. Dr. Juszti Baranyai, second accused,
3. Dr. Pal Eszterhazy, fourth accused:  
one month and eight days,
4. Dr. Andras Zakar, third accused:  
two month and fourteen days,
5. Miklos Nagy, fifth accused,
6. Dr. Bela Ispanky, sixth accused:  
two months and twelve days,
7. Dr. Laszlo Toth, seventh accused:  
ten days.

The prison penalty must be counted from the day of its commencement, the loss of office and the suspension of political rights must be counted from the end of the prison penalty served or from its prescription.

The accused are in pursuance to the Code of Criminal Procedure Articles 480 and 481, obliged to refund the costs of the proceedings collectively, and the future costs each individually.

The Special Senate of the People's Court orders the dispositive part of the sentence — after its becoming final — in accordance with the Order On The Establishment Of People's Courts, Article 52,

to be communicated to the Budapest People's Prosecutors Office, to the State Defence Department of the Ministry of the Interior, to the Office of Criminal Records, to the Mayor of the City of Budapest, to the Deputy Sheriff of the Counties Esztergom and Komárom, to the Tax Inspector for Budapest and Budapest Suburbs, to the Hungarian Ministry of the Interior, and to the Hungarian Ministry of Defence.



## THE COURT'S JUSTIFICATION OF THE VERDICT

The foreign imperialist press and Hungarian reaction have attempted to present this case as a case of religious persecution, an attack upon the Hungarian Roman Catholic Church, and the curtailing of the freedom of religion. The facts which have come out at the trial, in the presence of the representatives of the world press, leave no doubt whatsoever that the above-mentioned presentation of the case lacks all factual basis.

The People's Court declares that the Prosecution has not included in the charges against the five Catholic priests who are among the seven defendants, anything connected with their clerical or religious functions. The charges which were proved in the course of the trial (anti-democratic, legitimist organization, espionage and foreign currency speculation) have nothing to do with religion or the Roman Catholic Church.

The People's Court, from other sources, has official knowledge of the fact — which, incidentally, is generally known in Hungary — that the main defendant, Jozsef Mindszenty, for years has used his clerical activities (sermons, pastoral letters) to make open or covert attacks against the democratic order and the Republic, and thereby to divert his flock from the democratic reconstruction of the country and to increase the post-war economic difficulties of the democratic government. The People's Court withheld from including these inciting and instigating sermons and pastoral letters in the charges.

The People's Court also calls attention to the fact that in their defence the defendants never once alluded to the possibility that they considered the present trial as an attack against the Roman Catholic Church or upon religious rights. Neither did they defend themselves by saying that they were obliged to commit the actions charged to them, in the defence of Church or religion. On the contrary, the defence lawyers have repeatedly and truthfully stated that there was absolute freedom of religion in Hungary and that the actions of the defendants could be not brought into connection with religious questions.

The People's Court also calls attention to the well-known fact that the different Protestant Churches carry on their religious activities in complete harmony with the democratic Republic, and their leaders in complete harmony with the democratic Republic, and their leaders have several times declared — in order to refute foreign reactionary comments — that in Hungary there is no obstacle to the free practicing of religion. The Roman Catholic churches, liberated from Mindszenty's activities inciting hatred for the democracy, on February 1, third anniversary of the proclamation of the Republic, held prayers for the Republic, which they evidently would not have done if the Republican Government persecuted the Church.

The People's Court emphasizes that it was Jozsef Mindszenty himself, who wanted to turn the Catholic Church and the faithful against the State, in order to weaken the democratic state. In the course of his religious activities he spared no effort to make the democratic order and the republic repugnant to his followers. The facts unveiled in the course of this trial explain the reasons for this. Jozsef Mindszenty was aware of the fact that the restoration of the Hapsburg regime in Hungary had no popular support and that no such support could be created. Therefore he tried to smear the democratic government in order to influence a significant number of Hungarian Catholics to act against the People's Democracy and to use and organize the dissatisfied to serve his own Legitimist aims. This is how it happened that all counter-revolutionary forces in Hungary gradually came to consider Mindszenty as their leader. The head of the Church became a political leader who made the attempt to overthrow the republic, the main issue of this political programme.

It has to be pointed out that the great prestige surrounding Mindszenty's high position as head of the Church lent this political movement considerable weight. Therefore, because of his high position, Mindszenty's activities could be considered differently from the activities of other individuals. These deeds, when committed by the Prince Primate of the country, appear as if they were desired and supported by the entire Church and can give cause to the belief that they were necessary in the defence of the persecuted Church. Nevertheless, the People's Court declared that when judging the activities of the main defendant, it judged them as the activities of Jozsef Mindszenty, Hungarian citizen, and not of

Jozsef Mindszenty, Prince Primate of Hungary, Archbishop of Esztergom.

