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WOMEN AS VICTIMS AND PERPETRATORS IN WORLD WAR II

THE CASE OF HUNGARY

Serendipity according to Wikipedia, one of the first research addresses in our digital age, is “a propensity for making fortunate discoveries while looking for something unrelated”.¹ In this paper I would like to argue against serendipity, claiming that yes, there is an underlying concept behind all those occurrences, especially in the case of the two case studies I will be describing in this paper on the dynamics of gender regimes after WWII. The first one I will be presenting is the case of transitional justice in Hungary after WWII where I analyze its activity and the characteristics of the activity of the people’s tribunals. The second case study is the rapes committed by the soldiers of the Red Army in Hungary. I will conclude with describing the general characteristics of gender regimes after WWII.

I would like to start this paper by asking the question: What is the case for serendipity in the case of women as victims and perpetrators?

My present work is on post-WWII trials, the people’s tribunals.² For illustrating my point first I need to summarize the characteristics of this legal process after WWII in Hungary. Hungary was an ally of Nazi Germany where with the solid cooperation of the Hungarian state apparatus, the quickest deportation in the history of the Holocaust took place in 1944, claiming 500.000 lives in two months. After the deportations stopped, the Regent of the empire, Miklós Horthy made a last attempt to exit from the war but his attempt failed on 15th October 1944, and the Arrow Cross, the Hungarian Nazi Party, took over for the last bloody and tragic ten months of the war.

¹ <http://en.wikipedia.org/wiki/Serendipity> (last visted 15 September 2011).

² Andrea Pető, ‘Problems of Transitional Justice in Hungary: An Analysis of the People’s Tribunals in Post-War Hungary and the Treatment of Female Perpetrators’, *Zeitungsgeschichte*, 34, 6 (2007), 335-49.

The country was liberated by the Red Army after bloody fighting and tens of thousands of rapes were committed by the soldiers of the Red Army. In the postwar period the question was raised: How to deal with the collaborators and war criminals? Not only the country but the society was in ruins; social solidarity was non-existent. The number of court cases was between 27.000-60.000 depending on which historians you are reading.³

The uncertainty in numbers itself legitimizes the quantitative approach we are taking in our present research project. I am co-directing a research project on quantitative historical analyses of the people's tribunals with Ildiko Barna, entitled "Memory of WWII and Transitional Justice".⁴ Based on the compiled file of data we will be able to give the background of war criminals and show how the Hungarian juridical system worked, what kind of crimes were committed during WWII, and how the survivors used and shaped the juridical system.

The people's tribunals: characteristics and their consequences

As far as temporality of the political justice is concerned, the timing of the trials was crucial for two reasons. First, the trials started in February 1945 in Budapest, when in the western part of the country the Arrow Cross still ruled. The court processes were very much dependent on when they took place. The earlier the trial was scheduled, the surer it was that the verdict would be very harsh.

The Law on people's tribunals was amended several times. The changes were all pointing towards further regulation of the activity of the tribunal, first it was only a decree, and then a law. The process began with the adoption of Act VII of 1946 in the Criminal Law Protection of the Democratic Order of the State and the Republic, which incorporated a rather broad definition of so-called "anti-democratic statements". The legal situation was altered, and the people's tribunals became players in the broader

³ For more on the political justice in Hungary after WWII see László Karsai, 'The People's Courts and Revolutionary Justice in Hungary, 1945-46', in István Deák, Jan T. Gross, and Tony Judt, eds., *The Second World War and Its Aftermath* (New York: Columbia University Press, 2000), 137-51; and István Deák, 'Political Justice in Austria and Hungary after WWII', in Jon Elster, ed., *Retribution and Reparation in the Transition to Democracy* (Cambridge: Cambridge University Press, 2006), 124-46.

⁴ The project encompasses a research team of 10 researchers working on analyses of people's tribunal files in Budapest. The samples are taken using stratified random sampling: 500 files have been randomly chosen from a total number of available files (70.000). The results will be analyzed by SPSS in order to analyze a wider impact on the formation of Hungarian historical memory by introducing solid empirical evidence in the heated public debate about Hungarian war guilt or, to put it differently: to restore history to memory.

political chess game in which the communist ruled Ministry of Interior and the police were more interested in so-called anti-communist activity than in hunting down war criminals.

