

Speech of Minister Trócsányi László
on the Remembrance Day of the Hungarian Victims of the Holocaust

April 16, 2019

Budapest, Páva utca Holocaust Memorial Center

Esteemed Commemorating Crowd,

We are remembering with our heads bowed so that then we can lift our gaze. We have to bow our heads to the memory of the close to 600,000 Jewish compatriots of ours and those of a Jewish origin and to the pain of the survivors. And then we have to lift our gazes in order to confront our past and to read the present and look forward into the future. In the forewords of the publication titled *Belated Remembrance* about the lawyer victims of the Holocaust I wrote the following “We cannot and it is not enough to remember once. Who would not visit the graves of their parents and grandparents again and again? Remembrance has a culture.” This is why Imre Kertész - in a paradox way - spoke about Holocaust as a culture, all be it the Shoa itself was a denial of every kind of human culture and civilization.

The Holocaust is the pain of every benevolent person. It is a wound in the history of humanity, which will leave a scar forever. It will remain ineradicable in our conscious, in the consciousness of humanity even when we will no longer be around. What we can do today after so many years is to keep the memory alive and to recall again and again how this wound was inflicted. First and foremost, to insure that humanity does not commit the same sin again.

Esteemed Ladies and Gentlemen,

this day is an anniversary which is not about pride or happiness; it reminds us of terror, of suffering, of occasional heroism and of the unexplainable. It talks about creeping injustice which only in our country meant hundreds of thousands of people losing their lives. They were children and mothers, siblings and husbands who experienced this deprivation of their rights, who were taken into forced labor or concentration camps and most of them never returned. We owe gratitude to those who attempted to help. Sometimes risking their lives to do something that they believed in their hearts to be correct. They felt what we know by today that what happened could not have happened, had everyone protested.

Many of the leaders of free Hungary after the change of the political system have talked about the disgraceful role of the Hungarian authorities in the Shoa. Perhaps it is fitting that I should hear in a synagogue quote from the Bible the words of the Prophet Daniel to beg apology “Oh, Lord righteousness is yours but shame is on us.” (Daniel 9,7 – transl. Károli Gáspár)

I would like to reiterate in order for us to be able to walk with our heads high we first need to bow our heads. This is why as a Minister I lit a candle on the 70th anniversary of the liberation of the Budapest synagogue and ghetto. On behalf of the Hungarian government I inaugurated the rebuilt synagogue in Mád. In my hometown, Szeged I spoke at the opening of the Jewish cultural festival. On the 150th anniversary of the adoption of the 1867 emancipation act we organized a conference to remember the contribution of Jewish legal scholars to Hungarian legal sciences.

Together with my Austrian and Slovak counterparts we unveiled the memorial plaque to the Jewish victims murdered in Ligetfalu close to Bratislava.

As a Minister of Justice it is my special responsibility to nurture the memory of all the victims of the Holocaust and every other dictatorship. Because through the Holocaust and other injustices it was not only the victims but Hungarian constitutionality and the rule of law that received an almost mortal wound. The fact that we have managed to recover, that we are here today and pay our respects is thanks only to Divine intervention.

Remembrance is about the present and perhaps even more about the future. The Holocaust affected the entire Hungarian society. Many have compared anti-Semitism to a kind of a virus that is capable of encapsulating itself and then of mutation to infect again when our attention dwines. This is why it is important to keep the flame of remembrance alive. And this is not only true for Hungary. Let us be reminded of the attack on the synagogue in Pittsburgh, committed in a country where Jews have traditionally felt safe at home where European anti-Semitism was unknown for a long time. I was an Ambassador in Paris during the time of the horrible terror attack in Toulouse where children and fathers were murdered purely because they were Jews. I still remember the events with shock.