The above facts prove beyond a doubt that Mindszenty's efforts toward the restoration of the Hapsburgs aimed at the liquidation of the results of democracy. In the eyes of every Hungarian the Hapsburg rule is equivalent to four hundred years of oppression. The best sons of the Hungarian people have, for centuries, fought against the Hapsburgs and now when the Hungarian people have at last regained its freedom and independence there is no greater crime one could commit against the Hungarian people than to attempt to bring back the hated Hapsburg rule.

Hapsburg rule and democracy cannot exist side by side. It is either one or the other. Hapsburg rule means also feudalism, the restitution of the feudal estates, and the immense political and economic power of the aristocracy and the heads of the Catholic Church. The memorandum approving the land-division under the Horthy-regime and opposing the land reform, found among Jozsef Mindszenty's secret documents, leaves no doubt concerning the aims of Mindszenty and his accomplices in connection with the land-division problem. Pal Esterhazy, sitting with Mindszenty in the dock, who is a characteristic representative of feudalism, declared that he had hoped to regain with the help of Jozsef Mindszenty, his 200,000 *holds* (280,000 acres) estate of which the land reform had deprived him. Jozsef Mindszenty meant to Esterhazy and his friends the restitution of the feudal state, to the big capitalists the return of their banks and factories, that is, the liquidation of everything that Hungarian democracy has given to the working people since 1945. Last but not least, Mindszenty and the high clergy would have regained the great economic power embodied in the large estates.

The thought of the Hapsburg restoration is alien to the Hungarian people, and the Hungarian peasant will never, of his free will, return the land he has been given. Mindszenty and his accomplices know this well. This is why they urged foreign intervention and this is why, by making use of decades of fascist indoctrination, they intended to put back into effect the Hitler-laws, pushing the Jewish question into the foreground.

Mindszenty's aims were perfectly in accordance with the intentions of the United States of America in connection with Hungary and the People's Democracies in general. The USA today supports reactionary forces all over the world. It intends to carry out its aim: the subjugation of the world, by extirpating all forces of progress. Thus, to achieve his own aims, Mindszenty needed the help of the USA and the USA needed Jozsef Mindszenty, head of the Roman Catholic Church in Hungary, to be the propagator of their plans connected with Otto Hapsburg. This is the angle from which the close relationship between Mindszenty and the different American political factors must be judged.

The organization called to life by Jozsef Mindszenty rested, upon the following considerations:

By overthrowing the democratic order and the republican form of state they can reinstate the Hapsburg Monarchy. But as the people, because of their hatred for the Hapsburg family, cannot be won for this purpose, they must find the support of inner and outer forces. The inner forces can be mobilized if they connect the rebirth of the monarchy with the restitution of the large estates, the giving back of the banks and factories into private hands, and the persecution of the Jews. Thus it would be connected with the programme of all reactionary trends and the movement would become the centre of all Hungarian reactionary forces. In the international field, they could strengthen their movement by fitting it into the political aims of the Anglo-Saxon imperialists, making the overthrow of the present order and the bringing back of the Hapsburg rule, the aims of the war to be started. This policy, gave the monarchist movement, which had no popular basis, great importance and turned it into a serious threat to our People's Democracy.

According to the facts of the case, there was close connection between Jozsef Mindszenty and the American Minister Chapin. According to the opinion of the Court Mr. Chapin is partly responsible for the fact that Jozsef Mindszenty's anti-democratic activities have greatly increased lately. Mr. Chapin exerted a decisive influence even on Mindszenty's religious activities by urging him to use his pastoral letters regularly for instigating against the democratic state.

Chapin's attitude towards Mindszenty was such that it permitted Mindszenty to hope for an

imminent American intervention in Hungarian internal affairs.

It is particularly to be remembered that in November 1948, Mr. Chapin offered to help Jozsef Mindszenty to leave the country, and that Jozsef Mindszenty himself attempted to smuggle out a letter to Chapin during his detention, in which he asks for a car and an airplane in which to escape and thereby to evade the jurisdiction of the People's Court.

Jozsef Mindszenty and his accomplices found a third world war to be the most suitable form of foreign intervention. Although the feudal capitalistic forces have drawn the Hungarian people already into two world wars by their irresponsible, anti democratic politics, they did not recoil from a third world war because they hoped to achieve through it the realization of their political and economic aims. The People's Court states that in the course of the trial, when the president of the court asked Jozsef Mindszenty what he had done in the interest of peace, Mindszenty answered: We prayed for peace. While they prayed for peace, which was beyond a doubt an activity befitting the clerical duties of the accused priests, they, at the same time, speculated on war. On a war which would end with the defeat of Hungary and her allies, with American occupation, and the overthrow of the Republic.

