

# Neglected Restitution: The Relations of the Government Commission for Abandoned Property and the Hungarian Jews, 1945–1948

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This paper deals with the restitution provided to Hungarian Holocaust survivors by the Government Commission for Abandoned Property, in the first post-war years (1945–1948). This commission was the first national institution, which handled and took care of the assets of Holocaust victims and which was supposed to give compensation to the survivors. By investigating the cases conducted by the local representatives of the institution, this paper gives insight into certain aspects of Jewish–non-Jewish relations after the war, as well as how these relations and the restitution process were affected by other actors, such as the government commission itself, the political parties and the government. Additionally, the attitude of the most important Jewish associations toward the government commission is also scrutinized.

Keywords: restitution, Government Commission for Abandoned Property, Jewish property, property transfer, post-war

“On April 21, due to the approaching Russians, we evacuated. We were all brought to Sachsenhausen. [...] From Sachsenhausen, the healthy were taken, only the weak and seriously ill were left there. Among them, me. At noon next day the Russians liberated us. I was taken to hospital and taken good care of for three months; they managed to feed me up to 42 kilograms. My future plans depend on the homecoming of my mother and siblings.”<sup>1</sup>

Usually recollections recounted in front of the National Committee for Attending Deportees<sup>2</sup> ended like the story above. However, this was not the actual end of the stories of survivors, as the Holocaust and its consequences had an impact on their later lives. The damages caused to the persecuted were categorized into two groups by Stephen Roth: damages to the person and

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1 HJA, DEGOB protocol no. 2055, K. H. DEGOB

2 DEGOB – Deportáltakat Gondozó Országos Bizottság (National Committee for Attending Deportees); a Jewish relief organization which collected the testimonies of survivors who returned in 1945. The testimonies are kept at the Hungarian Jewish Museum and Archives and are available online at: <http://degob.org/>.

material damage.<sup>3</sup> As a result of their ruined health, the psychological trauma they suffered, the loss of their relatives, the violation of their human rights (the loss of professional and personal freedom, human dignity, social security, etc.), and the confiscation of property, returning survivors had to rebuild their lives from scratch. The governments tried to aid the survivors in various ways, first and foremost by returning material assets or providing compensation instead. Often rehabilitation was needed, while many perpetrators were tried and condemned alongside. However, as Ágnes Peresztegi points out, it was impossible to compensate the survivors for damages to the person. Only symbolic acts could be made in this case, such as providing state annuities.<sup>4</sup>

At the end of World War II, Hungary became a democracy and the government abolished all previous anti-Jewish laws and decrees. The process of restitution, however, started slowly, and the question of compensation was not raised. The new laws condemned the anti-Semitism of the previous regimes, but they did not accept the responsibility of the Hungarian state. It was thus not immediately obvious that the persecuted would receive any compensation at all.

Like many of the other harms suffered by Jews, the effects of the theft of their property and belongings did not disappear without a trace; the survivors faced additional difficulties due to the lack of proper restitution, and these hardships accompanied them for years and had a grave influence on relations between Jews and non-Jews. Local authorities struggled to make just decisions in these legally and ethically difficult situations, since in the absence of the original owners, many of the properties in question had been given to people in need, including poor families with many children.

In the postwar chaos, initially there was political will for settling property issues. As a result, the Government Commission for Abandoned Property, the task of which was the handling of “abandoned” goods, was founded in 1945. However, the institution did not manage to fulfill its assigned role, as was expected by the reestablished Jewish community. Thus, the survivors often had to try to pursue their own interests on a local level in a field interwoven by the political, economic, and social interests of the government, a governmental institution, and their own representative organizations. Besides high politics, the inner life of micro-communities (Jews, non-Jews, local civil servants, members

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3 Roth, “Indemnification of Hungarian Victims of Nazism,” 736.

4 Peresztegi, “Reparation and Compensation in Hungary 1945–2003,” 677–79.

of the authorities) also had an influence on whether any restitutions would be made in a given locality.

This article attempts to uncover how the functioning of the government commission influenced the lives of the survivors and what kind of relationship evolved between the Jewish community and the institution. “Jewish property” is thus a focal point of this text, and it therefore needs clarification: first and foremost, it refers to properties that were confiscated during the Holocaust and belonged to persons who had been defined as Jews according to act IV of 1939, one of the major anti-Jewish laws. According to this law, anyone who was Jewish by faith or who had one Jewish parent or two Jewish grandparents was defined as Jewish. Since I draw on cases involving private individuals, I consider instances involving personal property, not collective property. The government commission used the term “abandoned properties” to refer to property that had neither an honor nor a legal heir. This included valuables that had belonged to Jews or non-Jews and the original owner of which could not be found at the end of the war.

