

On Legal Education in Communist Hungary.

Introductory remarks.

The respondent has already been interviewed by Mr. Molnar when this interview took place, therefore this interviewer confined a discussion only to topics which were not covered by Mr. Molnar's ~~interview~~ interview.

Higher Education.

The whole educational system is a duplication. It consists of theory and practice. Theory is the preaching and practice is the ~~the~~ biblical circle. The first result of this duplication is that you need more professors and more assistants to preach as well as to conduct the biblical circles.

Under the old system we had freedom of education which was ~~to~~ ^{to}fold . It was comprised of the freedom to be educated that is ~~to~~ chose the kind of school and education for higher training that you wanted. Second, it consisted of the freedom of teaching. Today there is no freedom of education simply because the Communist system of economic planning ~~prevents~~ prevents it.

Under the Communist economic plans you need a specific numbers of engineers, doctors, workers etc.. Therefore not you but the state will tell where the shortage is the greatest and what fields have already been filled. Thus ~~you~~ you have to study whatever profession is assigned to you or you may not study at all ~~x~~ but may

have to do some unskilled labour on farms in mines or elsewhere. The decision whether you may or may not ^upersue a certain profession will be taken under the Party's influence, taking into account your class background, former education, outlook, and support.

As far as the freedom of teaching is concerned it is ~~non-~~^{is} ~~insistent~~ ^{under} on the Communism because the teacher or the professor is not allowed to lecture according to his ~~best~~ ^{best} judgement. His lecture and his conduct of the classes are described in the greatest detail and he has to follow that *meticulously*. For one thing, every subject matter all over the country has to be taught in exactly the same form and content. For another, this is ensured ~~by~~ ^{through} a network of ~~the~~ ^{cks} checkers and supervision.

GLEICHSCHALTUNG

The uniformity of the teaching aids, materials, books, ⁱⁿ mimeograph, forms is secured by the following methods.

The leader of the ^{the} respective chair of the university of Budapest would invite all the respective chairholders of the country to a conference lasting 2 or 3 days.

In this ~~same~~ conference they would discuss with the participation of the party secretary and the ministerial delegate, the detailed program and the basic ^{one} ~~parts~~ of the courses. Then they would ~~the~~ hand ^{this} out to assistants at the university to work out the

details. The completed manuscript is then sent ~~to~~^{for} approval to the Ministry of Education. If changes and additions are needed ~~in~~ those are incorporated or carried through in the final text. (In connection with books the ministerial publishing Company of teaching materials gives usually the ~~editing~~^{editing} assignments to professors). The program specifies precisely what you have to lecture on 2 or 3 hours a week. I should add, however, that since 1956 the professor ~~was not appointed~~^{was not appointed} ~~as specified~~^{obligated to cover everything} in the program but the program itself would mention certain sections which he could leave out. The so-called "patriotic" materials and those relating to the Communist ideology could never be omitted. In legal history, the subject matter which I taught, the so-called "progressive traditions" were considered patriotic. For instance, the following dates ~~for~~ⁱⁿ Hungarian ^{legal} history had to be mentioned, practically all of them in connection with peasant rebellions: 1514, 1526, 1562 (Sejlers), 1569 (Debrrecen) 1571 (Slovenes), 1631 (Ferenc Császár) 1697, 1703 (Rákossy) 1735 (Perő), 1756 (Hódmezővásárhely), 1764 (Majfalya), 1783, 1784, 1790, 1831, 1848, 1919. I may not ~~in~~ⁱⁿ connection with these dates that most of them were unknown to me prior to the Communist regime although I was a professor of legal history prior to 1945. If 2 or 3 peasants beat

someone up that was considered a peasant rebellion and had to be mentioned in the course. The ~~centre of emphasis~~ ^{on} in the course had to be placed ~~in~~ the 1919 Communist Revolution.

Under the teaching ~~mg~~ of the Communist ideology we had to devote special attention ~~in~~ ^{to} the questions of ~~the~~ ^{rights} poverty rights, to social legality, and to the principle of individualization in connection with the commission of crimes.

Supervision of lectures.

The idea of Communist supervision of lectures ~~ixna~~ was to make it look like there was ~~no~~ supervision.