As far as the locality of post-war political justice is concerned, there was a big difference in the country in how the people's tribunals operated. In some counties or cities where the pre-war elite did not escape with the Arrow Cross thugs to the West because of the approaching Red Army, they kept their positions in the local administration till 1947. They used their positions to hinder or even to push back the communist driven legal machinery, seeking to maintain the status quo, and not to punish those who were actively involved in the WWII crimes. In territories however where the local elite escaped, the change happened more smoothly, and war crime verdicts were taken more quickly and harshly.⁵

As far as the structure of the people's tribunals is concerned, the Hungarian people's courts had a unique characteristic in comparison with other countries in Europe, even with the transitional justice of other countries under Soviet occupation. The decree on the people's tribunals, and later the bill about setting up exceptional courts were drafted by a lawyer who had lived for decades in exile in the Soviet Union and who actually wanted to transfer the Soviet type of exceptional court system to Hungary. He did succeed with all its consequences in introducing new institutions of criminal justice into the totally discredited Hungarian legal system. But this institution of people's tribunals which existed between 1945 and 1949 and later was renewed after 1956 to oppress the 1956 revolution, was a target of legalistic criticism as it was established apart from the totally discredited Hungarian legal system based on principle of retroactive justice.

And lastly, the issue of public participation should be examined. In the case of Hungary there was no public participation in the post-WWII legal processes. Lynchings, which were artistically represented in the renowned movie of "Novecento" (1976) by Bernardo Bertolucci, or in the photos by Robert Capa in France about the public shavings of collaborating women were absent in Hungary. In Hungary there was no partisan movement and the people's court was comprised of delegates from the five democratic parties which were operational before and during WWII, the communists being one of them. The process was ruled by the legal language of the

⁵ See more on the history of WWII in Hungary: Mária Ormos, *Hungary in the age of the two World Wars, 1914-1945* (Boulder: Social Science Monographs, 2007); and Nándor Dreisziger, ed., *Hungary in the Age of Total War, 1938-1948* (Boulder: East European Monographs, 1998). About gender history of WWII see Andrea Pető, 'Gendered Memory of Military Violence in Eastern Europe in the 20th century', in Sylvia Palatschek and Sylvia Schraut, eds., *The Gender of Memory. Cultures of Remembrance in Nineteenth- and Twentieth-Century Europe* (Frankfurt am Main: Campus Verlag, 2008) 237-53.

court, with the consequence of shaping the language of the memory of WWII. The consequence of all this was an unpredictability of the procedure. In my present research project, we are looking at the files of 70.000 perpetrators who stood before the people's court of Budapest and we are comparing their verdicts. What is obvious from the records is that for the same crime different punishments were given depending on the following factors: time of the trial, if the defendant had a paid lawyer, and, more importantly for the argument of this paper, gender.

Gender regimes and people's tribunals

To start the gender analysis we can take an easy approach: simply counting how many women were present. It is not difficult to count women in legal institutions. Women were not allowed to enter into law schools till 1945 except during the revolutionary Károlyi government (1918-1919) for half a year. Those who were admitted with special permission could finish their legal education. Women who managed to graduate either worked as individual lawyers, benefitting from the flexibility of working hours (as did Margit Ungar who was the first female lawyer in Budapest admitted in the Bar Association in 1928, followed shortly by Lilly Gaspar in 1931), or they worked in the field of social affairs as did Erzsébet Koncz in Kecskemet. After 1945 Erzsébet Koncz served as a people's attorney since she had a 'clean' past as a woman. She 'only' was involved in non-political cases before WWII. Outside of these few exceptions, women were generally judged by men, with however one additional exception, namely, a handful of women from the illegal communist movement who served as judges delegated by the communist party. The number of women as perpetrators can also be counted.⁶

In my research on the Arrow Cross women's movement, I selected cases where women were tried by people's tribunals in Budapest. Thus, my research covered the documentation of 6.260 cases heard by the people's tribunals in Budapest – and roughly in 10 per cent of the total number of cases, the perpetrators were women. This is a very high number because if we compare it with the percentage of women today, more than 50 years later, in public life (for example, in the Hungarian Parliament) the numbers are the same. When analyzing the court trials, the traditional women's historical approach – quantifying how many women were present – does not lead anywhere.

⁶ Pető, Andrea, 'Arrow Cross Women and Female Informants', *Baltic Worlds*, 2, 3-4 (2009), 48-52.