### *The Legal Background of Confiscations and Restitution*

Hungarian Jews became quite successful in an economic sense after emancipation in 1867. Nonetheless, they gradually began losing their wealth from the end of the 1930s as the acts XV of 1938 and IV of 1939 restricted the proportion of Jews to 20 percent and then to 6 percent in economic and intellectual occupations. As a result, approximately 90,000 people lost their jobs.<sup>5</sup> Act IV of 1939 and XV of 1942 limited the right of a person defined under law as Jewish to own private property by allowing for what was referred to as the “Aryanization” of agricultural and forest estates owned by Jews. Act XV of 1941 prohibited the marriage of Jews and non-Jews.

After the German occupation in March 1944, the confiscations were accelerated with the assistance of the Döme Sztójay government. In April, Jews were obliged to declare assets worth more than 10,000 Pengőös. During the process of ghettoization, they were allowed to take only 50 kilograms of personal property based on the order of the 6163/1944. BM. VII. res. confidential decree. In the approximately 200 ghettos in the country and in the course of the

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5 Kádár and Vági, *Aranyvonat*, 23.

deportations, the gendarmes and German guards confiscated the last valuables of the victims.

The government tried to control the redistribution of “abandoned” Jewish properties with little success.<sup>6</sup> After the authorities had taken inventories of the items left in locked-up Jewish houses, the gendarmes and policemen, who were in charge of the process of redistribution, often took these items.<sup>7</sup> Members of the authorities, civil servants, and private individuals all made claims to real estate which had been owned by Jews. Houses and shops which had not been redistributed were often plundered by the locals.<sup>8</sup> As all layers of society profited from the process of “Aryanization,” Róbert Győri Szabó calls this aspect of the confiscations “institutionalized robbery.”<sup>9</sup>

In November of 1944, Ferenc Szálasi’s Arrow Cross government introduced a new decree (3840/1944. ME.) which meant the culmination of the confiscations. According to the decree, anything owned by a Jew was to be nationalized, and thus everything that was confiscated became the property of the state. This decree also prescribed that these assets were to be used to cover the costs of war efforts and war pensions.

After the war, the exclusion and stigmatization of the Jews were abolished by the fifth point of act V of 1945.<sup>10</sup> In the short democratic period, the Hungarian governments tried to reestablish the rights of Jews and to regulate property rights and issues connected to confiscated Jewish property with several laws and decrees. Decree no. 300/1946. ME. constituted a milestone in this process, as it provided survivors the right to reclaim their “Aryanized” properties. Act XXV of 1946 repeated and thus strengthened the withdrawal of every anti-Jewish law. At the same time, according to the act, any property which had been owned by

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6 Many decrees were introduced for this reason. See for instance: Benosofszky and Karsai, *Vádirat a náciizmus ellen*, vol. 2, 146–50, document 38/a, planned decree about utilizing Jewish shops (later this plan was accepted as decree 2120/1944. ME. on June 10, 1944), and Benosofszky and Karsai, *Vádirat a náciizmus ellen*, vol. 3, 221–25, document 109b, Government decree regulating certain issues concerning Jewish property (decree 2650/1944. ME.).

7 Ungváry, *A Horthy-korszak mérlege*, 562.

8 Braham, *A népiirtás politikája*, vol. 1, 616. Concerning the plunder of Jewish homes, see: MNL PML, V.1075 Db Monor municipality documents 2249/1945. Dr. Jenő Klein’s appeal to the Housing Office about reclaiming her own house, Monor, June 10, 1945.

9 Győri Szabó, *A kommunizmus és a zsidóság az 1945 utáni Magyarországon*, 121.

10 Act V of 1945 concerning the ratification of the armistice agreed upon in Moscow, January 20, 1945. Decree no. 200/1945. ME. withdrew the anti-Jewish laws, thus making a basis for restitution.

a Jew but which had been left without an heir was to be given to a fund which would use its income to aid needy survivors and their institutions.<sup>11</sup>

Act XVIII of 1947, which ratified the Paris Peace Treaty, consolidated the previous achievements: among the political ordinances of the treaty, one obliged Hungary to provide legal equality to all of its citizens and take the responsibility to restore every asset confiscated due to the owner's origins or religion after September 1, 1939. If restoration was not possible, compensation was to be provided instead. The law also stipulated that goods that had not been claimed by their owners or heirs within half a year would be automatically given to organizations which represented the persecuted and would be used to help provide support for survivors.<sup>12</sup>

This law strengthened act XXV of 1946, based on which the National Jewish Restitution Fund was founded under the control of the government and the two major Jewish organizations, the National Bureau of Hungarian Israelites (*Magyar Izraeliták Országos Irodája*, hereafter referred to as MIOI) and the Central Bureau of Orthodox Denominations (*Magyarországi Autonóm Orthodox Izraelita Hitközség*, hereafter referred to as MAOIH). However, the Fund was established only in 1947, and by the time it started functioning, the Government Commission for Abandoned Property had been liquidated. Thus, in the four years after the war, the latter institution handled heirless properties.