X professor was sent out to supervise the lecture of Y professor. He would sit quietly in the classroom and would listen to what his colleague had to say. Usually a professor would receive an official ~~letter~~ ^{letter} from the ~~Dean~~ ^D saying that he had to go and listen in on one of his colleagues' lectures. The ~~Dean~~ ^D would specify in the letter from what point of view you had to follow your colleagues' lectures and had to write your report on it. In general ~~z~~, you had to advise ~~the Dean~~ ^{the D} as to the ~~methods~~ ^{rits} of the attended lecture from a professional or from an ideological view point. I for instance was sent out to report from a professional view point on the lecture of Professor Marton ██████████ who, incidentally, was the president

of the ^National ^Souncil of the ^Peooples ^Ccourts (NOT, Néptirozá^bók Országos ~~tanácsa~~ ^{Tanácsa} ~~tanácsa~~). Professor [redacted] taught a course on universal legal history in the law school. He had never written any books and was a Party appointment. I was considered competent to judge his lecture from a professional viewpoint since earlier I had taught a comparative legal history and was also teaching Hungarian legal history with the late ^Professor Ferenc Eckart^{h d}. I wrote a report on ^Professor [redacted] lecture to the ^Dean ^{enumerating} ~~alluding to~~ the stupid things he had said. I ~~wasn't~~ wasn't afraid that the ^Dean might give my report to him because it was the policy to keep the reports secret.

Apart from the above mentioned instance, the ^Ministry of ^Education also gave me an assignment to ~~the~~ report on professor Pál [redacted] who was teaching at the ^University of Pécs. He was considered a good Kader, but his knowledge of legal history was almost ~~to~~ nil. I reported in great detail all the errors and mistakes in his lecture. In spite of this, however, he was kept on the job. I was never sent to professor [redacted] lectures because we were on very good terms and they knew it. Usually, professor [redacted] was sent to our ^Tclassroom to report on our lectures from an ideological viewpoint.

Apart from this system of supervision initiated officially by the ^DDean, the Party also sent out confidential observers to report on the lectures. Originally this was done by the grade union but it didn't work and, later, the Party sent out the ^Bobservers. I recall that when I was teaching at Kessexmit a woman came to my classes and was taking notes very diligently. When I found out that she never answered the roll calls, I asked her what she was doing in class and she retorted that she was a transferred student ^{from} for Eger but it turned out that she was connected with the police. Usually, you would not know who was sent out by the Party to report on your lectures. Sometimes, it was a regular student, ^{or} an assistant.

Seminars.

The ^Seminars unlike the lectures which were conducted by the professor or the "Docens" (sort of associate professor) were conducted by the ^AAdjunktus", an assistant, or a demonstrator. The materials to be used in the seminars were even more precisely circumscribed. Every chair had its own program, including the program of the seminars, the scientific accomplishments, and the program of the scientific student circle. All this was like a plan which had to be fulfilled; we had to indicate ~~whether~~ whether it was in fact fulfilled or not. The program of the chair had to be approved by the dean. In regard to the conduct of the seminars, the teacher would first of all ask questions regarding the materials

covered in the professorial lecture. Then certain questions were discussed in greater detail. Especially those which were considered most important from the view point of Communist ideology.

The seminars were also supervised in the beginning by the trade unions and later through the ^{Dean} and the Party.

Personnel.

On the chair of Hungarian legal history there was a professor (██████), a "docent" (me) and 3 assistants. None of us were members of the Party except one of the assistants but even he got assimilated to us as time went on. The reason why we, who did not belong to any Party, were allowed to stay on was because the teaching of legal history required knowledge of languages especially that of the Latin language and there was no one among the good kaders who knew languages.

Requirements for Degrees and Exams.

The former system of colloquials, "Alapvizsga", and "Szigorlat" were abolished and ^{the} new system changed yearly. You had the "Alapvizsga" ^{at} the end of the 1st semester in which you covered only half of the materials. The Szigorlat was ^{at} the end of the 2nd semester and covered all the materials completed during the year (the terms "Szigorlat" and alapvizsga were used interchangeably each year). If you failed in one or 2 subjects, you were allowed up to 3

reexaminations in the same subject matter. If you failed in more than 2 fields, you had to repeat the whole year. After the completion of 4 years of study (5 years in case of those participating in a correspondence course) you were allowed to graduate and received a diploma after passing the comprehensive examination. After 1951, no new doctoral degrees were given but in 1956 they returned ~~it~~ back to the old system giving the doctoral degrees again and they also conferred the degrees ~~trx~~ retroactively ^{to} ~~from~~ those who graduated between 1951 and 1956.

