

Proposal for Hungary, 1945

Zoltán Kékesi, Szabolcs KissPál, and Máté Zombory

In January 1945, Hungary is a country divided. On the Western side, the Nazi-allied Hungarian establishment and Army continues its fight against the Soviet forces, while on the liberated Eastern side, post-war reconstruction is already beginning. The question of political-legal retribution is raised both by National Committees of local municipalities, and by the Provisional National Government. Actual historical justice commences in the capital, where on 28 January the newly founded National Committee of Budapest establishes the People's Law-Court. According to its first verdicts, on 4 February, one day before the governmental decree on the formation of the people's law-courts goes into effect, two death sentences are publicly executed in the city.

Our project imagines a Truth and Reconciliation Commission to be convened in Hungary in 1945, based on the model developed in South Africa half a century later. The commission would investigate political crimes committed before 1945. The idea is to replace or complement the model of retributive justice applied in the post-war trials in Hungary (and elsewhere in Europe, most prominently in Nuremberg), with a more restorative model. The project is composed of a "Decree on the Formation of a Truth and Reconciliation Commission in Budapest" that appropriates parts of the Promotion of National Unity and Reconciliation Act (1995) and a "Decree on the National Flag of Hungary." The flag, inspired by the idea of the post-apartheid flag of South Africa, comprises a traditional Hungarian national symbol, historically appropriated by the radical right (red and white stripes), a traditional Jewish symbol (blue and white stripes), an element of the international flag of the Romani people (the spoked-wheel), and an element from the flag of the Hungarian Germans, expelled collectively after 1945 (the castle with the open gate).

Decree on the Formation of a Truth and Reconciliation Commission in Budapest.

Adopted at the first meeting of the five-member committee of the National Committee of Budapest
28 January 1945

To provide for the investigation into and the establishment of as complete a picture as possible of the nature, causes, and extent of the catastrophe that happened to the Hungarian people, rooted in the period between 21 March 1919 (proclamation of the Hungarian Soviet Republic) and 20 January 1945 (signing of the armistice agreement in Moscow by the Hungarian Provisional National Government and the Allied Powers, especially to uncover crimes emanating from the conflicts of the past, and the fate or whereabouts of the victims;

To disclose all past deeds contributing to the evolvement of the catastrophe; any act during the said period committed against the people that forcefully realised violent and oppressive discrimination toward certain layers of Hungarian society, according to race, religion, class, belief, or sex; any contribution to the adoption or execution of laws and decrees that worked or work seriously against the interests

of the people; cruel treatment by the authorities after 1 September 1939 in executing laws and decrees against certain layers of the society; public distribution of fascist and anti-democratic propaganda, arousing and supporting racial and denominational hatred, committing violence against women of any race, religion, class, or belief in or collaboration with organisations serving the persecution of certain layers of society; voluntary function or membership in anti-democratic parties or organisations; public promotion and support of anti-popular and anti-democratic measures;

To afford victims an opportunity to relate the violations they suffered in the overall national catastrophe, and to report to the Nation on such violations and victims;

To grant amnesty to persons who make a full disclosure of all the relevant facts relating to acts committed against the people with a political objective in the course of the conflicts of the past during the said period;

To foster the taking of measures aimed at the granting of reparation to, and the rehabilitation and the restoration of, the people sacrificed meaninglessly during the catastrophe; the making of recommendations aimed to establish political and social guarantees that the catastrophe will never again happen in any form in the future;

To provide an opportunity so that the Hungarian people themselves can establish the truth of the past and the justice in history to attain reconciliation between the people of Hungary and the reconstruction of society;

To enable that the individual cases of sacrifices and sufferings trace out the grievance of the whole Hungarian people;

And, for the said purposes, to provide for the establishment of a Truth and Reconciliation Commission, and to confer certain powers on, assign certain functions to, and impose certain duties upon that Commission; and to provide for matters connected therewith.

SINCE it is deemed necessary to establish the truth in relation to past events as well as the motives for and circumstances in which the catastrophe occurred, and to make the findings known in order to prevent a repetition of such acts in the future;

AND SINCE the National Committee of Budapest states that in order to advance such reconciliation and reconstruction, amnesty shall be granted with respect to acts, omissions, and offences associated with political objectives committed in the course of the conflicts of the past;

AND SINCE the National Committee of Budapest exercises executive power on the territory of the city until the Provisional National Assembly is fully constituted that is destined to adopt a law providing for the mechanisms, criteria, and procedures, including tribunals, if any, through which such amnesty shall be handled;

BE IT THEREFORE a juristic person to be known as the Truth and Reconciliation Commission established by the National Committee of Budapest.