A particularly noteworthy part of this speculation was the gathering and passing on of information by the accused. Mindszenty and his accomplices sent the exponents of imperialist foreign policy untrue information about Hungary which gave a distorted picture of Hungarian Democracy. Their aim was to support hereby the aggressive purposes of the imperialists. They depicted the country in such a way as to make believe that the people were opposed to the democratic government, the economic situation distressing and as if the people could hardly wait for a change even at the price of war. This untrue picture intended to give the imperialists the impression that a war against Hungary would be easy to win, thereby giving the warmongers an important argument.

## HOW A PEOPLE'S COURT WORKS

In accordance with Hungarian Law on criminal procedure, capital and political crimes used to be dealt with by Jury Courts under the provision of Law XXXIV: 1897, Article 15. These Courts consisted of three trained judges and 12 jurors chosen from among people of means. After the first world war, one of the first measures of the counter-revolutionary regime was the suspension of these courts by Decree 6898/1919. The complete exclusion of the working masses of the Hungarian people from the exercising of jurisdictional powers has played an important role in the political formation of the country.

One of the first tasks of the Hungarian Republic was to provide for the protection of the Republic and the democratic state order as proclaimed by Law I: 1946. This protection in the field of law has been entrusted to People's Courts, which were established especially for the judging of war crimes and crimes against the people.

People's Courts operate in five cities of the country where regular Courts of Appeal are situated. The presiding judge, or President, is a trained judge appointed by the Minister of Justice. He sits with four lay assessors who are delegated by the political parties of the government coalition through their relevant local organizations. The delegating parties are the Independent Smallholders Party, the Social Democratic Party, the Communist Party, and the National Peasant Party. After the merging of the Communists and the Social Democrats, the resultant Working People's Party delegates two assessors. The Prosecution is represented by the Public Prosecutor, a trained lawyer appointed by the Minister of Justice. The Defense is represented by a lawyer chosen by the defendant. Proceedings in a People's Court are essentially the same as ordinary Criminal Court proceedings as regulated by Law XXXIII: 1896.

Following the serious suspicion of an offence, the Public Prosecutor submits an Indictment to the People's Court which serves it upon the defendant. Before the trial begins, the defendant may outline his defense and request the People's Court to summon witnesses or evidence necessary in the coming trial.

The trial is conducted by the President whose duty is to clarify fully the allegations of the Indictment. To this end, he questions the defendants and the witnesses and presents evidence submitted by prosecution and defense. The four assessors, the Prosecutor, and the Defense Counsel may also question the defendants and the witnesses. With equal consideration of the assertions of Prosecution and Defense, the President's duty is to establish the facts which are to form the basis of the sentence, for the sentence may be based only upon evidence presented at the trial, that is, upon the testimony of defendants, witnesses, experts, and upon documentary evidence presented in court.

After the questioning and presentation of evidence, the Court hears the final speeches of the Prosecutor and the Defense Counsel. These speeches cannot be limited by the President in any way unless they disturb the peace or offend public morality. The Prosecutor may reply to the speech of the Defense, but the Defense is entitled to the final word. After his Counsel has spoken, the defendant, himself, may speak, once again summarizing his defense before the Court. He too may speak as long as he desires and is entitled to the final word.

The sentence passed by the People's Court may be appealed by the Defense if it is considered that essential provisions of the law have been violated. Then it is revised by the Council of People's Courts. The four members of this Council are chosen by the above-mentioned political parties from those of their members who are qualified judges; the President, also a qualified judge, is appointed by the Minister of Justice.

The second trial is attended by the Chief Prosecutor, the Defense Counsel, and the defendant. The Council may order new evidence to be presented if it is felt that the facts of the case have not been sufficiently elucidated by the People's Court. The sentence may be either altered or approved.

People's Courts handle offences of a political nature and, whatever other offences may be connected with the political offence, since it would be difficult for the defendant to have to answer to another court for these other offences after his political offences have been judged.

According to the Indictment, Jozsef Mindszenty and his accomplices formed an organization for the

overthrow of the Hungarian Republic and the democratic state order. Jozsef Mindszenty, Cardinal Archbishop of Esztergom, led the organization. This act was contrary to Law VII: 1946 for the protection of the Republic and the democratic state order. Mindszenty had to answer for this, and for acts of treason and espionage defined by Law III: 1930, before the Budapest People's Court, the competent court in view of his place of residence. He was also accused of foreign currency offences which gravely endangered the economy of the country. These offences, too, were subject to the jurisdiction of the Budapest People's Court since these acts of Jozsef Mindszenty and his accomplices were connected with their political offences.

TEXTUAL WORDING OF ARTICLES, LAWS AND DECREES REFERRED TO IN THE  
INDICTMENT

1.

In the case of *Jozsef Mindszenty*:

A.

*Law VII: 1946, Article 1, Paragraph 1:*

Whosoever shall commit an act, initiate or lead a movement or organization or give substantial financial aid to such movement or organization aiming at the overthrow of the democratic order of the State and of the Republic established by Law I of 1945, shall be guilty of a crime.

