

Capital punishment in Hungary in the '50s²

At the beginning of the 1950s, the elaboration of substantial criminal legislation continued regarding common criminal offenses: a good example of this is Law-Decree no. 4 of 1950 on the criminal law protection of planned economy, as well as Law-Decree no. 24 of 1950 on the criminal law protection of social property. The first legislation sentences to death any action that aims to endanger, threaten or thwart the national economy plan, if it resulted in a serious offense, or if it was committed several times by the same person.³ The latter one imposed particularly strict methods, one of them death penalty, to those who committed crimes against social property as a privileged form of property. Accordingly, “social property as the wealth of the working people... is entitled to great criminal law protection” (Article 1). The person who steals, embezzles, illegally acquires, destroys an asset in social property, or causes damage to wealth in social property by fraud (Article 3), is punishable by death if “the same person repeatedly commits a crime against social property, or if two or more members of a criminal organization participated in carrying out the action”, in case that “the crime resulted in a particularly great damage” (Article 5(2)). In addition, based on this Law-Decree, the crimes of setting on fire or blowing up assets in social property, as well as stealing assets in social property that results in a particularly great damage, were punishable by death in every case, without any discretion (Article 6).

The settlement of the general part of substantive criminal law also took place in this period (the beginning of the fifties), as well as its adaption to the altered (typical for the socialist social-economic order) conditions. For this purpose, the parliament set out Law no. 2

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³ “A person commits a crime... if he/she endangers the implementation of the national economy plan or a certain partial plan by deliberately vandalizing, destroying a thing, or making it unfit for its intended use. (Article 1)

“A person commits a crime... if he/she, led by wrong intentions, particularly by the purpose to endanger the implementation of the national economy plan or a certain partial plan, or violate the interest of national economy in any other way, 1. terminates or limits the operation of the company (plant), or by performing or having performed delayed, incorrect or incomplete work within it; 2. carries out a production that involves irrational waste of material, energy or workforce, does not meet the degree or time of occurrence of existing or anticipated needs, or the requirements of rational economy in general; 3. does not make use of available private capital or capital resulting from a loan, which could be used for the purposes of the company (plant).” (Article 2)

“... If... the act caused a particularly serious offense to the implementation of the national economy plan or, in general, to the order of national economy, the punishment is death penalty.” (Article 3(1))

“The punishment of the crime provided for in Article 1 is death penalty as well, if the act was committed in relation to a certain factory, mine, transport unit, energy generating plant, a larger agricultural (economic) plant or any other plant of similar importance (installation, institution, etc.) and as its result the operation of the plant (installation, institution, etc.) was shut down – even if only temporarily –, or if the same person committed at the same time or within a short period of time the multiple crimes set out in Article 1 and the first sentence of paragraph (1) of the present article.” (Article 3(2))

“The member or medium of public authority commits an offense if they endanger the implementation of the national economy plan or a certain partial plan by deliberately breaching their official duties regarding the national economy plan.” (Article 8)

“If... the act set out in Article 8, caused a particularly serious offense to the implementation of the national economy plan or, in general, to the order of national economy, the punishment is death penalty.” (Article 9(4)) “... the instigator is subject to the sentence set out for the offender”. (Article 14)

of 1950 on the General Part of the Criminal Code, which replaced the First Part of the Code of Csemegi still in force (though it was modified and supplemented by the legislation created in the meantime in several regards).⁴ Although the ministerial preamble of the law acknowledged the need of a complete (including the general and special part) and new Criminal Code, but at the same time stated that this still meets obstacles.⁵ In the meantime, however, until these obstacles are eliminated, it is necessary to introduce a new general part that adapts to the existing circumstances.

The law created this way continued recognize death penalty (Article 30(1)) among penalties of different nature, in relation to which, the ministerial preamble claimed the following: “As for death penalty, it is obvious that raising the cultural standard and implementing socialism will render this punishment dispensable, however, this time, we are not at the stage of development that would allow the death penalty to be abolished.”⁶

The legislator, therefore, declared in principle the future abolition of the most severe sanction, but did not consider it to be feasible under the circumstances here and now. (We will see later that all the criminal codes and criminal novella that were created in the era of socialism, declared the inadequacy and future termination of the death penalty, but it never seems to abolish it in the current situation.)