### *The Government Commission for Abandoned Property and its Functioning*

The Government Commission for Abandoned Property was a national institution which functioned under the supervision of the prime minister's office from May 1945 until 1948. According to decree no. 727/1945. ME., which established the institution, it was supposed to take care of properties without an owner, to aid "persons who lost their wealth or livelihood; seek and bring home the deported."<sup>13</sup> It had to give at least partial restitution to those concerned.

Though most of the sources produced by the commission were burnt during the 1956 revolution, it is clear from the leftover fragmented material that, of the

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11 The two paragraphs of the law dealing with this were abolished in 1997, with act X of 1997. This law created a fund the task of which was handling the pensions of survivors, namely the Jewish Heritage of Hungary Public Endowment (*Magyar Zsidó Örökség Közalapítvány*, MAZSÖK). The capital of the National Jewish Restitution Fund created in 1947 was also transferred to MAZSÖK.

12 Cseh, "Az Országos Zsidó Helyreállítási Alap létrehozásának körülményei és működése," 22.

13 Quotation from the first paragraph of decree no. 727/1945. ME.

abovementioned tasks, it fulfilled only the handling of “abandoned” properties. This is underpinned by the fact that a later decree, which also regulated the role of the institution (10.490/1945. ME.), did not even mention restitution. The government commission was in charge of establishing whether an item was “abandoned.” It had to find these objects, rent them out, supervise the caretakers, and make decisions concerning the claims of the original owners or heirs. The costs of the institution’s functioning were covered from the rental fees paid for the rented goods and the wealth handled.

The Ministerial Council elected the government commissioners and came to decisions regarding the institutional structure.<sup>14</sup> The first government commissioner was Dr. Rudolf Legédy. He was followed by Gyula Zombory<sup>15</sup> and, then, Jenő Molnár. Their work was supervised by the national Court of Auditors and the presidential council of the government commission. The latter was created by the same decree that established the commission itself. It acted as a court of appeal, so clients who were displeased with the decisions of the government commissioner could turn to it for assistance. The leader of the council was also appointed by the prime minister, while its members were invited by the president from the member parties of the Hungarian National Independent Front,<sup>16</sup> the ministries, the council of trade unions, and other authorities.<sup>17</sup>

Several factors affected the work of the Government Commission for Abandoned Property. First and foremost, efficient administration was hindered by frequent reorganizations, an overly-bureaucratic inner system, and frequent changes of the staff.<sup>18</sup> This went hand in hand with a decreasing work morale; moreover, the colleagues of the institution had to take care of so many cases that it was impossible to handle all of them. As a result, the files accumulated and only half of them were dealt with.

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14 Gábor, “Elhagyott Javak Kormánybiztossága,” 120–21.

15 Social Democratic politician Gyula Zombory led the government commission from September 17, 1945 to June 14, 1946. See: Szűcs, *Nagy Ferenc első kormányának minisztertanácsi jegyzőkönyvei*, vol. 1, 812.

16 The Independent Agrarian Workers Party, the Hungarian Communist Party, the Hungarian Social Democratic Party, the Hungarian Peasant Party, and the Civic Democratic Party.

17 Gábor, “Elhagyott Javak Kormánybiztosa mellett működő elnöki tanács,” 119; and *Magyarországi rendeletek tára*, 932. (*Magyarországi rendeletek tára* was the official collection of governmental decrees published annually between 1867 and 1945).

18 Kardos, “Az Elhagyott Javak Kormánybiztossága,” 54–56. About the inner structure of the government commission, see: MNL OL, XIX-A-5 documents of the Government Commission for Abandoned Property, unit I, 8324/1946. Concerning the preparations of the necessary restructuring of the Government Commission for Abandoned Property, October 1946.