B.

*Law III: 1930, Article 58:*

Whosoever shall associate or enter into contact with the government of a foreign power or with a foreign organization in order to induce them to commit hostile acts against Hungary and also whosoever shall try to induce a foreign power to wage war or to take measures of force against Hungary shall be guilty of the crime of treason and be punished by penal servitude from 10 to 15 years.

If the declaration of war has taken place or the war has broken out or the measure of force was taken, the penalty shall be penal servitude for life.

*Law III: 1930, Article 60, Paragraph 3:*

3. whosoever publishes or communicates to an incompetent person or otherwise makes available to an incompetent person such secret having come into his possession or knowledge otherwise than set out in Paragraphs 1 or 2, if the act endangers the interest of the State shall be guilty of the crime of treason and be punished by imprisonment up to five years.

The wording of Paragraphs 1 and 2 is as follows:

1. Whosoever spies out or illegally obtains a military secret or another secret touching other important interests of the Hungarian State, particularly its international or economic situation.

2. Whosoever makes public or communicates to an incompetent person or makes in some other way available to an incompetent person such secret having come into his possession or to his knowledge as a consequence of his official position, his official mandate or his relationship of service or contract with a public authority etc.

*Law XVIII: 1934, Article 2, Paragraph 9:*

The penalty of treason defined in Article 60 is penal servitude for life if the act has been committed for the purpose now mentioned and if the act has gravely damaged or endangered the interest of the State or if the secret had been obtained for the said purpose by theft or an act of force.

(The wording of Paragraph 1 is as follows: Penal servitude from ten to fifteen years if the act has been committed for the purpose that the secret should come to the knowledge or become available to an authority of a foreign power, to a foreign organization, to their mandatory or to a person acting in their interest.)

C.

Decree 8400 of 1946 of the Prime Minister (hereafter called P. M.) Article 17, Paragraph 1:

Whosoever shall infringe any of his duties set forth in Article 1. of the Decree, or in Article 9, Paragraph 2, or in Article 13 or infringe or evade any of the interdictions comprised in Article 3, Paragraphs 2 and 3, Articles 4 and 7, shall — insofar as the act does not fall under a heavier penalty — be sentenced to penal servitude for a term not exceeding 10 years for having committed a crime; if however the person obligated shall only be guilty of negligence then his act shall be considered an offence and punished by imprisonment not exceeding three years.

Paragraph 2 of the preceding Article:

The penalty shall be death if the act has gravely endangered or damaged the country's economic system or if the act has been committed professionally or if the perpetrator had already been sentenced to imprisonment for an act committed after July 1, 1945, on the basis of Law XXVI of 1922, of Law XXXII of 1931, of the P. M. Decree 7.160 of 1945, or of this Decree.

*The wording of the Articles referred to in Article 17 is the following;*

I. (1) All persons living in Hungary and all juristic person and firms domiciled in Hungary, the latter also in case they have no legal personality, shall be bound to deposit not later than on August 15, 1946, into a blocked account all of the below enumerated valuables which at the time of the coming into force of this order are in their ownership or possession or in any other way under their disposal (management) viz.

- a) foreign currency;
- b) specie coined abroad;
- c) fine gold (fine gold shall mean a standard of at least 998 per mille);
- d) gold in bars, blocks, sheets, semi-manufactured, mine gold or alluvial gold (irrespective of their gold content);
- e) broken gold (irrespective of its gold content).

(2) The persons defined in Paragraph 2 are obliged to register on or before the 15th day of August 1946 all of the below enumerated valuables which at the time of the coming into force of this order are in their ownership or possession or in any other way under their disposal (management) viz.

- a) securities issued abroad (shares, bonds, mortgage debentures and coupons thereof);
- b) claims against foreign debtors payable in foreign currency including also claims based on cheques, bills of exchange, drafts, savings books etc.);
- c) objects of art and chattels made of gold or partly of gold being in the ownership or possession or in any other way under the disposal (management) of the same person or of several persons living in the same household belonging to the same family (husband and wife, ascendants, descendants, brothers and sisters) if their weight (crude gold weight) exceeds totally five hundred grams or if their weight (crude gold weight) does not exceed five hundred grams but the mentioned objects cannot be considered as chattels for personal use neither as gold objects kept as souvenirs.

(3) The following do not fall under the obligation of depositing and or registration;

- a) small foreign coins;
- b) specie coined in Hungary;
- c) jewellery, objects of art and chattels for personal use or kept as souvenirs provided their total weight does not exceed five hundred grams (crude gold weight).

(4) The valuables falling under Paragraph 1 hereinabove and existing at the time of the coming into force of this order need not be deposited if the owner before the expiration of the time fixed for the deposit offers them to the Hungarian National Bank for purchase and the Bank purchases the valuables; in such case the Bank will not inquire after the person of the owner or possessor of the valuables offered for purchase.