The death penalty was not an absolute punishment, it could be reduced to ten years to fifteen years of imprisonment⁷ if the imposition of the punishment would have been too strict considering the purpose of the punishment⁸ and the aggravating and attenuating circumstances^{9,10} Article 52 went even further; accordingly “in cases where the present law

⁴ Based on the ministerial preamble of the General Part of the Criminal Code: “The criminal code on crimes and offenses (Law no. 5 of 1878) is a distinctive product of the legislation of liberal capitalism, and, as such, it wears the stamp of the age of its creation. All criminal codes are means of protecting the existing state, economic and social order; but there is hardly any doubt that the criminal law, which was intended to defend the economic and social order based on capitalist production, cannot be capable of preserving the order of people’s democracy against the enemies of the working people, therefore, there is a need for a criminal code that protects the progress achieved with the weapons of criminal law and is also capable of helping the development of the future.” Furthermore, “The proposal seeks to protect the society that is building socialism. It is obvious, therefore, that it has taken into account the basic tenets of Soviet socialist criminal law in both setting out the principles and regulating certain issues and tried to valorize the rich experiences revealed by the Soviet science of criminal law and jurisdiction.”

⁵ “The complete criminal code covers not only the general rules on crimes and their offenders, as well as punishments, but also includes the conceptual definition of certain offenses and the sanctions applicable to them. Setting out the latter so-called special part requires careful preparation, gathering of material and formulating a prior standpoint in a number of criminal matters so that the new law will not require a significant number of substantive amendments in a short time. Setting out a special part that could act with the claim for consistency, would contradict the requirements of structure and reason necessary in the field of legislation as well.”

⁶ Preamble Part II / Detailed Preamble / “Regarding Article 31”.

⁷ The General Part of the Criminal Code recognized only one type of imprisonment: prison; moreover, it did not differentiate between crimes and offenses. The reason for this was to put the regulation into a transparent and understandable form, helping to enforce and interpret the legislation of the people’s assessors. (The same as stated by the ministerial preamble: “The fact that people’s assessors are involved within the whole territory of the criminal justice system and at every level of it, was a guiding principle in the drafting of the proposal. The criminal court organized this way should have been provided with a law that does not unnecessary legal complications, avoids excessive legal detailing, but instead seeks clear and transparent regulation.”)

⁸ “The penalty was applied to protect the working people, to discipline and educate the offender and generally to keep the members of the society from crime.” (Article 50(1))

⁹ “By considering its general purpose, the penalty should be imposed within the limits set out by the law, to the degree that adapts to the social risk of the crime and the danger society is exposed to due to the personality of the offender, complies with the guilt of the offender and the circumstances for and against the offender, as well as the caused damage...” (Article 50(2))

¹⁰ Article 51(1) and (2)a)

allows unlimited reduction of the sentence,¹¹ regardless of the general punishment set out in the law, imprisonment and financial penalty could be imposed; in such cases, imprisonment and financial penalty of the lowest degree... could be applied”.

The General Part of the Criminal Code also recognized the limitation of the punishable offences as a ground for exemption from punishment: in accordance with Article 25(a), the limitation period was 15 years in this case. Finally, one of the most important warranty provisions of Law no. 2 of 1950 was that in the case of person who has reached the age of 18, but has not yet turned 20, for a crime otherwise punishable by death, only life imprisonment could be imposed; the validity of this provision was strongly undermined by the fact that a separate law could provide differently (Article 53).

This latter regulation was clarified and supplemented by Law-Decree no. 39 of 1950 on the entry into force of the General Part of the Criminal Code, which established the longest duration of juvenile imprisonment (detention in accordance with the Law-Decree) in 15 years, and also set out that in the case of a juvenile (a person who has not reached the age of 18) neither death penalty, nor life imprisonment can be imposed. Those who did not reach the age of 15, could be sentenced to imprisonment of five years at most.¹² (The same Law-Decree regulated the limitation of the enforceability of different penalties, including death penalty: the latter occurred twenty years later based on Article(1)(a).