In addition to its center in Budapest, the government commission's network had agents all over the country: there were representatives present in every county and bigger city.<sup>19</sup> The work of the representatives was helped by local civil servants, who were chosen specifically for this reason, altogether approximately 400 individuals.<sup>20</sup> These “trustworthy civil servants”<sup>21</sup> were appointed by the municipalities at the order of the *főispán*,<sup>22</sup> and they were prepared for their tasks at meetings that were held in every district.<sup>23</sup>

Initially, two decrees regulated the fate of “abandoned” properties.<sup>24</sup> According to these decrees, the objects had to be declared at the central office of the government commission or in the municipalities, even if someone only knew about them but did not own them, or if someone had obtained them as a result of the discriminatory measures.<sup>25</sup> Banks were obliged to declare the wealth of those who “departed due to deportations or fled for political reasons.”<sup>26</sup> Not fulfilling this obligation counted as theft or embezzlement and could result in a penalty of 8,000 Pengő or internment.<sup>27</sup> Anyone who “searched for and declared a significant number of abandoned objects, will be rewarded [by the prime minister].”<sup>28</sup>

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19 The authority of the representatives was regulated by decree no. 10.490/1945. ME. Gábor, “Elhagyott Javak Kormánybiztosa megbízottja,” 120. See the list of local representatives: MNL OL, XIX-A-5 documents of the Government Commission for Abandoned Property, unit K, 7/1947. The list was written in April 1946.

20 Kardos, “Az Elhagyott Javak,” 54. See also: MNL PML V.1018 Db Bugyi municipality documents 520/1945. Letter of the Alsódabas district leader to the municipality leadership on the establishment of the Government Commission for Abandoned Property, Alsódabas, June 5, 1945.

21 MNL PML, V.1009 Db Aszód municipality documents 501/1945. Concerning the establishment of the Government Commission for Abandoned Property, Aszód, May 29, 1945.

22 The *főispán* was the administrative leader of a county.

23 See, for instance, the letter of the *főispán* of Pest-Pilis-Solt-Kiskun County (May 23, 1945), MNL PML, V.1018 Db Bugyi municipality documents 520/1945.

24 Decree no. 2490/1945. ME., and order 471/1945 of the government commissioner.

25 MNL PML, V.1010 Db Bag municipality documents 556/1945. Announcing the letter of Károly Bartoss, local representative in Aszód, Aszód, August 23, 1945 (the number of the original letter is 46/1945).

26 MNL PML, V.1014 Db Budajenő municipality documents 719/1945. Letter of the Government Commission for Abandoned Property to the representatives, Budapest (the number of the original letter is 15/S-1945).

27 MNL PML, V.1010 Db Bag municipality documents 556/1945. Announcing the letter of Károly Bartoss. As a reference, according to the data of the Hungarian National Bank, the sustainment index in October–November 1945, increased from 3396 Pengő to 16724. See: Botos, “A pengő megsemmisülése, a forint születése,” 180.

28 MNL PML, V.1024 Db Dány municipality documents 2428/1947. Announcement of the notary of the Gödöllő district, Gödöllő, September 1, 1947.

*The Functioning of the Government Commission for Abandoned Property in the Light of Specific Cases*

Cases based on source analysis offer insights into the functioning of the government commission on a local level, the actions of the representatives, the kinds of problems which arose in the course of the processes, and the ways in which the representatives, party members, civil servants, and the clients themselves could deepen them. In short, the case studies may reveal whether the government commission could fulfil its obligations prescribed by the decrees.

In March 1946, Rezső Ernzt sent a letter to Tibor Papolczy, the representative of the Government Commission for Abandoned Property in Kiskunhalas. His request was the following: "For my 20-acre vineyard, please allocate me a cart. Considering that during my deportation my equipment was looted, completing the necessary work is impossible without a cart."<sup>29</sup> It becomes clear from the quote that during the processes of ghettoization and deportation, the farm was either plundered by the locals or the local government redistributed the properties found there. Ernzt received the following answer on the same day: "The representative of the Government Commission for Abandoned Property complies with this request and rents out the accessories of a cart wreck to be built up from the provision at his disposal: 3 wheels, 2 bottoms, 1 side and bottom built together, 1 shaft. The monthly rental fee is equivalent to the price of 4 eggs, which sum must be paid at my office between the 1 and 5 of every month."<sup>30</sup>

The rapidity with which this reply was given suggests that the letters were written as a formality and in order to provide documentation for the decision, and Ernzt probably had already spoken with the representative of the government commission in person. The case illustrates the limited success the government commission had in providing the survivors with efficient solutions: it had existed for a year already, during which time the local representative and the civil servants helping him should have had time to search for the "abandoned" properties. However, they obviously did not know what had happened to Rezső Ernzt's equipment. Therefore, the representative offered Ernzt parts of a wreck which he himself then had to use to build a cart. Moreover, he was not given these parts. Rather, they were rented to him for a monthly fee.

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29 MNL OL, XIX-A-5 documents of the Government Commission for Abandoned Property 284/1946. Rezső Ernzt's letter to Tibor Papolczy, Kiskunhalas, March 16, 1946.