(5) Establishments in Hungary of foreign firms (branches, representations) are also subject to the obligation of depositing and/or registration.

(6) The person obligated must deposit and/or register irrespective of the fact whether the valuable in question had to be registered under previous rules or not, further irrespective of the fact whether it was dispensed from surrender or not.

Article 3, Paragraph 2: The person obligated to make the registration is bound to use ordinary care in the custody of the valuables to be registered also after the registration. It is forbidden to take any measure which may result in the right of the Hungarian National Bank under this order being frustrated or its legal position being prejudiced.

(3) It is prohibited to dispose of the valuables falling under registration according to Article 1,

Paragraph 2, without the permit of the Hungarian National Bank.

Article 13, Paragraph 1: Valuables acquired after the coming into force of this order and subject under the dispositions of Article 1 to depositing and/or registration must be deposited and/or registered in accordance with the dispositions of this order. Depositing and/or registration must take place within two days from the day of acquisition or receipt (management). Sundays and holidays are not taken into account in computing these two days.

(2) Any person coming back to live in Hungary is bound to deposit and/or register within eight days from his entering the country all valuables subject to depositing and/or registration but not deposited and/or registered in accordance with this order, including any such valuables acquired abroad.

(3) In the application of this article the offering of the valuable for purchase to the Hungarian National Bank shall be deemed equivalent to depositing and/or registration, provided the Bank purchases the valuable offered.

*Law XXVI: 1922 Article 1 Paragraph 1:*

I. Whosoever speculates with foreign currency in spite of the prohibition of the Government or of the Minister of Finance

shall be found guilty of a crime and punished by imprisonment not exceeding two years (and a fine not exceeding one million Korona and loss of office and the suspension of his political rights and the confiscation of those valuables in respect of which the crime has been committed).

(Note: the part in brackets has been invalidated by the Law X of 1928, Article 3.)

*P. M. Decree 8400 of 1946 Article 20, Paragraph 2:*

The penalty shall be death if the act has gravely damaged the interest involved in the stability of the Hungarian forint.

(The relative part of Paragraph 1 of the same Article is as follows:

Whosoever in the period between the entering into force of this order and of December 31, 1946, shall commit an offence falling under Law XXVI of 1922 on misuse with means of payment, under Law XXXII of 1931 on the registration of foreign currency and claims and on the penalty to secure the surrender of exported property, under Law XIV of 1939 on more effective retaliation of any misuse with means of payment, foreign claims and the export of property, shall be liable to the following penalties:

To penal servitude for life if the statutory provision provides for the act imprisonment of ten years or more;

Penal servitude not exceeding ten years if the statutory provision provides penal servitude of less than ten years or imprisonment;

Imprisonment not exceeding five years if the statutory provision provides a prison penalty.

II.

In the case of *Jusztin Baranyai*, second accused;  
See the wording of Law VII of 1946, Article 1, Paragraph 1, under I/A.

III.

In the case of *Andras Zakar*, third accused:

A.

*Law VII of 1946, Article 1, Paragraph 2:*

Whosoever shall take an active part in or promote the movement or organisation defined in Paragraph 2 shall be deemed guilty of a crime.

(See Paragraph 1 of the same Article under I/A.)

B.

See the wording of Law III of 1930 Article 60, Paragraph 3, of Law XVIII of 1934, Article 2, Paragraph 2 under I/B.



#### IV.

In the case of *Pal Eszterhazy*, fourth accused;

##### A.

See the wording of Law VII of 1946, Article 1, Paragraph 1, under I/A.

##### B.

See the wording of P. M. Decree 8400 of 1946, Article 17, Paragraphs 1 and 2, of Law XXVI of 1922, Article 1, Paragraph 1, and of P. M. Decree 8800 of 1946 Article 20, Paragraph 2, under I/C.

#### V.

In the case of *Miklos Nagy*, fifth accused:

##### A.

See the wording of Law III of 1930 Article 60, Paragraph 3, and of Law XVII of 1934, Article 2, Paragraph 2, under I/B.

##### B.

See the wording of P. M. Decree 8400 of 1946, Article 17, Paragraphs 1 and 2 and of Law XXVI of 1922, Article 1, Paragraph 1, under I/C.

##### C.

See the wording of P. M. Decree 8400 of 1946, Article 17, Paragraphs 1 and 2 and of Law XXVI of 1922, Article 1, Paragraph 1, under I/C.

#### VI.

In the case of *Bela Ispanky*, sixth accused:

##### A.

See the Wording of Law III of 1930, Article 60, Paragraph, and 3, of Law XVIII of 1934 Article 2, Paragraph 2, under I/B.