Finally, regarding the method of execution, Article 27 set out that “the death penalty should be executed in a closed space, with a rope and if this was not possible, it should be executed by a firing squad”).¹³ The above rules for juveniles were practically repeated by Law-Decree no. 34 of 1951¹⁴ by defining the concept of juvenile on the one hand,¹⁵ and on the other, that, in accordance with the General Part of the Criminal Code, it did not impose detention but imprisonment and also by allowing (similarly to the General Part of the Criminal Code) a separate law to provide differently than these rules.

After the Hungarian revolution¹⁶ of 1956 against the Soviets, that is, in 1956¹⁷ and the following years, extraordinary jurisdiction gained again an important role due to, partly the accelerated procedure, partly to summary jurisdiction and partly the re-established people’s tribunals (panels of people’s tribunal). The accelerated procedure (although, it did not yet include this name) was introduced by Law-Decree no. 22 of 1956 published and entered into force on November 12, 1956.¹⁸ This statutory decree has only stated that in the case of certain

¹¹ “Such cases include reduced accountability (Article 10(3)), a mistake caused by a reasonable circumstance within the issue of social risk (Article 14(3)), the case of inopportune attempt and withdrawal from the attempt, as well as similar cases (Article 18(2) and (3)), the case of withdrawal from preparation, etc. (Article 19(3)). In such cases, the judge may impose imprisonment or financial penalty instead of death penalty... and may apply them even at the lowest degree, that is, thirty days or ten forints.” (Preamble Part II / Detailed Preamble / “Regarding Article 52”.

¹² Those below the age of 12 were considered children and as such could not be punished.

¹³ Four years later, Law-Decree no. 17 of 1954 Article 30 regulating the entry in force and execution of Law no. 5 of 1954 on the modification of the Code of Criminal Procedure, provided literally the same.

¹⁴ The complete title of the Law-Decree: Law-Decree no. 34 of 1951 on regulations of criminal law and criminal procedure applicable to juvenile.

¹⁵ “Within the application of criminal law, juvenile is the person who, at the time of the crime, has reached the age of twelve, but has not yet reached the age of eighteen.” (Article 1)

¹⁶ For the course of the revolution (and, within it, partly for the retribution on revolutionaries after crushing it), see: Rainer M., János: *The Hungarian Revolution of 1956. (Az 1956-os magyar forradalom.)* Osiris Kiadó, Budapest, 2016.

¹⁷ For the practical aspects of retaliation against revolutionaries of the Hungarian Revolution of 1956, see in detail, e.g.: Zinner, Tibor: *System of the retaliation during Kádár (A kádári megtorlás rendszere)*. Hamvas Intézet, Budapest, 2001; Jobbágyi, Gábor: *Retaliatory procedures after 1956. (Az 1956 utáni megtorlási eljárások.)* Jogtudományi Közlöny 1998/12., pp. 472-480.

¹⁸ The complete name of the legislation: Law-Decree no. 22 of 1956 on the simplification of criminal procedure in regard of certain crimes.

offences¹⁹ “the prosecution may bring the offender in front of the court without an indictment, if the was caught, or the necessary evidence can be immediately presented to the court” (Article 1(1)),²⁰ however, this was soon replaced (and thus overruled, see Article 8(2)) by the more detailed Law-Decree no. 4 of 1957 on the regulation of accelerated criminal procedure²¹, which, in addition to the applicability of death penalty, had a retroactive effect as well (Article 8(1)).

In the case of the crimes set out in the Law-Decree²² an accelerated procedure²³ could take place if the defendant was in pre-trial detention, the necessary evidences are available and the prosecutor initiated it. In order to carry out the procedure, a panel had to be set up at county (capital) courts, the Supreme Court and military courts,²⁴ which, in case that one of the above crimes was proven, had to impose death penalty.²⁵ Making an appeal was allowed (it was judged by the panel of the Supreme Court), however, the standard deadlines were not valid neither in the first instance, nor in the appeal procedure (the procedure had to be finalized in the shortest time possible, in practice this meant a few weeks at most).

