

***In early 1950, the US placed the gendarmes along with a few other groups among those, who were not allowed to immigrate to the US. Olchváry-Milvius, a high-ranking gendarme officer (who was in charge of the gendarme officer training 1941-1943) wrote this Memorandum in Hungarian, and translated to German for the Military Police in Germany. Its English translation was presented to Mr. Jacobs, the US official in charge. As a result, the US lifted the ban by the end of 1950.***

## **Memorandum**

about the Royal Hungarian Gendarmerie's activity and authority  
Written for the Military Police in Germany, 1950.

### 1. The establishment of the Royal Hungarian Gendarmerie

The Royal Hungarian Gendarmerie is a military law enforcement organization established in 1881 by the 1881./ II and III Articles of Law, for the purpose of maintaining civil order in rural Hungary, with the exception of the capital and larger cities.

At that time, the Hungarian form of government was a constitutional monarchy. The bill was submitted by the Hungarian government, accepted by both bodies of Parliament, and signed into law by Jozsef Ferenc, apostolic king of Hungary. This constitutionally enacted law remained unchanged through the end of WWII. The gendarmerie never became a part of any political party. The type of military law enforcement organization as was the Hungarian Gendarmerie still exists today in other countries, e.g. in France, Belgium, and Holland (Marè Choussée).

### 2. A brief characterization of the Royal Hungarian Gendarmerie

a. The military aspect of the Hungarian gendarmerie is apparent in that the members had to take an oath to both the gendarmerie and the army. They were under the jurisdiction of military laws and discipline. Gendarme officers were obligated to adhere to the military code of ethics. Furthermore, the gendarmerie was subject to army standards in their training. Its members wore the same designations and uniforms as did members of the army. Military regulations regarding transfers, marriage, and retirement also applied to the gendarmerie. The officers had the same responsibilities and authority as an army officer of equal rank.

The Royal Hungarian Gendarmerie fell under the authority of two government ministries. All personnel, discipline, and training came under the authority of the Royal Hungarian Military Ministry, while their service and financial matters came under the authority of the Internal Affairs Ministry. This double subordination was established in 1881, and continued without interruption until the end of WWII.

b. The Royal Hungarian Gendarmerie was never a *political* police force, but simply functioned as a rural police, only differing from other police organizations in that it was also a military organization. Its responsibility was to make possible for local government authorities to function without hindrance; to carry out their commands, and, if necessary, protect them; to provide public safety and civil order; to protect life and personal property; to assure the keeping of laws; to prevent crime and accidents; to provide first aid when needed; and to pursue law-breakers according to prescribed statutes, laws, and regulations. It was only natural that the gendarmerie would also pursue law-breakers whose crimes were political in nature according to

the existing Hungarian laws, such as treason, espionage, defaming a legal authority, agitation, inciting a forceful overthrow of government and social order, etc.

The well-known American FBI has a similar role without anyone (except the communists) comparing them to a *political* police, let alone to the Gestapo, M.D.V., or other similar organizations. Even the world-renowned Scotland Yard has a special branch dealing with political crimes.

The gendarmerie in its entire 64 years of existence never had authority to make laws or regulations, but was solely an executive corps, enforcing existing laws and executing orders given by legal authorities. It did not have any judicial right, had no concentration camps, not even a single prison, or jail cells. It was not allowed to hold an arrested person over 24 hours, and even that only in the presence of two civilian witnesses. The arrested individual had to be transferred to the public prosecutor, a detective, or police authority at the first possible opportunity. The gendarme could not be present when the suspect was interrogated, and during the interrogation the suspect was also asked if they had any complaints regarding the gendarme procedures used during their arrest. In that first 24 hours following the arrest, the suspect was held in the village jail. In the case of a dangerous criminal, he or she was held under guard in one of the rooms of the gendarmerie garrison. Everyone had the right to submit a complaint against a gendarme. These complaints were carefully investigated, and if it turned out that a gendarme overstepped his authority, took advantage of his position of authority, or broke any of their regulations, then he was severely punished with a reprimand, or remanded for a court martial trial (even in peace times). If found guilty, he was demoted, stripped of his rank, or was discharged from the gendarmerie. The military trials were open to the public.