Wording of the further laws and orders referred to in the indictment:

Decree on the Establishment of the People's Courts P. M. Decree 81, of 1945 put into force by Law VII of 1945, Article 23;

The jurisdiction is founded on the dispositions of Law XXXIII of 1896, Chapter II. If the offender is suspected of having committed offences in several places then the Prosecutor in charge shall send the file of the case mentioning the acts and possible proofs to the People's Prosecutor at the People's Court of the place of residence of the offender for further proceedings.

*Law VII of 1946, Article 11, Paragraph 1:*

The judgment of the offences defined in this law is subject to the jurisdiction of the Special Senate consisting of five members formed within the People's Courts functioning in Court of Appeal towns.

## TEXTUAL WORDING OF LAWS AND ORDERS REFERRED TO IN THE SENTENCE

### I.

Concerning the guilt:

In the case of *Jozsef Mindszenty*, first accused:

#### A.

See the wording of Law VII of 1946, Article 1, Paragraph 1, with the wording quoted in connection with the laws and decrees referred to in the indictment (hereinafter called *wording quoted*), under I/A.

#### B.

See the wording of Law III of 1930, Article 58, with the wording quoted under I/B.

#### C.

See the wording of Law III of 1930, Article 60, Paragraph 3 and of Law XVIII of 1934, Article 2, with the wording quoted under I/B.

#### D.

See the wording of P. M. Decree 8400 of 1946, Article 1, Paragraph 1, Subparagraph A; Paragraph 2, Subparagraph B; and of Article 17, Paragraphs 1 and 2, with the wording quoted under I/C.

#### E.

See the wording of Law XXVI of 1922, Article 1, Paragraph Item 1, and of Decree 8800 of 1946, Article 20, Paragraph 2, with the wording quoted under I/C.

*Law XIV: 1939, Article 1:*

The dispositions with regard to the duration of prison penalties imposed for misuse committed with means of payment are modified as follows: the penalty shall be imprisonment not exceeding five years as defined in Law XXVI of 1922, Article 1, Paragraph 1; with regard however to offenders who have committed the offence professionally or who have already been sentenced — before the entering into force of this Law or thereafter — to imprisonment under Law XXVI of 1922, or Law XXII of 1931, the penalty shall be penal servitude from five to ten years; in cases where the offence gravely damaged the interests of the economic system the penalty shall be penal servitude from five to fifteen years.

#### F.

P. M. Decree 8400 of 1946, Article 4, Paragraph 1.

Without the authority of the Hungarian National Bank it is prohibited:

d) To export or in any other way send out from the country Hungarian or foreign currency and gold. The Minister of Finance shall determine by order the amount which can be taken out by travellers without a permit.

See the wording of Article 17, Paragraph 1 with the wording quoted under I/C.

#### G.

See the wording of P. M. Decree 8400 of 1946, Article 3, Paragraph 3 and of Article 17, Paragraph 1 with the wording quoted under I/O.

### II.

In the case of *Jusztin Baranyai*, second accused:

See the wording of Law VII of 1946, Article 1, Paragraph 1, with the wording quoted under I/A.

*Penal Code (Law V of 1878), Article 70:*

Those persons are to be considered as committers who commit the crime or offence together or jointly.

### III.

In the case of *Andras Zakar*, third accused:

A.

See the wording of Law VII of 1946, Article 1, Paragraph 2, with the wording quoted under III/A.

B.

See the wording of Law III of 1930, Article 58, with the wording quoted under I/B.

See the wording of the Penal Code, Article 70, under 1/2.

IV.

In the case of *Pal Eszterhazy*, fourth accused:

A.

See the wording of Law VII of 1946, Article 1, Paragraph 2, with the wording quoted under III/A.

B.

See the wording of P. M. Decree 8400 of 1946 Article 1, Paragraph 1, Item A and Article 17, Paragraph 1 with the wording quoted under I/C.

C.

See the wording of Law XXVI of 1922, Article 1, Paragraph 1, Item 1, and of Decree 8800 of 1946 Article 20, Paragraph 2 above with the wording quoted under I/C.

See the wording of Law XIV of 1939, Article 1, under I. 1/E.

D.

See the wording of P. M. Decree 8400 of 1946, Article 4, Paragraph 1, Item D above under I/I/F.

See the wording of Article 17, Paragraph 1, with the wording quoted under I/C.

V.

In the case of *Miklos Nagy*, fifth accused:

A.

See the wording of Law III of 1930, and Law XVIII of 1934, Article 2, Paragraph 2, quoted under I/B.

B.

See the wording of P. M. Decree 8400 of 1946, Article 1. Paragraph 1, Item A and of Article 17, Paragraph 1, with the wording quoted under I/C.

C.

See the wording of Law XXVI of 1922, Article 1, Paragraph I, Item 1, and of P. M. Decree 8800 of 1946, Article 20, Paragraph 1, with the wording quoted under I/C.

See the wording of Law XIV of 1939, Article 1, under I. 1/E. hereinabove.

VI.

In the case of *Bela Ispanky*, sixth accused;

A.