The first imposition of death sentence within accelerated procedure in the first degree was on February 12, 1957 and on March 19 in the second degree. Law-Decree no. 4 of 1957 on the regulation of the accelerated criminal procedure was abolished on July 3, 1957 by Law-Decree no. 34 of 1957 Article 38(2).

The martial law was published shortly after Law-Decree no. 22 of 1956, on December 11, 1956 by Law-Decree no. 28 of 1956²⁶ and on its basis, four days later, in Miskolc, the first death sentence was imposed and executed. The legislation was born in the spirit of retaliating the revolution (the “counterrevolution” in official terms)²⁷ and it set out summary procedures for the crimes of murder, intentional killing, arson, robbery, looting, the intentional

¹⁹ Murder, intentional killing, arson, robbery, looting (burglary), any crime committed with the use of illegal firearm, as well as all the attempts to commit such crimes.

²⁰ Furthermore: “... the court does assign a day for the hearing of the case and does not issue subpoenas. The prosecution presents the accusation at the hearing. The prosecutor selects witnesses and experts and presents other evidences to the court.” (Article 1(2))

²¹ Published and entered into force on January 15, 1957.

²² These acts included the offences set out in Law-Decree no. 22 of 1956; as well as the crimes committed with the unauthorized possession or unlawful use of firearms and explosive substances; the intentional disruption of public, transport, military and other plants of similar importance, incitement of call for such acts, if these were aimed at a massive work stoppage or threatened with great danger otherwise; crimes committed by deliberately endangering transport; the organization and alliance against the people’s republic of the people’s democratic state order; rebellion; and disloyalty.

²³ The regulation of the accelerated procedure itself and its conduct was essentially the same as those set out in Law-Decree no. 22 of 1956.

²⁴ The president of the panels in the first instance was a professional judge (assigned by the president of the county/capital or military court) and its two members were people’s (at the military court, military) assessors (assigned by the Presidential Council of the Hungarian People’s Republic). The president of the panel of the Supreme Court and one of its members were professional judges (assigned by the president of the Supreme Court), while three of its members were people’s assessors (assigned by the Presidential Council of the Hungarian People’s Republic, as well).

²⁵ An exception to this was the previously mentioned case when the panel proceeded in the cases of the offences committed before the entry in force of the Law-Decree (January 15, 1957).

²⁶ Law-Decree Article (1) indicated the time of the entry into force with an unusual preciseness: December 11, 1956, 6 p.m.

²⁷ To illustrate this and to present the official ideological standpoint at this time, the preamble of the Law-Decree is very convenient, which reads as follows: “The fact that large quantities of firearms are in the possession counter-revolutionary elements, professional criminals, irresponsible agitators and other unauthorized, obstructs the restoration of order and endangers the personal and financial security of citizens. The enemies of our People’s Republic, in the possession of weapons, are not afraid of committing murder and they intimidate the honest workers who want to serve the interests of all our people with their peaceful work. The honest workers are rightly demanding effective measures to put an end to this intolerable state.”

vandalizing of plants of public interest and plants serving the basic necessities of the public, for all the attempts to commit such crimes, and the unauthorized possession of firearms, ammunition, explosives or explosive substances^{28 29} (as well as for alliances for committing all these crimes and organizing them).³⁰ Based on the Law-Decree, the process itself was carried out by military courts as summary courts, however, the NET (Presidential Council of the Hungarian People's Republic) could assign other courts with the right of carrying out similar procedures.

The Law-Decree on summary jurisdiction authorized the government both for the publication of the martial law³¹ and defining the detailed rules on it; the government fulfilled these tasks by Government Decree no. 6 of 1956 (December 11). This formally overruled Government Decree no. 8020 of 1939 that had been regulating summary procedure, in reality, however, it only introduced a few substantive modifications compared to that. One of these was that the composition of the summary court was changed; instead of the former council of five professional judges was replaced by a council of three members: a professional judge as president and two people's assessors as members.