The first aim of gender politics in the courts was to reconstruct gender hierarchies. At the trials, a much-repeated and rather successful argument was that the accused had been acting under the influence or pressure of others. In the case of accused women, this argument worked particularly well – especially when they had to answer for their crimes to male judges. Women who claimed to have been acting under the influence of their husbands received more lenient sentences than did other women who admitted to intentional deeds of their own volition. In the case of men, indictments were fitted to individuals and paid lawyers offered the possibility of an escape from the rigors of the justice system, whereas in the case of female perpetrators, the ‘femaleness’ of the accused parties, as a defense category, held out the prospect of a more lenient sentence.

The second aim was to discourage women from participating in the public sphere. As a witness noted during the trial of a woman who was convicted because of her alleged membership in the Arrow Cross Party: “My husband noted how ugly it is for a woman to be politically active – a member of a party who wears its symbol.”⁷

This quote refers to the metaphorical ugliness of these politically engaged women.⁸ The perpetrators had become ‘men’ and thus were not ‘pretty’. Those women, who admitted to a political role, knew that they were confronting official expectations, and that this would have its consequence: a more serious conviction. During the lawless period of the Arrow Cross rule, social gender roles were mixed up. The people’s tribunals sought to re-establish the traditional gender hierarchy.⁹

Thirdly, we should analyze the confessions given in front of the courts.¹⁰ I have read a lot of documents in files where the complainants, witnesses and the perpetrators were all women. In general I can say that a

⁷ Historical Archives of the Hungarian State Security (further ÁBTL) V-55964: 10.

⁸ See more on “ugliness” Andrea Pető, ‘Who is afraid of the “ugly women”? Problems of writing biographies of Nazi and Fascist women in countries of the former Soviet Block?’, *Journal of Women’s History*, 21, 4 (2009), 147-51. Thereafter Pető, ‘Afraid of Women’.

⁹ Andrea Pető, *Hungarian Women in Politics 1945-1951* (New York: East European Monographs, 2003); and Andrea Pető, ‘Frauenvereine in Ungarn (1945-1951). Vom Ende des Zweites Weltkriegs bis zur Zerstörung des Vereinswesens’ [‘Women’s associations in Hungary (1945-1951). From the End of World War II until the destruction of clubs and societies’], in Irene Bandhauer Schöffmann and Claire Duchens, eds., *Nach dem Krieg. Frauenleben und Geschlechterkonstruktionen in Europa nach dem Zweiten Weltkrieg [After the War: Women’s Lives and constructions of gender in Europe after World War II]* (Herbolzheim: Centaurus Verlag 2000), 138-54.

¹⁰ More on this: Andrea Pető, ‘Historicizing Hate. Testimonies and Photos about the Holocaust Trauma during the Hungarian post-WWII Trials’, in Naci Adler and Selma Leydesdorff, eds., *Evidence and Testimony* (New Brunswick: Transactions Publisher, forthcoming).

lot of women, more women than men, testified in these trials. The witnesses were following the legal structure when they retold their memories about the violence they experienced during WWII: systematic robbery, denunciation and the murdering of their loved ones. Following the typology of Campbell, four types of memories were presented in the court: the testimonial memories of witnesses, the prosecutor's model of memory in the paradigm of truth and error, the defense's concept of mentality, and the judge's evidential memories evaluating the material of the court as evidence.¹¹ Each of them understood memory in a different way, and this, in turn, influenced how the emotions were shaped. Applying Campbell's analysis to the people's court trials, the built-in discrepancies relating to the construction of meaning during the trial caused the most dissatisfaction with the activity of the court among the various parties involved. Moreover, all parties returned home with a belief that they were 'right'. However, in the case of the witnesses: "memory functions both as a description of the traumatic injury and as a claim of a wrong".¹² And because she was the complainant, she could not be 'neutral' according to the logic of the court. Accordingly, the legalism disadvantaged women. The testimony is not an individual activity: it is constructed to impress the audience and to appeal to the community. The defense defines memory as a mentality, and questions not only its content but also its reliability. In the case of the people's tribunals, this also questioned the legitimacy of the procedure. The prosecutor was expected to check the relationship between the event and the recollection of the event. I know of no cases of witnesses or perpetrators changing their testimonies after being cross-examined by the prosecutor. If there was a change, it always happened following the intervention of prosecutors who were 'professionally' and politically convinced that the accused was guilty.