c. The Royal Hungarian Gendarmerie consisted solely of volunteer active duty personnel. Moral and physical health was rigorously considered. There were always more volunteers than needed, so the gendarmerie was able to select from the best. The reason there were always more volunteers than needed was because the Royal Hungarian Gendarmerie was highly respected and popular (of course, not among the criminals and those elements who wanted to abolish the civil capitalist-liberal society either from the far left or far right). Also, the gendarmerie pay was quite generous, so many sought it as a career.

d. Members of gendarmerie, enlisted or officers, did not have active or passive voting rights. They were not allowed to be members of any political party. Expressing political views was forbidden even among themselves, even in private conversations. They were not allowed to attend any political meetings or gatherings. They could not even be present as a representative of a local government agent or agency.

### 3. Duties and circle of authority

The Gendarmerie's responsibilities extended to the rural countryside and small villages, but never included the capital or larger cities. Law enforcement in the capital and in the cities was provided by a non-military police force, which was always a national police force in the capital, but after the 1918 revolution, the national police served all towns as well.

The Internal Affairs Ministry had the authority to order the gendarmerie to help in a city, under unusual circumstances, or the police force to help in the rural countryside, as granted by the 1881./II. Article of Law. This rarely occurred, and was only necessary when the gendarmerie or the police did not have adequate men to carry out an assignment. If the Ministry determined

that additional help was needed to provide security and order, it could call for assistance also from the army to support the gendarmerie and police.

4. During time of war, the Royal Hungarian Gendarmerie had to provide the same level of safety and security as in peacetime, but this duty became considerably more difficult. In addition to the increased level of usual crimes, there were special, war-related crimes: espionage, sabotage, desertion, betrayal, sedition, as well as increased activities of both the communist and extreme right-wing parties. To make things even more difficult, the gendarmerie had to perform all its increased and challenging duties with a decreased manpower. This was due to the fact that officers and enlisted were assigned to army units, providing the same type of service there as do American M.P.s, except the gendarmerie had no involvement with POWs or civilians in occupied territories. Their service was restricted to maintaining order and safety in the units to which they were assigned.

The gendarmerie did not provide front-line combat units with the exception of a single unit, the Galanta Gendarmerie Battalion, which was equipped with light and heavy infantry weapons. Its purpose was to train reserve troops. The army central command eventually assigned this battalion to the defense of Budapest in the fall of 1944. There were a few other smaller units for the training of gendarmes for their law-enforcement and order-keeping duties. These were supplied only with rifles, pistols (not machine guns), bayonets, and swords, and not equipped for military combat. Nevertheless, in the summer of 1944, the German High Command inserted them in critical situations especially when retreating. In each of these instances, the Hungarian Internal Affairs Ministry submitted written complaints to the German command, but usually to no avail. As the Russians advanced, the gendarmerie lost 2/3 of its service territory and was forced to retreat from the Bolshevik invasion to the western part of Hungary. Remnants of these garrisons would unite to form small units, but they eventually suffered the same fate as their original garrisons.

5. The above situation threatened the complete whittling away of the gendarmerie, that painstakingly and sacrificially trained excellent corps. The gendarmerie assigned to intense engagements resulted in nearly all of them being killed in action. For this reason, the Hungarian Central Command decided in the latter part of 1944 to transfer the remnant of the gendarme training and organizational units to Germany. By March of 1945, approximately 50 officers and 1,000 gendarmes were relocated to Germany.

At the same time, gendarme and police family members, wives, children, parents, siblings, and other civilians also fled to Germany, as there was no longer room for them in Western Hungary, which was now under the immediate danger of being overrun by the Red Army. The Red Army's treatment of Hungarians in occupied territories was no different from the hordes of Genghis Khan. The families had to be rescued from being killed.