In view of the fact that Hungarian ^L legal ^H history was considered a basic subject matter that is a subject matter which was very important from an ideological and a "patriotic" point of view, both the Alapvizsga and the Szigorlat were ^{compulsory.} ~~compulsory.~~

All the examination questions had to be worked out and submitted ^{to} the dean in advance. They were written on small pieces of paper and each candidate had to draw 2 questions. If he failed to know the answers, he could ~~draw~~ draw an additional question.

In addition to the regular morning curriculum, from 1945 to 1954 we also had afternoon and evening sessions, and, from 1951 to 1954, a correspondence section. After 1954, the evening session and the correspondence section were

combined so as to reduce state ~~expenditures~~ ^{enditures,}

The prerequisite for admission to the morning-, afternoon- and evening sessions was the ~~minimum~~ Baccalaureate (Érettségi). This was not needed in the ^C correspondence section where ~~these~~ ³ students were ~~enrolled~~ ^{enrolled} who completed no more than 3 or 4 grades. Many of them could not even write their names, ² let alone read. To give you an example from my personal experience I recall that Mihály Keres¹²tes, the ~~deputy~~ ^{deputy} ~~minister~~ ^M (minister ~~M~~ ¹² ~~terpelyettes~~ ^A) of ^A agriculture signed his first name with a "J" for over 3 months; no one dared to tell him that he had to write it with "LY".

All the students in the ^C correspondence ^S section were trusted kaders ^M delegated by each ^M ministry. It was the task of the ^P personnel and ^T teaching ^S section of each ^M ministry to call upon and send their good kaders to join the ^C correspondence ^S section of the ^L law ^S school. The AVH did the same; usually, they sent many more applicants than their ~~quota~~ ^{admitted quota} and this way we could ~~flunk~~ ^{flunk} the ~~surplus~~ ^{surplus} ^A ~~at~~ the entrance exam, ^M Needless to say that we did not dare flunk those who held important posts.

These people, including the ministers of state and ~~attorney~~ ^{Attorney} ~~general~~ ^G had private exams which were not open to the public.

To facilitate their admission, the students in the

correspondent^s section had^a preparatory course organized
 in each ministry by its teaching^s section. I, myself, had
 taught such preparatory courses in the field of history
 since 1956 in the^M ministry of^J interior as well as in the
 highest public prosecutors (Attorney General's) Office.
 The students in the correspondent^{ance} section had usually
 one conference a semester with the teacher and those
 living in Budapest had to participate in seminars and could
 go to the lectures. We sent out the notes and there was a
 compulsory essay each semester. In addition they had to
 take the regular exams in the regular courses with the
 exception of Roman Law and National Defence, as well
 as Marxism and Leninism, (If the student was a Lenin
 school graduate). However, I should add that, in practice,
 you could not and didn't dare to flunk the students in
 the correspondence section. Once, I recall, I flunked the
 president of the council of Borsod county because he did
 not know anything but I did not have the nerve to do
 it again. As I said earlier, the higher echelons had to
 be given private exams. For instance, Ferenc Nežval, the
 Minister of Justice was a former shoe-maker with⁶ grades,
 who graduated in June 1956 from the Law school with a red
 diploma (distinction). Of course, who would have dared to
 give him anything but the best marks. Another student of mine
 was Kálmán Fong ács², a former iron turner, who was the

^President of the ^Executive ^Committee of the ^City Council of Budapest and was also a member of the ^Presidium of the ^Central ^Committee of the ~~Communist~~ Communist Party.

Supervision of Exams.

There was a multitude of cheques ^{cks} ~~ques~~ in connection with the examination. In addition to the trade unions the ^Dean, the ^Party ^Secretary, and the ^Ministry of ^Education, and in regard to the students in ^Correspondent ^{ance S} section the respective ^Ministry sent supervisors to the examinations.

^{I recall}
~~It happened to me~~ that the ^President of the Megyei Biróság in Eger ^{Mr} was a first year law student at the ^University. I flunked him in spite of the risks involved because he was completely ^{drunk} ~~drunk~~ at the exam and did not have the slightest knowledge of anything. He immediately complained at ^Party Headquarters but I was lucky because the leader of the teaching ~~the~~ ^{by} correspondent ^{ance S} section had been present at ~~his~~ the examination as a supervisor and he defended my action. None ~~the~~ less, at the reexamination I was anxious to pass him, and so I did. Only professors and "docens" ^{ca} could give ^{szigorlat} whereas ^{alap 2} vizsga could be given by an "adjunktus" with the permission of the ^Rector.

Subjects.