30 Ibid. Verdict of the representative, Kiskunhalas, March 16, 1946.

Naturally, Rezső Ernszt was not content with this solution. Two days later, he wrote another letter to the representative: “As I have rented out my vineyard, I do not need the allocated cart wreck anymore.”<sup>31</sup> This case is an example of how Jews were given access, at a price, to objects instead of having the property which had been stolen from them restored to them or receiving some form of restitution. This did not lead to constructive and permanent solutions to their cases, and it did not help relieve social tensions, as in villages and smaller towns the fate of the properties and belongings which had been stolen from Jews was often an open secret.

During the early phase of restitution, the authorities frequently did not manage to find a good solution. Not getting back their properties was perceived as a violation of property rights by the Jews, while non-Jews regarded it as a legal offence if they had to return goods that they had come to consider their own. The latter reaction is illuminated by several cases. In January 1946, Mrs. Sándor Bancsi from Vámosatya visited the government commission’s representative in Kisvárdá and complained that on January 22, the representative and the police lieutenant of Vásárosnamény took her cow and gave it to Nándor Gottdiener. According to the protocol written about the case, “at that time in June 1944, she swapped her cow for another one in good faith, which had to be turned in. [...] The cow, which she gave in exchange for this, was also good, and they turned that in instead of the one she owns now. Now she is there with five children, her husband is dead, she does not have anything, even her last cow has been taken; the milk, which means life, has been taken from her children’s mouths.”<sup>32</sup>

Then Mrs. Sándor Bancsi pleaded for the cow to be given back, and she asked Nándor Gottdiener to “turn to the Treasury, because she cannot lose her only cow as a consequence of the measures of that time, which would mean irreplaceable damage to her, as she would not have strength to get more or another.”<sup>33</sup> The final verdict in this case remains unclear from the sources, but it is characteristic that the woman rejected the representative’s first decision and a change to a situation which had come about as a result of the confiscations. In 1944, many others were in similar situations when they received certain goods which were necessary for the livelihood of their family at a normal price or for free. Moreover, when the

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31 Ibid. Rezső Ernszt’s answer, Kiskunhalas, March 18, 1946.

32 MNL OL, XIX-A-5 documents of the Government Commission for Abandoned Property, 3826/1946. Protocol of the verdict of the Kisvárdá representative, January 23, 1946.

33 Ibid.

new owners paid for the Jewish goods or invested money in reparations, they were more inclined to consider this property their own.

Among the documents of the Government Commission for Abandoned Property, other types of cases can also be found. In a letter written in September 1946 in Nyíregyháza and sent to the central office of the government commission by the local representative Dr. Tibor Fábíán, Fábíán enumerated the cases of the “Aryanized” livestock of Jews, which all ended in different ways.<sup>34</sup> Two clients managed to reach an agreement concerning the fate of a cow, and the verdict reached in one case had to be annulled and the survivor had to give his cattle back to the widow who had obtained them during the confiscations. This case was decided based on the 12th paragraph of decree no. 300/1946. ME., which stated that the basic right of survivors to reclaim their properties could not be applied to livestock and agricultural equipment. The decree had been published in *Magyar Közlöny* in January, but rural representatives had not been informed about how it should be applied in cases of restitution. Fábíán complained about this in his letter: “It is a pity that the government commissioner did not notify us about the correct interpretation of decree 300/1945. ME. at the time of its introduction, thus we made decisions referring to that.”<sup>35</sup>

At the same time, according to the representative, some of the new owners willingly gave cattle back to returning survivors; but some others, upon hearing the news that the son of the original owner had come back, sold the animal which they had obtained during the confiscations. In the latter case, the representative put a ban on the sale of the cow and ordered the clients to go to court.<sup>36</sup> The description offers an example of the chaos of the process and the complexity of the relationships among the people involved, which frequently generated strong tensions. The attitude of the non-Jews, which was driven by various feelings and motives ranging from understanding and flexibility to greed, often influenced and was influenced by the behavior of the returning Jews.

There are sources which shed some light on the ways in which political parties tried to intervene in the functioning of the government commission. The county secretariat of the National Peasant Party (*Nemzeti Parasztpárt*) in Nyíregyháza, for instance, turned to the central office of the government commission because the local representative, “without any compensation, took

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34 MNL OL, XIX-A-5 documents of the Government Commission for Abandoned Property 1543/1946. Letter of representative Tibor Fábíán, Nyíregyháza, September 20, 1946.