Especially in the initial trials in the first half of 1945, the tribunal did not assess the accuracy of the facts presented by witnesses or the legal framework in which these acts were judged. Therefore the defendants and their lawyers tended to apply "cognitivist, empirical epistemology"¹³, and this enabled them to successfully challenge the verdicts – particularly in the low-profile cases. Arguing with the 'weak women' defense often led to acquittal. The trials heard by the people's tribunals lasted for years. Because of the sheer numbers, many defendants were on bail until the verdicts were given. Moreover, they very often were living together with survivors

¹¹ Kristen Campbell, 'Legal Memories: Sexual Assault, Memory, and International Humanitarian Law', *Signs*, 28, 1 (2002), 165. Thereafter Campbell, 'Memories'.

¹² Campbell, 'Memories'.

¹³ Campbell, 'Memories', 168.

of the crime in the same house where the crimes had been committed. Nor did this contribute to a process of reconciliation in post-war Hungary.

Serendipity: stories and sources about sexual violence during WWII

I have written about the memory of the rapes committed by Red Army soldiers, comparing Budapest and Vienna.¹⁴ Based on the number of reported venereal diseases, I estimated the number of rapes committed in Budapest right after the liberation at around 200.000. But I also argued in my article that these numbers themselves will not tell us much: counting if somebody was raped repeatedly or gang raped raises not only arithmetical but also ethical questions for the researcher. Therefore, what is important is the question: in what framework are we talking about the phenomenon? I argued that silence around this phenomenon was a gendered silence. In the case of the rapes committed by soldiers of the Red Army I claimed that the meaning was determined by men and for women only silence remained.

In my work I have argued that there has been a “conspiracy of silence” around this historical phenomenon. At the time of my research, in the late 1990s, I was desperately trying to get as much information as possible about sexual violence after WWII. I was mapping where I could find information about the phenomenon: in police reports, in diplomatic notes (the deeply passive and disoriented Hungarian Ministry of Foreign Affairs sending notes to the victorious Red Army), and in health reports from hospitals where they were treating victims of rape and venereal diseases. I also interviewed survivors to collect oral histories of women. I did not have access to the military archive in Russia, so the minutes of the military tribunal cases against rapists of the Red Army were beyond my reach.

However, when I started to work on female perpetrators and the female members of the Arrow Cross, I found crucial and new documents about the rapes committed by the Red Army. In the next section of the paper I would like to answer the question of whether this was serendipity?

The first new sources I came across during this research were the reports filed by the Arrow Cross militia men in villages which they temporarily regained from the Red Army. They wrote detailed fact-finding reports about what they have found there. In the report they meticulously recorded

¹⁴ Andrea Pető, ‘Stimmen des Schweigens. Erinnerungen an Vergewaltigungen in den Hauptstädten des “ersten Opfers” (Wien) und des “letzten Verbündeten” Hitlers (Budapest)’ [‘Voices of silence. Remembering rape in the capital of the “first victim” (Vienna) and the “last ally” of Hitler (Budapest)’], *Zeitschrift für Geschichtswissenschaften*, 47, 10 (1999), 892-914.

atrocities committed by the Red Army with the hope that this would increase the will of the civilian and military population to fight against the bolsheviks. These reports had a very limited circulation, and as I pointed out before in the article on rapes committed by Red Army soldiers, the anticommunist propaganda of the Horthy regime prepared the population for the worst to come together with the Soviets. This ‘worst’ was the food rationing, which after the disastrous loss of the war would have been introduced anyway and the so-called common ‘usage’ of women. In this latter one, the gender politics of the Soviet occupation were present in the propaganda of the Horthy regime for decades, so when it really happened, when the country was occupied by the Red Army, it was not a big surprise, maybe only for the very few homegrown communists.

The second type of document I found during this research on people’s tribunals concerned the trials against those who actually reported to the authorities the atrocities committed by the Soviets. Among the people’s tribunal papers I came across very interesting documents. One person was tried because she was reporting the rape committed by the Soviets and she wanted to report it to the authorities. She was convicted for political agitation by the people’s tribunal. The same verdict was delivered against the person who reported drunken soldiers rampaging on the streets close to the garrison. Another person was convicted as a war criminal because he shot at a drunken Soviet soldier who was trying to rape his wife. Somebody else was talking about the Soviets in an unfavorable light, naming them as “drunken band” who were only interested in pillaging in the pub, and he was reported to the police and served several years of imprisonment. I had not thought of finding sources about rapes committed by the Red Army soldiers among the court files of war criminals.