Several of the global problems nowadays are related to hate speech and its propagation via the internet. This is why we have to use tools of law and legislation against it. It feels me with satisfaction to say that in 2016 I could organize an international conference together with the Israeli Minister of Justice in Budapest on

this topic. I believe not only in my capacity as a statesman but also as a university professor that beside individual states the European Union and the international community also have role to play in action against hate speech.

Esteemed Ladies and Gentlemen,

Let us admit that at a remembrance like today the most important question whether said or unsaid is the following: How can we prevent such a tragedy from happening again? This remembrance can be a partial response. However, for us to remember how humanity suffered this horrible wound this remembrance has to be imbedded in our culture, education and upbringing. It was the decision of the first Orbán Cabinet twenty years ago that April 16 should be a memorial day in schools as well. There are schools where survivors are invited on this day to talk with the students. But what will happen when we will not have any living survivors among us anymore? Our responsibility will increase.

By virtue of my office I am responsible for insuring that law and legislation are ready to meet the new challenges. Let us only stick to the example of hate speech. The freedom of expression is a classical liberty which was accorded unlimited protection for a long time. If somebody uttered something anti-Semitic then it was one of many possible opinions and could actually be protected. However, if somebody is insulted because of their belonging to a community or a minority then every member of this community could feel hurt in their dignity. And the keyword here is dignity which is a central notion in the Hungarian fundamental law and has

also become a limiting factor in the freedom of opinion and expression in our legal system.

The Hungarian Constitutional Court has ruled that anybody committing hate speech attempts to marginalize the targeted community and its members in the society and to question their dignity as being equal to that of others; thereby declaring members of the community to be inferior and exposed. Every single survivor of the Holocaust starts their story by saying “If it did not begin in the gas chambers...”

Hungarian legal development – in accordance with international trends – has also taken a note of this. One of the innovations of the Hungarian Civil Code is that any member of a community may act against any expression of opinion which attempts in general to incite hatred and may litigate even if this attack was not against them personally. With this measure the Hungarian legal system has acknowledged the right of dignity to be not only that of individual but also of a whole community.

In recent times acts of Holocaust denial and other similar acts were also penalized by criminal law. This was not easy, there were lots of debates about it and let us not forget that in Hungary it was the Orbán government that managed to first manifest this in a constitutional way. The symbolic significance of this is increased further by the fact that we are aware of the cutthroat European debate on hate speech in the media. We can discuss at length about the details and there is a fundamental significance for the system of sanctions that are set forth in media law. The media authority in this framework will penalize any statements that did not respect equal human dignity or attempted to incite a prejudice against a given group. I believe that the easiest way to prevent the atrocities if we respect the dignity of every

human. Even if it is not that easy despite of all the knowledge and experience we have.

One of the main tools of attack against human dignity is the fake news spread on the internet. Authors of these fake news usually hide behind alter egos or are trolls. Their activities are often transnational and consequently national and international legal regimes have to keep up against them if they want to have sanctions. The European cooperation in this sense is quiet promising.

Esteemed Remembering Crowd,

The Hungarian government says no to anti-Semitism and to every form of racial, religious or ethnic hatred. The government condemns every kind of anti-Semitic act and will raise its voice against reviving anti-Semitism and any new forms of it. We have at our disposal the legal instruments to act against anti-Semitism. However, law in itself is necessary but not sufficient for our objectives. Law usually is more efficient when a kind of behavior needs to be penalized or sanctioned. But in order to not have anti-Semitism it is not enough to say no, we also have to be able to say yes; yes to mutually getting to know one and other, to mutually respecting each other's dignity and to a culture that builds on mutual appreciation. This is what derives from our shared Jewish-Christian heritage. This apart from good legislation and law application also requires the undertaking of the civil society, churches, religious communities and every benevolent citizen.

Let us bow our heads in memory of the victims and remind again that we want a Hungary and a Europe where nobody has to fear their lives or dignity because of

their origins, because in case necessary they are protected by law and by compatriots who stand by them.

Thank you very much for your honoring attention.