35 Ibid.

36 Ibid.

the cows of inhabitants of Nyírbákó, which they had bought at regular auctions, and gave them back to the relatives of the previous owners returning from deportation.”<sup>37</sup> Following this complaint, the deputy department leader Tihamér Téri sent a letter to the local representative, in which he warned him that such livestock “are not to be considered abandoned and thus they do not belong to the authority of my government commission. The representative’s procedure does not have any legal basis, it is lawless and illegal and a severe transgression of your authority.”<sup>38</sup> At the same time, he informed the representative that, according to decree 300/1946. ME., such livestock could be reclaimed only through the court, and if the livestock in question belonged to an agricultural estate, it could not be reclaimed at all. Attached to the letter is the protocol of the public auctions held after the ghettoization on May 10, 1944.<sup>39</sup>

This letter demonstrates how the confiscations took place on a local level. As soon as the Jews were segregated, their properties were seized; their livestock was sold at auction before the deportations had even begun. At the same time, robberies were committed after the war, as the original owners or their heirs could not get their property or some share of their property back according to the law. Moreover, the case emphasizes two features of the functioning of the Government Commission for Abandoned Property. First, the local representatives of the parties actively participated and intervened in the procedures, which seems to have been an accepted practice, which is proved by the letter of the deputy department leader.<sup>40</sup> Second, colleagues of the government commission and especially rural representatives were uncertain which paragraphs of the laws and decrees should be applied in certain cases, which led to further legal complications.

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37 MNL OL, XIX-A-5 documents of the Government Commission for Abandoned Property 17316/1946. Letter of Tihamér Téri to the Nyíregyháza representative, Budapest, May 24, 1946.

38 Ibid.

39 Ghettoization started at the end of April in Szabolcs County, and the deportation began on May 15, therefore the auction was organized between the ghettoization and the deportation. See: Braham, *A népiertás politikája*, vol. 1, 573, 575.

40 Among the government commission’s documents, similar cases can be found. See for instance: MNL OL, XIX-A-5 documents of the Government Commission for Abandoned Property 10258/1946. The case of József Mermelstein.

*The Attitude of the Jews towards Restitution and the Government Commission for Abandoned Property*

During the short-lived democracy, the Hungarian governments made it clear through laws and decrees that they condemned the politics of those who had been in charge before and during World War II. Nonetheless, they did not manage to meet the expectations of the Holocaust survivors. The shortcomings in restitutions can be traced back to complex economic, social, and political reasons, though the explanations lie for the most part in the postwar economic situation. The political leadership was supposed to provide aid for hundreds of thousands of destitute survivors, and they had no previous experience in such a situation.<sup>41</sup> An adequate arrangement was hindered by the fear of anti-Semitism: politicians feared that by giving back properties to the original owners, they would incite hatred against the Jews which would lead to pogroms.<sup>42</sup>

Furthermore, Hungarian radical forces, which included the Hungarian Communist Party (*Magyar Kommunista Párt*), the National Peasant Party, and the Social Democratic Party of Hungary (*Magyarországi Szociáldemokrata Párt*) together with the Soviet authorities, advocated new directives, and the importance of restitution was overwritten by the necessity of the economic recovery of the state. They paid particular attention to providing support for the poorest social strata, which had benefitted considerably from the confiscations.<sup>43</sup> Misuse of Jewish properties only made things worse. The representatives of political parties had claimed Jewish houses as party offices or had demanded their share of the loot in other ways.<sup>44</sup>

The central organizations which represented the interests of Jews were displeased with the situation. They voiced their opinion at meetings with government representatives, as well as in petitions sent to the prime minister and on the pages of *Új Élet* (New Life), the biggest Jewish newspaper. The editors regularly informed the readers about the new laws and decrees, and they gave accounts of the meetings held by MIOI, MAOIH, and government representatives.

41 Győri Szabó, *A kommunizmus és a zsidóság*, 57–58.

42 Blood libels appeared again in the postwar years, and pogroms were organized in several places, such as Kunmadaras and Miskolc. See Vörös, “Kunmadaras – Újabb adatok a pogrom történetéhez,” 69–80; Varga, “A miskolci népitélet, 1946,” 293–314; and Braham, *A népiértés politikája*, vol. 2, 1502–5.

43 Braham, *A népiértés politikája*, vol. 2, 1491, 1494. See also: Botos, *A magyarországi zsidóság vagyonának sorsa 1938–1949*, 67, 72.