Up to 1949 the former regular ^{legal} ~~leader~~ subjects remained intact in the ^u curriculum. After 1949 two new subject-matters were added, namely ^N National ^D Defence, ^S and ^M Marxism and Leninism.

National Defence.

National ^D Defence courses were organized on every ^F faculty under a separate ^C chair. The ^M military ^C chair was directly subordinated to and supervised by the ^M ministry of ^N National ^D Defence. Neither the ^P party ^S secretary nor the ^D dean could interfere with ^{its} ~~the~~ operation. We did not know this program and the materials they used. There was no Soviet personnel attached to the ^M military ^C chair, however, ~~the military~~ in the ^M ministry of ^N National ^D Defence were the military commander of the ^C chair had to report daily there was in every ministerial section a Soviet observer attached as an advisor ^K. The ^M military ^C chair of the ^U university was composed of a ^C commander (usually a colonel or a lieutenant-colonel,) 3 or 4 officers, a typist, and a non-commissioned officer. In the ^L Law ^S school ^L Lieutenant ^C Colonel ^F ~~Huhasc~~ ^F ~~Huhasc~~ ^F ~~Huhasc~~ was ^{the} ~~the~~ commander who was just sentenced to 20 years imprisonment because he ^U ~~opened~~ ^U university arsenal to the revolutionaries.

On the ^L Law and ^L Liberal ^A Arts ^F faculties, there was infantry training, whereas at the technological ^U university and the

^Faculty of ^Natural ^Sciences; they had technical and tank ~~training~~ ^{train}ing.

The form of teaching was 2 fold, namely, lectures and exercises. The former consisted of 2 to 3 hours of weekly lectures for a period of 4 years. The latter consisted frequently of all day ~~exam~~ exercises with arms, ~~ammunition~~ ^{ammunition}, shooting and so on. Also, there was a whole month of field exercise after the 1st and 2nd years in the summer and a 3 months ~~exercise~~ ^{exercise} after the 4th year in camp. Following the completion of the military courses the passing of the ~~exam~~ exams and the participation in the required exercises ~~you~~ ^{you} ~~will~~ ^{will} ~~would~~ become a lieutenant or a second lieutenant depending on your performance and class reliability.

In ~~the~~ view of the fact that only students with a working class background were to be admitted to schools

course, it was a great advantage to become a student at the ^u university because thereby the student in the course of his education would also discharge ~~his~~ ^{his} compulsory military service which otherwise would have taken him 3 or 4 ~~years~~ years.

The materials and notes in the military courses were always ~~classified~~ ^{classified} as ~~secret~~ ^{top} secret. The military training

of women was not compulsory. In 1949, however, permission was given for their training in military science and theory. (Since 1945 the admission ~~ix~~ of women to the ^Law ^School was allowed).

Teaching of Marxism and Leninism.

Since 1949, there was a central ^Chair on Marxism and Leninism organized for the various ^Faculties at the ^University of Budapest. At first, a Hungarian, later, a Soviet person was ^Signed to lecture in a huge classroom where 1000 students could be seated. Before the Revolution, ^Comrade Ivanov from Moscow lectured on Marxism and Leninism and an interpreter translated his lectures. Marxism and Leninism was considered the most important subject-matter at the ^University. It ranked higher than ^National ^{mal-D}efence which was considered the 2nd most important subject. There was a big library on Marxist and Leninist authors for the students. In view of the fact that the students had no text books they had to take notes on the lectures and had to read specific ^Signment from the classics of Communism. The reason that there was no text book was that no one dared to write on such a delicate subject matter, in view of the ever-changing party line. In addition to Comrade Ivanov a number of ~~x~~ other young *titans* who were considered good kaders also lectured on Marxism and Leninism at

at each ^F ~~faculty~~ (school), but they were changed frequently. The ^D ~~department~~ of Marxism and Leninism (the ^C chair) was theoretically subordinated to the ^D ~~rector~~ as well as to the ^S ~~Section~~ on Marxism and Leninism of the ^M ~~Ministry~~ of Education.

Rating.

Respondent has been very co-operative as far as the interview was concerned. He seemed to entertain some bitterness against the Western countries and United States in particular because of their failure to give a more adequate help to Hungary in a time of crisis and also because of the inadequate handling of the refugee problem. He feels that such unfortunate ^{attitude} ~~action~~ by the Western powers might lead to the rise of a Communist *Fifth Column* among some of the embittered refugees. He had mentioned that he urged former Premier Ferenc Nagy to bring this dangerous and potentially explosive situation to the attention of ^p ~~a~~ appropriate authorities *in the United States.*