See the wording of Law III of 1930, Article 60, Item 3 and of Law XVIII of 1934, Article 2, Paragraph 2, with the wording quoted under I/B.

B.

See the wording of P. M. Decree 8400 of 1946, Article 1, Paragraph 1, Item A and of Article 17, Paragraph 1, with the wording quoted under I/E.

C.

See the wording of Law XXVI of 1922, Article 1, Paragraph 1, Item 1, and of P. M. Decree 8800 of

1946, Article 20, Paragraph 1, with the wording quoted under I/C.

## VII.

In the case of *Laszlo Toth*, seventh accused:

See the wording of Law XVIII of 1934, Article, 2, Paragraph 1 with the wording quoted under I/B.

## II.

Concerning the penalties inflicted:

1. In the case of *Jozsef Mindszenty*, first accused:

*Law VII of 1946, Article 10, Paragraph 1:*

The penalty of the acts defined in article 1, Paragraph (1) and in Article 5, is death or penal servitude for life, in the case of physical inability penal servitude for life or hard labour for a term of not less than five years, in the case of physical inability penal servitude from five to fifteen years.

See the wording of the law III of 1930, Article 58, Paragraph 1 with the wording quoted under I/B.

See the wording of the law XVIII of 1934, Article 2, Paragraph 1 with the wording quoted under I/B.

See the wording of the order 8400 of 1946, P. M., Article 17, Paragraph 2 of the order 8800 of 1946 P. M. Article 20, Paragraph 2 and of the order 8400 of 1946 P. M. Article 17, Paragraph 1 position I. with the wording quoted under I/C.

*Penal Code, Article 96:*

If the same person has committed several punishable offences or has committed the same offence several times then the Court shall inflict upon him a cumulative penalty.

The cumulative penalty shall be established in the hardest kind of punishment provided for the act committed by the delinquent; if such punishment be imprisonment for a certain time then its maximum duration may be increased, with the restrictions as set out in the following articles.

*Penal Code, Article 99:*

If there is a plurality of crimes or of crimes and other offences then among the penalties fixed for such offences the hardest penalty shall be applied and if such penalty be imprisonment for a certain time, its maximum duration may be increased by five years.

*Penal Code, Article 91:*

If however extenuating circumstances are in the majority: the minimum penalty provided for the act, must be applied or, approximated.

In such cases the death penalty must be commuted into penal servitude for life and penal servitude for life must be commuted into fifteen years penal servitude.

*Law VII of 1946, Article 10, Paragraph 5:*

The following secondary punishments must be applied to the offences defined in this law; loss of office and suspension of political rights. Foreigners guilty of these offences must be expelled for ever from the country; Hungarians guilty of these offences may be expelled from the place where their presence endangers the democratic order even if such place is the usual residence of the condemned person. In addition Committers of the offence defined in Article 1, Paragraph 1, must be sentenced to the confiscation of all of their property, for other offences defined in this law either all of the property or part of it must be confiscated.

*Law III of 1930, Article 70, Paragraph 1:*

In case of the offences defined in Articles 58 to 64 and in Article 68 of this law the committers must be sentenced to loss of office and to the suspension of their political rights; foreigners must be expelled from the country forever and Hungarians may be expelled from the place where their presence endangers the democratic order even if such place is the usual residence, of the condemned person.

See the wording of Law XXVI of 1922, Article 1, Paragraph 1 with the quoted wording under I/C.

*P. M. Decree 8400 of 1946, Article 17, Paragraph 1:*

In case of the crime defined in this Decree the committer must be sentenced in addition to the main penalty to the loss of his office and to the suspension of his political rights.

*Law III of 1930, Article 70, Paragraph 2:*

The Court in its sentence may pronounce a pecuniary indemnity in favour of the Treasury in its discretion and in proportion to the financial circumstances of the condemned person, up to the confiscation of all of his property. The pecuniary indemnity cannot be commuted into imprisonment, in other respects it is analogous to a fine.

2. In the case of *Jusztin Baranyai*, second accused:

See the wording of Law VII of 1946, Article 10, Paragraphs 1 and 5 above under II/1.

*Penal Code, Article 92*

If the number and kind of extenuating circumstances are so considerable that even the smallest measure of the penalty provided for the offence appears to be disproportionately heavy then the penalty may be reduced to its minimum measure and if even this seems too heavy, then the Court may inflict upon the offender instead of penal servitude for a certain time, imprisonment, instead of imprisonment, prison (more lenient form of imprisonment), instead of prison a fine, down to the smallest measure of these penalties.

Even in application of this article there cannot be pronounced in case of the death penalty, less than fifteen years penal servitude and instead of penal servitude for life, less than ten years penal servitude.

3. In the case of *Andras Zakar*, third accused:

*Law VII of 1946, Article 10, Paragraph 2:*

The acts defined in Article 1, Paragraph 2, in Article 6, and in Article 7, Paragraph 1, shall be punished by hard labour of not less than five years, in case of physical inability by penal servitude from five to fifteen years.