So, the purpose of transferring these gendarmes to Germany was to prevent their total annihilation, and to preserve a ready-to-use corps for police work, in the event that there was a change in the course of the war and the Hungarian territories were freed from the Red Army. Also, the gendarmes were to provide protection of the families and civilians from German abuses.

At the end of March of 1945, all gendarmes and gendarme units were ordered to leave Hungary. There could be no other way, since the gendarmes were considered soldiers and the Russians would have taken them as POWs. Not only the gendarmes, but Hungarian Parliament

members, administrative, legal, railway authorities, hospitals, etc. also left Hungary at this time, just as in Poland in 1938.

Upon crossing the border, all central command and leadership ended. The German authorities, particularly the Nazis, treated the Hungarian gendarmerie as enemies, robbing them and taking their weapons. This took place in early April of 1945. From this point on, you could not speak of the Hungarian Gendarmerie as a functioning organization any longer. The gendarmes slowly dispersed into Southern Germany. They were no longer involved in any official service, and lived simply as civilians.

I am not aware of a single incident where a gendarme or gendarme unit fought against any western forces, and I completely rule this out as a possibility. At the same time, I cannot deny that the gendarmes who took part in the defense of Hungary against the Red Army from 1944 through the end of the war carried out their responsibilities valiantly and faithfully.

6. There were rumors that the Hungarian Gendarmerie not only took part, but played a major role, in the overthrow of Hungary's regent Miklos v. Horthy on October 15, 1944, and the establishment of the rule of Szálasi in his stead. In fact, that event was, first of all, the conspiracy of the German ambassador Veesenmeyer with Winckelmann, the commanding officer of the SS, along with German SS soldiers and the rabble of society enticed by the Arrow Cross Party. Only a single unit of the Hungarian military took part in the coup, the same battalion, considered most reliable, that was ordered to come to Budapest for defense of the government. The gendarmerie's commanding officer, General Gábor Faraghó, was at that time in Moscow under orders from Adm. Horthy to discuss a cessation of arms with the Russians. One of the General's closest colleagues, General Endre Temesváry, acting senior commander during the absence of General Faraghó, was arrested October 15, and kept under guard for 3-4 days.

In my possession, I have a letter by Regent Horthy written February, 1950, in his own hand. In it, he names the Royal Hungarian Gendarmerie as the best Hungarian establishment, and expresses his hope that in the event of Hungary's liberation, all former members of the gendarmerie, regardless of age, might be reinstated. I believe that Regent Miklós Horthy, now deposed five years, clearly was well aware of who was responsible for his tragedy and would not have made this written statement if the gendarmerie had any part in his October 15 fall.

The only complaint that can be brought against the Hungarian Gendarmerie is why they carried on their service after October 15 under the new leadership. In this regard, it could only have done what all other government institutions, agencies, authorities, police, Parliament, judiciary, and military did: remained and continued to fulfill their responsibilities. We cannot forget that Regent Horthy absolved them of their oath, and then everybody had a choice of swearing allegiance to the new regime or count on being immediately arrested. We must also keep in mind that the new administration paid close attention that its government appear to be a continuation of the previous constitutional and legal government, seem to be a coalition government, retaining 3 or 4 ministers from the prior administration who were not members of the National Socialist Party, all while the Bolshevik's artillery was already at Budapest's gates. In this situation, no one wanted a civil war.

7. On March 17, 1944, Hitler's forces, mainly the SS and police, formally occupied Hungary. On this day, Hungary lost her independence. Nazi advisors or liaison officers were attached to every ministry, command center, police station, and to the gendarmerie. From that moment on those individuals were in charge and had the power in their hands. The Germans

demanded that Hungary now begin to resolve the Jewish problem, that is, the transfer of the Jews to Germany or other locations under German control. According to this demand, the Ministry of Internal Affairs ordered the gathering of Jews into ghettos and transporting them by train to designated locations. Since the government did not have its own party organization, the Ministry ordered the police in Budapest and the gendarmerie in the rural countryside to carry out these statutory rules. In the Ministry of Interior Affairs, László Bakó and László Endre directed these actions. Lt. Colonel László Ferenczy was responsible for carrying out the orders. These three persons, and Andor Jaross, secretary of Internal Affairs, were responsible for the issuing of orders for the relocation of Jews. All four paid with their lives for their actions. They were hanged in Budapest.