Should we label the recovery of these documents as a case of serendipity? In both cases, the Arrow Cross reports and the trials against victims of Soviet military aggression during so-called peacetime, the decisive factor was the frame of remembering which either mutes or encourages certain stories and experiences to be told. The stories about atrocities committed by the Red Army are influenced by this frame of remembering as well as the female perpetrators.

When the Red Army was stationed in Hungary after 1945, there was no way for speaking about atrocities committed by the Red Army openly. The Red Army was allowed to be labeled publicly only as victorious. Only in private stories, in families in the literature, or by emigrant historians could this experience be spoken about, of course with a strong anti-communist edge. After 1989 the trend changed. Counter-histories became dominant histories, and after 2000 I found myself as one of the most often quoted historians by conservative and extreme right wing journalists. In the

months of February 1945 Budapest was liberated, and in April when the war for Hungary was finished. In their view I was a historian who really wrote about the suffering of 'Hungarian women'.

Frames of remembering: continuity and change

Remembering about the female perpetrators, however, followed a different path than the remembering of victims of sexual violence. A select group of female perpetrators were a part of the historical canon, fitted into writing history of post WWII history, I am arguing for in this paper. The antifascist and conservative historiography about WWII is fighting a fierce battle within itself with regard to selectiveness in the process making female perpetrators invisible so we do not have much difference between them. The extreme right historians, whose number is growing rapidly nowadays, are using information and communications technology to put together a hagiography of the Arrow Cross women on webpages. They are setting up a 'virtual' genealogy pointing out that these perpetrators suffered because of the communist *Justizmord* which fits into the general rhetoric of victimology and suffering of Hungarians under foreign rule. These web pages are also gold mines for the historians. I got the most interesting photos for my research on women in the Arrow Cross party from newly developed extreme right wing websites.

In accordance with the historical canon, the 'more famous' of the female war criminals and Arrow Cross women, such as the wife of Ferenc Szálasi, leader of the Arrow Cross party, as well as the well-known actress Sári Fedák, feature in the historical accounts, alongside the female perpetrators of the mass murder on Maros Street where the patients of the Jewish hospital were killed. This supports the fallacy that the Arrow Cross's female members were all middle-class and lower-middle-class women who, lacking their own professional aspirations, passively joined the party under the influence of male relatives, husbands, siblings and fathers. Or that, in addition to these misguided victims of male manipulation, as in the case of the murderers in the Jewish hospital located in Maros utca in Budapest, sadistic and insane women were members of the Arrow Cross – who then became pathological murderers.

I am arguing here again for a conspiracy of silence but of a very different kind of conspiracy. We know from the membership records of the Arrow Cross Party and also from the files of people's tribunals that women were present in high numbers. Who were these women and more importantly why were they omitted from the collective memory?

As part of our research, we processed the documents relating to women tried by the people's tribunal in Budapest. We made interesting observations about who were the missing perpetrators from the historiography.¹⁵ Based on our research it can be stated that twenty-one per cent of the women were born before 1896, more than a half of them were born between 1896 and 1914, and the remaining almost one-fifth after 1914. The data show that the share of middle-class women in this group was significantly higher – 20 per cent higher – than in the general population. Most of the accused were middle-aged women who had been educated and socialized under the Horthy regime.

Four-fifths of the women had been born in Hungary, while one-fifth had been born in areas ceded by Hungary to other countries under the Treaty of Trianon (1920). The proportion of women born outside Hungary was thus significantly higher than the 7 per cent share for the female general population. Coming from outside the country's Trianon borders (1920) may have been a significant factor influencing the women's political radicalism. The left-wing alternatives to a radical transformation of society – the trade union, social democratic or communist movements – were closed to these women, since for them the national question was of central significance. Thus, as the arena for their political activity, they chose political organizations that offered them social integration and a response to their grievances.

Analyzing the women indicted for war crimes by their occupation, we discover that a surprisingly high proportion of the women were classified as housewives, widows or aunts (46 %).