See the wording of Law III of 1930, article 58, Paragraph 1, with the wording quoted under I/B.

See the wording of the Penal Code, Articles 96 and 99, of Law III of 1930, Article 70, Paragraphs 1 and 2 and of Law VII of 1946, Article 10, Paragraph 5 above under II/1.

See the wording of the Penal Code, Article 92, above under II/2.

4. In the case of *Pal Eszterhazy*, fourth accused:

See the wording of Law VII of 1946, Article 10, Paragraph 2, above under II/3.

See the Wording of P. M. Decree 8400 of 1946, Article 14, Paragraph 1, and of Decree 8800 of 1946, Article 20, Paragraph 2 with the wording quoted under I/C.

See the wording of the Penal Code, Article 92, Paragraph 2, above under II/2.

See the wording of Law XXVI of 1922, Article 1, Paragraph 1, with the wording quoted under I/C.

5. In the case of *Miklos Nagy*, fifth accused:

See the wording of Law III of 1930, Article 60, Paragraph 1, above under 1/5.

See the wording of Decree 8400 of 1946, Article 17, Paragraph 1, of Decree 8800 of 1946, Article 20, Paragraph 1 and of Law XXVI of 1922, Article 1, Paragraph 1, with the wording quoted under I/C.

See the wording of the Articles 96, 99 and 91 of the Penal Code and of P. M. Decree 8400 of 1946, Article 17, Paragraph 4, above under II/1.

6. In the case of *Bela Ispanky*, sixth accused:

See the wording of Law XVIII of 1934, Article 2, Paragraph 2, with the wording quoted under I/B.

See P. M. Decree 8400 of 1946, Article 17, Paragraph 1, of Decree 8800 of 1946, Article 20, Paragraph 1, and of Law XXVI of 1922, Article 1, Paragraph 1, with the wording quoted under I/C.

See the wording of the Penal Code, Articles 96 and of Law XXX of 1930, Article 70, Paragraphs 1 and 2 and of the P. M. Decree 8400 of 1946, Article 17, Paragraph 4, above under II/I.

*Penal Code, Article 90:*

If aggravating circumstances are in the majority as regards their number or weight then the maximum measure of the penalty provided for the acts committed must be applied or approximated.

7. In the case of *Laszlo Toth*, seventh accused:

See the wording of Law XVIII of 1934, Article 2, Paragraph 1 with the wording quoted under I/B.

See the wording of the Penal Code, Article 91, and of Law III of 1930, Article 70, Paragraphs 1 and 2, above under II/I.

### III.

*Other statutory provisions referred to in the sentence:*

Any long duration of detention prior to the trial if not due to the fault of the accused must be set off against the penalty of imprisonment or fine; the sentence must always state which part of the penalty is deemed to have been served by such detention. In establishing however the duration of the penalty set off by the detention prior to the trial such detention may only compensate an imprisonment of the same duration at the most.

*Law XXXIV of 1947, Article 2, Paragraph 2:*

The Order on the Establishment of People's Courts, Article 5 (Amendment to this order, Article 2) is completed by the following disposition:

There must be set off against the penalty of penal servitude or imprisonment inflicted by the People's Court under application of the Penal Code, Article 94, that time which the accused had spent prior to the penal proceedings in police custody or in internment for a war crime, a crime against the people or such conduct. The setting off against an imprisonment penalty inflicted, by a Court order having become final prior to the entering into force of this law is decided upon by the People's Court having dealt with the case in the first instance.

*Code of Criminal Procedure (Law XXXIII of 1896) Article 480:*

If the accused is found guilty by the Court, he is obliged to reimburse the criminal costs.

If the accused had been indicted for several offences and a separation is possible he shall only have to bear the costs of such offences of which he has been found guilty.

Should the accused die before the sentence has become final then the criminal costs disbursed shall be borne by the Treasury. If the sentence has become final prior to the death of the accused then the criminal costs to be fixed within the limits of Law XLIII of 1890 are to be collected from the heirs, up to the value of the estate.

*Code of Criminal Procedure, Article 481:*

If several persons have been condemned then each of them must reimburse to the Treasury separately the costs of his detention prior to the trial, of his defence, of the execution of his penalty, and any costs caused exclusively by events touching him or faults or omissions committed by him.

The remaining criminal costs must be reimbursed by the co-accused persons collectively unless the Court for reasons of equity establishes the amount of costs payable by each accused separately.

*Order on the Establishment of People's Courts, Article 52:*

Besides the cases enumerated in the Code of Criminal Procedure the dispositive part of the final sentence must be sent to the People's Prosecutor, to the Office of Criminal Records, to the local authority of the place of residence of the condemned person, to the Municipal Council and the Housing Office.