In addition, the rejection of the petition for mercy resulting in the immediate (within two hours) execution of the sentence, could only be pronounced unanimously, so if at least one of the judges supported the petition for mercy, it had to be presented through the Minister of Justice to the Presidential Council of the Hungarian People's Republic. Finally, summary jurisdiction was terminated by Law-Decree no. 62 of 1957 on November 3, 1957; up until this date, in the statutory procedures, a total number of 70 death sentences were imposed.

Finally, the third type of special jurisdiction after the revolution ("counterrevolution") was (in addition to accelerated and summary jurisdiction) the re-established people's jurisdiction. This form of sentence was re-introduced by Law-Decree no. 34 of 1957 on the regulations of councils of people's tribunals and the court organization, as well as on certain issues of criminal procedure, however, in opposition to Government Decree no. 81 of 1945, it did not set up for this purpose an individual juridical organization, but it consigned the duties related to people's jurisdiction to the panels operating within ordinary courts.³² In the county (capital) courts, the council of the people's tribunal consisted of one professional judge as head of council and two lay people's judges, while in the Supreme Court, in addition to the professional head of council there were four people's judges.^{33 34} The procedure at the

²⁸ Interestingly, most of the statutory procedures following 1956 were carried out in relation to this latter crime, although death penalty, due to the attenuating provisions, was not imposed in the majority of the cases for this crime.

²⁹ This crime was otherwise committed by the person – thus also subjected to martial law – who knew that another person was possessing such devices and failed to report it to the authorities as soon as possible.

³⁰ Two days later (on December 13), Law-Decree no. 32 of 1956 supplemented the discussed legislation by the fact that "if the summary court found the defendant guilty in one of the crimes under summary procedure, the court will impose death penalty" (Law-Decree no. 32 of 1956 Article 1 and Law-Decree no. 28 of 1956 Article 3(3)).

³¹ The right to order the sentence (as well as to terminate it) continued to belong to the Presidential Council of the Hungarian People's Republic

³² For the organizational aspects of the criminal adjudication against revolutioners, see: Mikó, Zsuzsanna: The organization of the judiciary and the public prosecution during the retaliation after the revolution. 1956-1961. (A forradalom utáni megtorlás bírósági és ügyészégi szervezete. 1956-1961.) *Történelmi Szemle* 2006/1-2., pp. 121-169.; Mikó, Zsuzsanna: The Prosecutor General's Office in the Revolution of 1956. (A Legfőbb Ügyészség az 1956. évi forradalomban.) *Levéltári Közlemények*, 2006/2., pp. 189-222.

³³ People's judges were elected by the Presidential Council of the Hungarian People's Republic for an undetermined period, who were Hungarian citizens who had reached the age of 30 and had no criminal record; their right and obligation in jurisdiction were similar to those of the presiding judge of the council.

³⁴ "People's jurisdiction" was introduced in military criminal procedure as well; in this case, the panels formed at military court and the military college of the Supreme Court were the ones to proceed, and, in addition to the military judge, instead of the lay people's judges, military assessors elected by the Presidential Council of the

councils of county people's tribunals, as well as the councils of the people's tribunal of the Supreme Court was carried out by the rules of the accelerated procedure, regarding the same crimes for which, in accordance with Law-Decree no. 4 of 1957, accelerated procedure could be applied; in fact, the Law-Decree on the councils of the people's tribunals can be considered the "successor", substitute and replacement of the Law-Decree on the regulation of accelerated criminal procedure (this can be seen from the fact that the latter one was overruled by Law-Decree no. 34 of 1957).³⁵

The executors of the factual situations set out in the Law-Decree of people's tribunals, based on the main rule of the councils of people's tribunals, had to be sentenced to death, however, there was a possibility to impose instead life imprisonment or imprisonment between 5-15 years as an act of fairness. The Law-Decree had a retroactive effect (Article 36), but this did include the applicability of death penalty (this rule was also the same as those set out in Law-Decree no. 4 of 1957 on the regulation of accelerated criminal procedure). The procedure was usually carried out by the county councils of the people's tribunal³⁶, but the panel of the people's tribunal of the Supreme Court already acted in the first instance if the president of the Supreme Court brought the case to its jurisdiction, or even when the general prosecutor pressed charges there.

