

(A) - NAGY COMMUNIQUE ANALYSIS

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News Background

ANALYSIS OF OFFICIAL COMMUNIQUE ON TRIAL AND EXECUTION OF IMRE

NAGY AND ASSOCIATES

The Court Procedure

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MUNICH, June 17 [Hungarian Evaluation & Research] -- The People's Tribunal of the Supreme Court was called to life by the 6 April 1957 decree of the President of the People's Republic. The People's Tribunal is composed of the head of the tribunal and of four people's judges, which means that the non-professional element is in a majority.

According to the decree, the Chief Prosecutor can put the accused, already in detention, before the People's Tribunal without indictment if all the evidence can be placed before the court. In this case the Tribunal does not fix the date of trial and does not leave witnesses but it is the duty of the Chief Prosecutor to call witnesses and experts and to prepare the necessary documentation. In such cases the accusation is submitted verbally by the Chief Prosecutor at the trial.

In practice this paragraph of the decree does not provide any means of preparing the defense and leaves a free hand to the Chief Prosecutor.

No Concrete Evidence Published

The hearing of 29 witnesses is not in proportion with the gravity and extensiveness of the charges. Therefore it may be supposed that the court tried to deal with the proceedings in the shortest possible time.

The communique does not contain any concrete reference to the "extensive evidential material" nor to the material proof submitted. In this connection it merely mentions the secret documents compiled by Imre Nagy.

The accusation that "in December 1955" Imre Nagy and company "made a secret, anti-democratic plot" is a completely new statement not mentioned previously either by Communist or other sources. It is possible that in this case the accusation made full use of the wide social connections of Imre Nagy and his friends. It is well-known that after the exclusion of Imre Nagy from the Party a number of people continued to call on him.

According to unconfirmed news from Western agencies, KUSLOV also went to see Imre Nagy during his WEDARBIT visit in June, 1956.

The accusation distorts the contents of the Imre Nagy documents. The three documents referred to can be found in his book entitled "In Defense Of The Hungarian People", published in the West in March 1957.

The Others Who Were Responsible Too

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As far as the charges in connection with the organization of the revolution are concerned it must be emphasized that the communiqué tentatively groups the events, conspiracy plots which did not exist and limits participation in and direction of the revolutionary events exclusively to Imre Nagy and his group. The communiqué omits from the revolutionary events every other person who took just as active a share in the events as any member of the Nagy group.

In connection with the charge that during the revolution political parties were formed unconstitutionally, reference should be made to the 30 October 1956 broadcast of János KADAR, then Minister of State. He said that every member of the Presidium of the Hungarian Workers' Party agreed with the decisions taken that day by the Presidium of the Cabinet. (One of these decisions was to terminate the one-party system.) KADAR added that he for his part was in complete agreement with what was said before him by Imre Nagy, Sándor TILLY and Ferenc ERDEI -- "my acquaintances and friends, my respected countrymen, whom I hold in great esteem".

According to last night's communiqué, Cardinal MISSEBENTY was rehabilitated by the Imre Nagy conspiratorial group, although Radio Free Europe announced on October 31 that the Hungarian national government (including Ferenc MESSNER, Minister of Interior and Eric MOLNAR, Minister of Justice) had established that the accusations brought against the Cardinal in 1948 were unlawful.

In connection with the statement that "during the Premiership of Imre Nagy he broke his oath and excluded Parliament, the Presidium and the government as a body from ruling the country", we have to refer to the statement made by Istvan DOMI to Parliament on 9 May 1957: "Even during the counter-revolution it was possible to maintain the functioning and legal continuity of the Presidium of the People's Republic which is our highest State organ during the parliamentary recess."

Legalized by the Presidium

The two governments formed during the revolution entered office with the approval of the Presidium. This is also evident from the fact that after the defeat of the revolution the Presidium accepted the Imre Nagy government in an official communiqué published in "Magyar Közlöny" ("Hungarian Gazette", 12 November 1956).

The communiqué also accuses Imre Nagy and his conspiratorial group "of having liquidated lawful administrative organs, councils, and economic administrative organs and having replaced them with so-called revolutionary committees, consisting of bourgeois fascist

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elements, and with so-called workers' councils, intended to mislead the workers? F-126

In fact, during the revolution the councils were not dissolved. The functioning of the revolutionary committees, on the other hand, was legalized after the revolution as political consultative organs in a decree issued by the revolutionary worker-peasant government and signed by János KADAR.

The functioning of the workers' councils cannot be regarded as unlawful since 20 days after the crushing of the revolution the President legalized and regulated it in a decree. This was in fact the first and legal basis of the functioning of the workers' councils. (As is known, in the course of 1957 the workers' councils have withered and been dissolved.)

Tugolsava Indirectly Accused

Data cooperated in the communiqué as Western support given to the revolution do not contain new elements but repeat the allegations made by Hungarian propaganda on several occasions during the past 18 months.

The communiqué indirectly accuses the Tugolsav Embassy of having supported one of the groups of the "large Nagy conspirators". A further charge is that persons who sought refuge in the Tugolsav Embassy maintained relations with "counter-revolutionaries".

On the whole it must be added that the communiqué contains general statements equivalent to trivialities. Presumably this generalizing style was adopted in order to distract attention from details embarrassing to the present regime. The wording of the communiqué reflects over-hasty work without care being taken to give details of the accusations. Its editors satisfied themselves with making use of the same arguments and statements in connection with the revolutionary events and imperialist intervention that had been mentioned time and again by political leaders and the press.

End

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