44 Cseh, “Az Országos Zsidó Helyreállítási Alap,” 120.

In December 1945, the paper started a discussion of the issue of restitution with a strong, one-page-long article. It voiced criticism of the slow process of bringing home the deported and government policies concerning restitution of stolen property: “The declaration of the government representative [...] cannot satisfy the Jews in the sense that it leaves an open question: when and to what extent will these obligations be fulfilled. [...] The returning [survivors] find ravaged homes, houses, looted shops; they are deprived of everything and cannot cover even the most primitive living conditions.”<sup>45</sup> The paper emphasized the fact that the survivors were given aid by international Jewish organizations and the International Red Cross,<sup>46</sup> and “without the appropriate foundations, they cannot join in productive work.”<sup>47</sup> Referring to law and national feeling, the national bureaus representing the Hungarian Jews believed that “the honor of the Hungarian nation requires that crimes shall be punished; justice, recompense and reparation shall be provided [...]. Recompense and reparation are not only in the interests of Hungarian Jews, but are in the interests of the entire Hungarian nation.”<sup>48</sup>

Concerning the decrees that aimed at returning the properties of Jews, the journalists emphasized more than once that “we do not seek ‘privileges,’ but an arrangement according to justice which would help the thousands of robbed, impoverished people get back their necessary properties.”<sup>49</sup> They most probably tried to take the wind out of the sails of anti-Semitism with this argumentation. They objected to the fact that, according to decree no. 300/1946. ME., “things

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45 Anonymous, “A magyarországi zsidóság küzdelme elégtételért és jóvátételért,” *Új Élet*, December 11, 1945, 1.

46 International organizations, first and foremost the International Red Cross, the American Jewish Joint Distribution Committee, and the World Jewish Congress aided destitute survivors and the institutions helping them between 1945 and 1948. The Joint Distribution Committee established a whole network of soup kitchens and health care institutions, and they organized courses to provide education for survivors. About the constructive aid of the Joint Distribution Committee, see: MZSL, XXXIII-4-A, documents of the Hungarian division of the American Joint Distribution Committee, unit 46. Announcement, Budapest, November 10, 1945.

47 Anonymous, “A magyarországi zsidóság küzdelme,” *Új Élet*, December 11, 1945, 1.

48 Ibid. This article echoes the petition of the leaders of the Neolog denomination (April 20, 1945), which also referred to the honor of the nation and the international situation: Hungary “can be shown understanding by the foreign democratic powers if it shows serious will for the compensation of grave crimes and choosing new paths.” MZSL, XXXIII-5 documents of the National Organization of Hungarian Israelites, unit 26. Account of the measures brought for the interests of the Jews by the Israelite Denomination of Pest and the MIOI, Pro memoria, July 23, 1945.

49 Anonymous, “A zsidóság ‘ elvesztett ’ ingóságai,” *Új Élet*, February 7, 1946, 2.

necessary for a living,” namely things on which the livelihood of the new non-Jewish owners depended did not have to be returned to the original owners.<sup>50</sup>

At the same time, “the decree deals with the question of the life circumstances of the Jew, who happens to have survived the persecution, ghetto, or the hell of deportation, the *aggrieved party* [emphasis in original article], merely by sending him to the Government Commission for Abandoned Property, where he can claim objects ‘for use’ before others.”<sup>51</sup> But the paper called attention to other controversial legal practices as well: “This measure of the decree invokes severe legal complications, because in the cases described in the third paragraph, it respects the measures of the fascist and Arrow Cross ‘authorities,’ thus giving immunity and privilege to the lucky obtainers, which Hungarian law or general civil law does not recognize.”<sup>52</sup> The article depicted the confiscations and the lack of restitution as one continuous process from a legal point of view.

In February 1946, *Új Élet* gave an account of a meeting between representatives of the government and Jews. At this meeting, the Jewish representatives proposed again that goods the original owners of which (or heirs to) could not be found should be transferred from the treasury to a “Jewish fund” which would be used to provide aid for impoverished survivors. They criticized the misuses which had taken place during the administrative processes of the Government Commission for Abandoned Property.<sup>53</sup> Ernő Munkácsi, the secretary of the Israelite Denomination of Pest and the Jewish Council, expressed dissatisfaction because “the properties of the fascists and the deported Jews are treated in the same way.”<sup>54</sup>

Government representative and state secretary István Balogh emphasized that the government wanted to give the Jews the moral and material compensation which they deserved, but it was not in a position to do that. He referred, for instance, to the dangers of anti-Semitism, while with regards to the concerns of Jews, he answered that the Jewish organizations received special representation in the government commission. Gyula Zombory, the then government commissioner, added that Jews should set up cooperatives which would then put them in an advantageous position when it came to the

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50 See paragraph 3 of decree no. 300/1946. ME.

51 Anonymous, “A zsidóság ‘ elvesztett ’ ingóságai,” *Új Élet*, February 7, 1946, 2.

52 Ibid.

53 Anonymous, “Mit követel a magyar zsidóság,” *Új Élet*, February 14, 1946, 2.

54 Ibid. The properties of “relocated” Germans and war criminals also counted as “abandoned,” and they were handled by the Government Commission for Abandoned Property.

redistribution of properties.<sup>55</sup> Therefore, the leaders of the Jewish community and the representatives of the government talked about two different topics: the Jews found it logical that they would claim their property back and use property which went unclaimed to provide support for needy survivors, while the politicians and the government commissioner avoided addressing these issues and made it clear that restitution would not happen in the way that the Jewish organizations were demanding.