The police and the gendarmes only executed lawful orders. Their duty was to escort the Jewish families from their homes to the ghettos, guard them there, from there to escort them to the train depot, and escort the trains to Hungary's border. In the background, there were the SS soldiers with their dark gaze and machine guns, overseeing that the operations went as ordered. The gendarmerie had never been trained for such duty. They considered this assignment disgraceful and humiliating. Nevertheless, they had to carry out the order because there was no legal basis to refuse the order. Unfortunately, it's undeniable that there were occasions when a gendarme overstepped his authority or used excess force. These individuals were held responsible for their actions and nearly all paid for it with their lives.

Regarding the transportation of Jews from Hungary, I would like to state a few facts:

- a. The whole affair was forced upon Hungary by the German government. They occupied all of Hungary and all authority was in their hands.
- b. The carrying out of the whole ordeal was in the hands of the Ministry Of Internal Affairs. Ferenczy was given wide latitude and full power for its completion.
- c. Carrying out this order did not involve all of the gendarmerie, only some parts of it. Many gendarmes had no part or only a tangential part in the operation. For instance, the gendarmes serving in army units or on the front lines were physically distant from the whole action and had no part in it whatsoever. The same was true of gendarmes in command centers, training centers, or in garrisons where there were no Jews, or in case of gendarmes, who were on leave or sick leave. There were also gendarme garrisons, in whose district only three or four Jewish families lived. In these, the garrison commander received the order to escort these families to the nearest ghetto. He had to obey that order, but with that, all his involvement ended.
- d. It is clearly seen from above point 7 and above points a-c that:
  - I. The gendarmerie is not responsible for the orders for the deportations.
  - II. Only certain parts, and not the whole of the gendarmerie, took part in carrying out this order.
  - III. Those gendarmes that took part in carrying out the orders are responsible for their actions only if they overstepped their order and authority and acted aggressively or unlawfully.

From all the above, only one logical, objective conclusion can be made: **there is no basis for making the gendarmerie collectively responsible or guilty.**

Placing the blame for the forceful deportation of Jews in the summer of 1944 on the gendarmerie is just for show. The root of hatred against the Gendarmerie is found in something else. It resulted from the Gendarmerie's irreconcilable attitude toward the Bolshevik worldview,

and its tireless, persistent, effective, and lawful struggle against the Hungarian underground communist movement from the end of WWI through WWII.

This anti-Bolshevik stance is not any different than the stance of Mr. Churchill, for example, or FBI Director John Edgar Hoover, or some American senators. They are just fortunate enough not to be living among us as DPs [Displayed Persons], because then they could have been stripped of their DP status, too.

Signed:

Attila OLCHVARY MILVIUS (see his signature of the German Memorandum)

Generalmajor a.D.

der kgl. ung. Gendarmerie

### **Comment**

The Gestapo arrested Brigadier General Endre v. Temesváry, the Budapest Gendarmerie and Police Commanding Officer, early on October 16, 1944. They took him to 2 Istenhegyi Road, where he also met with arrested Colonel Gyula v. Király, public security division chief of the Ministry of Internal Affairs, whom they held in various detention centers until December 6, 1944, when they took him to Germany. He was freed by American forces.

Initially, the Germans wanted the Internal Affairs Ministry to carry out the “solution to the Jewish question,” but Colonel Király refused, saying, “the Jewish question is not a public security issue.” Therefore, the Ministry gave the authority over Jewish matters to under-secretary László Endre.