

■ United States Holocaust Memorial Museum
Center for Advanced Holocaust Studies

**Documenting Life
and Destruction**
Holocaust Sources
in Context

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DOCUMENTING LIFE AND DESTRUCTION

HOLOCAUST SOURCES IN CONTEXT

This groundbreaking series provides a new perspective on history using first-hand accounts of the lives of those who suffered through the Holocaust, those who perpetrated it, and those who witnessed it as bystanders. The United States Holocaust Memorial Museum's Center for Advanced Holocaust Studies presents a wide range of documents from different archival holdings, expanding knowledge about the lives and fates of Holocaust victims and making these resources broadly available to the general public and scholarly communities for the first time.

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Documenting Life and Destruction
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THE HOLOCAUST IN HUNGARY

Evolution of a Genocide

Zoltán Vági, László Csősz, and Gábor Kádár

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DOCUMENT 1-2: Act IV of 1939 on the Limitation of Jewish Expansion in Public and Economic Spheres (Second “Jewish Law”), in Miklós Degré and Alajos Várady-Brenner, eds., *Magyar Törvénytár. 1939. évi törvények* (Budapest: Franklin, 1940), 129–48.

§ 1

With respect to the application of this law, all are considered Jewish who are members of the Israelite denomination at or prior to the date when this law goes into effect. Also considered Jewish are those who have at least one parent or at least two grandparents who are members of the Israelite denomination at or prior to the date when this law goes into effect. In addition, the offspring born to any persons listed above after this law has taken effect also count as Jewish.

[. . .]

§ 4

[. . .]

Jews have the right to vote for members of Parliament or municipal governing bodies and can be elected as members of Parliament or municipal governing bodies only if they themselves, as well as their parents, were born in Hungary (their grandparents must also have been born in Hungary if the parents were born after December 31, 1867),

13. See memoirs of **Samu Stern** in Nathaniel Katzburg, *Zsidópolitika Magyarországon 1919–1943* (Budapest: Babel, 2002), 272–83. At his meeting with the Jewish leaders, Béla Imrédy designated a target number of one hundred thousand emigrants over five years. *Ibid.*, 281.

14. “Naturalization” meant that a male person holding foreign citizenship, who stayed in the country and paid taxes for five consecutive years, could acquire Hungarian citizenship. On the acquisition of Hungarian citizenship, see Kinga Frojimovics, *I Have Been a Stranger in a Strange Land: The Hungarian State and the Jewish Refugees in Hungary, 1933–1945* (Jerusalem: Yad Vashem, 2007), 17–18, 39.

15. See chapter 2.

and—beyond satisfying other legally prescribed preconditions—they provide conclusive proof that their parents (and also their grandparents, if the parents were born after December 31, 1867) have been living in the territory of Hungary continuously since December 31, 1867.¹⁶

[. . .]

§ 5

Jews may not serve as officers or other employees of the state, of any municipal governing bodies, of any public body, public institution, or public utility company.

[. . .]

§ 9

In various professional associations, including those for lawyers, engineers, doctors, journalists, as well as the theater and cinema associations, Jews are admitted as members only if their number does not exceed a proportion of six percent of the total membership of the association. Alternatively, if the association is divided into sections and occupational groups, the number of Jewish members may not exceed six percent of the total membership of each section or group.

[. . .]

§ 14

No trade certificate or trade license for practicing a trade will be issued to a Jew until the number of trade certificates and licenses that have been issued to Jews in a given municipality drops below six percent of the total number of certificates and licenses in that municipality.

[. . .]

§ 22

The government is authorized to issue decrees regarding certain matters that would otherwise fall within the authority of the Parliament—specifically, matters such as the promotion of the emigration of the Jews and, in this connection, Jewish assets being moved abroad. The government may also issue decrees about customs, as well as other regulations deemed necessary for the protection of national assets in connection with the promotion of Jewish emigration.

[. . .]

16. The law specified the 1867 emancipation as the dividing line. In practice this meant that Jews had to obtain various types of documentation going back at times as far as a hundred years. This posed a problem for many, especially if they hailed from areas formerly separated from Hungary. For this reason, several Jews lost their right to vote and to hold office.

The text of the Second “Jewish Law” explicitly specified who would count as Jewish. Its rationale was primarily racial, but its basis was religious membership, given that no other workable criterion was available. All those were considered Jewish who, at or prior to the time the law came into effect, were themselves members of the Israelite denomination or had one parent or at least two grandparents who were members. Therefore, the law in theory did not affect Jewish families that had converted to Christianity for three generations. The law likewise did not apply to certain groups whose background was quite complicated, if they were born from “mixed” marriages and/or to parents who had converted to Christianity. Thus, the racial definition was not comprehensive, although the text and the commentaries made it clear that legislators considered Jewry a single, indivisible racial group, as well as a unified spiritual-emotional category. More threateningly, the legislative power concerning Jewish emigration was now placed in the hands of the government instead of the parliament. With this maneuver, the act sought to create a legal framework for pushing the Jews out of the country in the future more quickly and easily. The first two “Jewish Laws” can be considered independent, organically Hungarian developments. Hitler had not demanded them.

However, by the time the Third “Jewish Law” was issued in 1941, the increasing power of Nazi Germany generated a certain anti-Jewish rivalry among the satellite countries (Italy, Romania, and Slovakia) that resonated significantly in Hungary as well. Still, the Third “Jewish Law” was not enacted due to direct pressure from Germany. Instead, Prime Minister Pál Teleki favored pursuing a Jewish policy that afforded fewer exceptions and was based explicitly on racial categories. The “Race Protection Law” was another step in a policy of separating out Jews and preventing their acculturation and assimilation.

In June 1941, three days after the declaration of war against the Soviet Union, the government submitted the bill for the Third “Jewish Law” to parliament. The proposed goal was the “qualitative and quantitative” improvement of the population through various racial measures. The state made so-called marriage loans available only to those prospective marital partners deemed healthy. Those intending to marry now also had to provide medical certification proving they were in good health. The ban on marriage between Jews and non-Jews made up another component of these measures.

In the Lower House, the left-wing opposition to anti-Jewish legislation had by this time shrunk to a minimum; most of the votes against the bill came from right-wing extremist representatives. Naturally they did not oppose the government’s intentions; they merely strove for an even more radical “arrangement”

with a broader scope.¹⁷ This time around, however, the heads of the Christian churches, who had supported the first two “Jewish Laws,” united against the bill. At the same time, the churches’ proclamations included antisemitic remarks and protested primarily against encroachments on their sphere of influence: religious jurisdiction over marriage and baptism. They were not against anti-Jewish policies as such; rather, they disapproved of the state’s intrusion into what they considered their own domain.