In May 1946, Munkácsi collected the grievances of the Jews in an article. In addition to the abovementioned grievances, he also found it unfair that “they made numerous decrees which consider us, with good will, but usually these were made without asking us in advance.” Moreover, these measures “feared to state openly and without limitations that whatever was taken from the Jews must be given back.” This caused “numerous loopholes, excuses and a hurdle-race everywhere; everywhere the acceptance of ‘irreversible facts’ and forcing Jews to accept this.”<sup>56</sup>

According to Munkácsi, one of the main offences committed against the Jews was that survivors could not even get their estates back: “True, in theory they could get an estate in exchange, but this happened only in a small number of cases. On the other hand, many times a Jew who had just returned from deportation or military labor service and started to work his old land had to leave it.”<sup>57</sup> He stressed again that it was a grave error that the Government Commission for Abandoned Property handled the wealth of Jews and Arrow Cross members together. “Moral reasons rule out the possibility that the democratic Hungarian state be a beneficiary of the mass murder in any form!” he claimed.<sup>58</sup> Finally, he called to the attention of his readers the fact that the Jews were not merely seeking restitution of their properties but were also entitled to get compensation for the suffering they had endured.

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55 Ibid.

56 Ernő Munkácsi, “Nyíltan megmondjuk...,” *Új Élet*, May 2, 1946, 1–2. The same worries and grievances were expressed by the MIOI in its August 1945 petition sent to Prime Minister Béla Miklós, as the leaders of the denominations were not involved in the law-making processes, the government handled the properties of leftist and Jewish persecutees differently, and “Aryanized” shops could only be reclaimed, if the relatives of the deceased owner had trade certificates. See Lévai, *Fekete könyv a magyar zsidóság szenvedéseiről*, 270.

57 Ernő Munkácsi, “Nyíltan megmondjuk...,” *Új Élet*, May 2, 1946, 2. With decree no. 600/1945. ME. the government ensured that Jewish owners got their land properties back, with the exception of properties that had been subject to exchange. Though according to the decree those who received the land had to pay the original owners, this did not happen. Compensations were later extended to livestock and agricultural equipment. Thus, most of the Jewish communities and survivors lost their estates.

58 Ernő Munkácsi, “Nyíltan megmondjuk...,” *Új Élet*, May 2, 1946, 2.

## *Summary*

Due to the persecution, the postwar life of the survivors changed dramatically. In addition to losing relatives and friends, upon their return, they also had to face the fact that, during the processes of ghettoization and deportation, they had been left penniless. Getting back their properties (or properties which had been owned by family members) depended on local and national factors, i.e. on relations with non-Jews, the benevolence of the local municipality and its civil servants, government politics, and the functioning of the Government Commission for Abandoned Property.

The Hungarian government did not initiate a centrally controlled restitution program during the few years in which the country was under the administration of relatively democratic governments after World War II. Instead, the Government Commission for Abandoned Property was assigned to make decisions concerning the property issues of Jews and non-Jews. This process and the functioning of the government commission was met with dissatisfaction among the central organizations of the Jews, all of which kept the topic on their agendas in their petitions, during meetings with politicians, and on the pages of the most widely read Jewish newspaper. The lack of restitution of every previously Jewish-owned piece of property which had been owned by a Jew and the suppressed interests of Jews meant that survivors were often only able to restart their lives with the help of international Jewish organizations.

It is typical in the process of restitution that the terminology that was used in 1944, during the confiscation of Jewish properties, was still used in the years of democracy. The properties were referred to as “abandoned,” and this euphemism suggested that anyone in possession of this property had not illegally acquired it or stolen it. Continuity can be observed even from a legal point of view, as the redistribution following the confiscations was not annulled by the government, and thus it accepted and maintained the previous injustice. Thus the governments which were in power in Hungary between 1945 and 1948 can be said to have failed the surviving Jewish community not simply because of the failures in policies concerning restitution, but also by failing even to apologize or give compensation for the non-material damages suffered by Holocaust survivors.

The responsibilities of the National Jewish Restitution Fund created in 1947 ranged from starting and revising inheritance lawsuits, searching for unclaimed Jewish property, and renovating or selling the acquired buildings to support Jewish

social institutions. Though it seemed like a genuine effort towards restitution for Holocaust survivors, in the emerging communist system the government maintained the institution only for formal reasons to ensure that Hungarian Jewish wealth was transferred back from Western Europe. In 1955, the Fund lost its independence and was merged with the National Church Office.

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