A condition typical for the "justice system" of that period was that in the case of appeal, there was no aggravating prohibition; as, during the appeal, the first instance sentence presented to the Supreme Court, could be modified in the favor of the convict even if only the convict made an appeal (but not the prosecutor);³⁷ furthermore, the president of the Supreme Court could place under the jurisdiction of the people's council of the Supreme Court any case sentenced in the first instance (even by the ordinary courts) if the general prosecutor presented the case to him.³⁸

The council that imposed the final sentence (similarly to the previous rules of special courts) could have decided itself regarding the recommendation on mercy; but if it did not recommend the convict for mercy, the sentence was not be executed immediately (though measures on the subsequent execution of death penalty had to be taken), furthermore, the

Hungarian People's Republic (who, similarly, were not trained in law), were the members. (For data about the operation of military courts, see: Markó, György: Martial law decisions of military courts between December 1956 and October 1957. (A katonai bíróságok statáriális ítéletei 1956. december – 1957. október között.) Restauráció, 1999, pp. 319-326.

³⁵ Although Law-Decree no. 34 of 1957 entered into force on June 15, 1957, Chapter 1 (Articles 1-26) on the councils of the people's tribunal was only entered into force on July 3, 1957 by Government Decree no. 41 of 1957 (June 29) Article 1.

³⁶ Decree no. 5 of 1957 of the Minister of Justice (June 29) on the execution of Law-Decree of the People's Tribunal (which entered into force on July 3, together with the Law-Decree) assigned the right of people's jurisdiction to six courts (with a determined area of competence): the capital court, the court of Pest county and the county courts of Miskolc, Szeged, Pécs and Győr counties.

³⁷ During the procedures of the people's tribunals, three defendants ended up in the situation where only the defense counsel made an appeal against a decision that did not include death penalty, however, the Supreme Court modified the sentence in the first instance to the detriment of the convict and imposed death penalty in the second instance.

³⁸ That Decree also served merely the smooth conduct of retaliation disguised as justice, and provided that "if it is particularly justified by the protection of state interest, the authorized or seconded defense counsel can only be the lawyer who was listed by the Minister of Justice in the register for this purpose" (Article 31(1)). (This particularity of the entire legislation is explicitly shown in the ministerial preamble of the Law-Decree, the second paragraph of which states as follows: "The accelerated procedure, as well as the sentence of the council of the people's tribunals of the Supreme Court have proven that this procedure and juridical organization is the most qualified for judging crimes committed for political reasons or politically motivated, therefore, in order to definitively eliminate further battle against counterrevolutionaries and counterrevolutionary elements, the judgment of these crimes in the first instance, temporarily should be assigned to the councils of people's tribunals organized at county courts.")

simple majority vote of the members of the council was enough to recommend a case for mercy.³⁹

The part on the councils of people's tribunals of the Decree was overruled on April 16, 1961 by Law-Decree no. 7 of 1961, but the age of retaliation mainly ended in the fall of 1958.^{40,41} Up until this day (October 8, 1958, precisely), the "civilian" councils of people's tribunals imposed 93 final death sentences,⁴² 81 of which were actually executed,⁴³ while the military councils imposed 63 of these (62 of the death sentences were executed). If we add these numbers to those sentenced to death by summary courts (only considering those sentenced to death for counterrevolutionary crimes, in this case), we can see that up until this date, precisely 206 death sentences were imposed in such cases, and 169 of the convicts were executed. In addition, during this period (between November 11, 1956 and October 7, 1958) 30 people were sentenced to death for public crimes (twenty of them were sentenced by summary courts, one by a military court, and nine by ordinary courts), and all of them were executed; thus, out of the 236 people on whom death penalty was finally imposed⁴⁴, 199 convicts were actually executed with death sentence.⁴⁵ The last execution for a case related to 1956 took place on July 15, 1961; this definitively ended the age of terror. In the period

³⁹ Compared to the rules of previous decades, which provided for unanimity, this certainly meant a step forward, however, it can be considered a step back compared to the rule set out in Government Decree no. 6 of 1956 (December 11) Article 13(1) on the establishment of the detailed rules on summary jurisdiction, which required the *rejection* of the recommendation for mercy as the condition of unanimity.