(1) The objective of the Commission shall be to promote national unity and reconciliation in a spirit of understanding that transcends the conflicts and divisions of the past.

(2) The Commission shall consist of a Chairperson, a Vice-Chairperson and not more than ten persons who are fit and proper persons, impartial, do not have a high political profile, and are broadly representative of the Hungarian community.

(3) The Commission shall provide an opportunity to reconstruct the history of the catastrophe from the perspective of both the victim and the persecutor and to reach to a common understanding of the past events.

(4) The Commission shall facilitate the granting of amnesty to persons who make a full disclosure of all the relevant facts relating to acts associated with a political objective and who comply with the requirements of this proposal.



Decree on the National Flag of Hungary

Adopted at the first meeting of the 5-membered committee of the National Committee of Budapest
28 January 1945

The National Committee of Budapest proposes a national flag that provides a historic bridge between the past of a deeply divided society characterized by oppression, strife, conflict, and injustice, and a future founded on political self-governance and social equality, democracy, and peaceful co-existence for all Hungarians, irrespective of race, religion, class, or belief.

The National Committee of Budapest expresses that the pursuit of national unity, the well-being of all Hungarian citizens, and peace require reconciliation between the people of Hungary and the reconstruction of society;

that there is a need for understanding but not for vengeance, a need for reparation but not for retaliation, a need for solidarity but not for victimization;

that in order to achieve the said purposes, a new and truly national flag is necessary for Hungary, constructed and designed as a common task, in which the making of the symbol expressing the unity of the nation in itself contributes to national solidarity; the national flag should comprise elements of symbols of the Magyar, Jewish, German, and Romani peoples, and open a gate for all past, present, and future groups in Hungary;

THEREFORE decided upon the production of a proposal, representing the will of the people of Budapest, for the future Hungarian national flag.

Zoltán Vas (Hungarian Communist Party)
 Dr. Imre Oltványi (Independent Smallholders' Party)
 István Ries (Social Democratic Party)
 Ferenc Farkas (National Peasant Party)
 István Kossa (Trade Unions)

Also present:

Dr. György Gulácsy, Secretary General of the National Committee of Budapest
 Dr. János Csorba, Mayor of Budapest
 Péter Bechtler and Alajos Jámbor, Vice Mayors

Zoltán Kéhesi (born 1976, Budapest) is a writer and cultural researcher. He has been associate professor in the Department of Art Theory and Curatorial Studies at the Hungarian University of Fine Arts, Budapest since 2009. In 2014-2015, he was a Prins Foundation senior research fellow at the Center for Jewish History, New York. His most recent book is *Agents of Liberation: Holocaust Memory in Contemporary Art and Documentary Film*, featuring case studies on German, Polish, and Israeli artists (Hungarian edition 2012, English edition from the Central European University Press in 2015). His current research investigates the visual and cultural history of modern anti-Semitism and the radical right with a focus on Central and Eastern Europe.

Szabolcs KissPál (born 1967) is an artist based in Budapest and assistant professor in the Intermedia Department at the Hungarian University of Fine Arts. He works in various media from photography to video, from installation to objects and conceptual interventions. His main field of interest is the intersection of new media, visual arts, and social issues. Besides his art practice, he also publishes critical texts about contemporary visual culture. Since 2012, KissPál has developed an activist practice by starting up and maintaining a blog, by establishing, together with other artists, a protest group called Free Artist, and by taking part in various civil disobedience actions.

Máté Zombory (born 1975, Budapest) is a sociologist and research fellow at the Centre for Social Sciences, Hungarian Academy of Sciences, Budapest, and assistant professor at Tomori Pál College, Kalocsa, Hungary. Currently he is a post-doctoral research fellow at Collegium de Lyon, France. His book *Maps of Remembrance: Space, Belonging and Politics of Memory in Eastern Europe* (2012) is a study on critical geography and national identity. Currently he is interested in the history of normative discourses on the past: a project of his studies the genealogy of the memory of Communism in Europe, and another focuses on the political relevance of the past in early post-war Hungary.