⁴⁰ This did not imply that the councils of people's tribunals would not further treat criminal cases of "counterrevolutionary" nature, or that they would not impose death sentences or executions would not have happened. For instance, the trial of the famous Blaski-case began on October 28, 1958 and the sentence in the first instance was delivered on November 21, 1958, while the one in the second instance on March 19, 1959; as it is known, this was the case in which Péter Mansfeld was sentenced to life imprisonment in the first instance, but in the second instance (waiting for him to reach the age of adulthood), he was sentenced to death, and executed on March 21, 1959. [Cf., e.g.: Kósa, Csaba: Thirteen minutes: The life and martyrdom of Peter Mansfeld (Tizenhárom perc. Mansfeld Péter élete és mártíromsága.) Jel, Budapest, 2008; Jobbágyi, Gábor: Criminal procedure of the "Pest guys": The condemnation of Peter Mansfeld and his associates (A "pesti srácok" pere. Mansfeld Péter és társai elítélésének.) Valóság, 1996/10., pp. 35-55.] The statement that "the age of retaliation *mainly* ended in the fall of 1958" merely means that the age of plentiful death sentences and executions was mainly over this period and not that it never happened again.

⁴¹ For the post-revolutionary criminal adjudication, see e.g.: Kahler, Frigyes: For the history of retaliation: Application of the General Part of Penal Code after 1956. Part I. (A megtorlás történetéhez – a büntetőjog általános részének alkalmazása 1956 után. I. rész.) Magyar Jog, 1991/10., pp. 581-587.; Kahler, Frigyes: For the history of retaliation: Application of the Special Part of Penal Code after 1956. Part II and III. (A megtorlás történetéhez – a büntetőjog különös részének alkalmazása 1956 után. II-III. rész) Magyar Jog, 1992/1., pp. 1-5. and 1992/2., pp. 76-79.; Kahler, Frigyes: Retaliation against participants of the revolution – in the light of history of law. (Megtorlás a forradalom résztvevői ellen – a jogtörténet tükrében.) Valóság 1994/10., pp. 80-89.

⁴² The most famous such death sentences were imposed on June 15, 1958 in the Imre Nagy-case, in which, in addition to the former Prime Minister of the revolution, Pál Maléter and Miklós Gimes were also sentenced to death and executed the next day, on June 16. (József Szilágyi's case, due to his hunger strike, was treated by the council of people's tribunal led by Vida Ferenc at the Supreme Court, separately from the case of Imre Nagy and others, and sentenced him to death in the first instance on April 22, 1958, he was executed on April 24; while Géza Losonczy deceased under unclear conditions during his pre-trial detention.) For the criminal procedure against Imre Nagy and others, see e.g.: Kopácsi, Sándor: The revolution of 1956 and the procedure against Imre Nagy (Az 1956-os forradalom és a Nagy Imre per). Magyar Öregdiák Szövetség Bessenyei György Kör, New Brunswick, I. H. Printing Company, 1980.

⁴³ Eight persons could not be executed due to their absconding, three of them were sentenced to imprisonment instead of death penalty within a remedy used in the interest of legality and the Presidential Council of the Hungarian People's Republic pardoned one person.

⁴⁴ The number of convicts sentenced to death without a final judgment was 277.

⁴⁵ Source of data: Horváth, Ibolya et al. (ed.): Files for the history of jurisdiction (Iratok az igazságszolgáltatás történetéhez). First volume. Közgazdasági és Jogi Könyvkiadó, Budapest, 1992, p. 654.

between November 4, 1956 and December 31, 1962, 341 people were executed, and 229⁴⁶ of them for an offence related to the revolution.⁴⁷

⁴⁶ The majority of them, 117 persons were sentenced to death for acts related to participating in armed struggle.

⁴⁷ The total number of those prosecuted because of the revolution is 26,621, and the majority of them were sentenced to a short imprisonment (of a few years). [Source of data: Zinner, Tibor: The system of retaliation in the Kádár-era (A kádári megtorlás rendszere). Hamvas Intézet, Budapest, 2001, p. 421-423 and 436]