As far as occupation was concerned, we found two other relatively striking features. First, in 1945, 8 per cent of the indicted women were concierges or assistant concierges – whereas in the general sample their share was just 5 per cent. These women were the common criminals who had emerged from the lower middle class and working class and whose specific aim was to get their hands on Jewish property. The post-war authorities were better acquainted with the concierges; those that did not flee were the first to be reported on by ordinary residents, which meant that they were soon included in the justice mechanism. Second, in 1950, agricultural laborers were strongly over-represented: 14 per cent of the indicted were from this group, while among the general population their share was just 6 per cent. Thus, contrary to popular belief, not only members of the *Volksbund* were put on trial (most of them later were expelled from the country) but also large numbers of Hungarian peasant farmers.

¹⁵ Ildikó Barna and Andrea Pető, “‘A csúnya asszonyok’. Kik voltak a női háborús bűnösök Magyarországon?” [“‘Ugly women.’ Who were the female war criminals in Hungary?”], *Élet és irodalom*, 26 October 2007, 10.

The typical war crime committed by women was denunciation (*besúgás* and *feljelentés*). If we include the denunciation of Hungarian soldiers, then the category of ‘denunciation’ accounts for more than 50 per cent of the crimes committed by the women.

Is the case of missing female perpetrators a gap in historical memory or a conspiracy of silence? Why were they forgotten while men committing the same types of crimes were remembered? Answering this question, I would give three reasons to argue for a conspiracy of silence as far as omitting these gendered stories from historical memory. One of the reasons why female war criminals have been omitted from historical memory concerns the gender-typical characteristic whereby after World War II and with the demise of “matriarchy born in need”, women who violated the norm were dealt with in a public and exemplarily strict manner.¹⁶ Here we find a common point with the rapes committed by the Red Army. The war was also waged on women’s bodies. In the post-1945 public discourse, however, robbers, looters and murderers as well as the female relatives of party members made their appearance, because they fitted into a public discourse that sought to restore the male-dominated social order that had been upset by the war. So they were punished in an exemplary way.

According to estimates, 15.000 women were members of the Arrow Cross Party in Hungary. These women were active politicians in the fields of social work, and propaganda. It did not fit into the political mobilization rhetoric of the Communist Party to acknowledge that there was another mass party which had successfully mobilized women before, not to speak about the very unfortunate fact that both parties were targeting the very same social group. After 1945 the communist party conveniently took over those concierges or housekeepers who had been reporting to first the Arrow Cross and later became informants of the communist party. So it was not their interest to shed a light on the massive crimes committed by them.

The second reason for forgetting was that women with criminal records coming from the lower social classes who used the Arrow Cross movement to take vengeance on their adversaries or who sought to enrich themselves by taking the property left behind by Jews, could not be regarded as ‘success stories’ and so received less publicity. Most of the women convicted for war crimes were ‘ordinary’ common criminals; they were ignored by historians since they had no ‘political’ significance. They were non-historical actors, so they did not fit into the elitist political history writing. They did not leave documents behind and more importantly did not catch the attention either the mainstream or the feminist historians.

¹⁶ For more, see Pető, ‘Afraid of Women’.

The third reason is related to the specific complex character of the committed crime. Ethnic cleansing is also associated with crimes against property, since it provides opportunities for looting.¹⁷ As Norman Naimark has argued, ethnic cleansing is always linked with war;¹⁸ in the chaos, paramilitary units – in this case, the Arrow Cross – become the instruments of political leaders. The Hungarian society was never faced with the Holocaust as a social policy, while in this policy the ‘ordinary men and women’ played a very important role. The Hungarian society did not come to terms with its past. The main frame of remembering represents the Hungarian society as a victim. Therefore, those women who were actively participating in shaping their own future would not fit there.

At times of war, women are portrayed as loyal mothers and citizens who send their sons to war – or, on the contrary, as collaborators who are a threat to soldiers’ morals. The question is what to do and more importantly how to remember the women who do not fit into this framework of remembering?

Conclusion

After 1989, in Eastern Europe after the collapse of the hegemonic historical remembrance culture, different social groups supported their political claims with “just memories” which questioned the hegemonic leftist version of history writing.¹⁹ This type of newly emerging counter-canonized history writing in Eastern Europe was lenient towards these politically active women because they were persecuted by the communist legal system. Therefore, in this logic they were first of all the victims of the communist legal system. And only secondly were they war criminals. The narrative framework of victimology is a trap which creates mutually interchangeable social groups and which depends on political change.²⁰

¹⁷ Andrea Pető, ‘About the Narratives of a Blood Libel Case in Post Shoah Hungary’, in Louise Vasvari and Steven Totosy de Zepetnek, eds., *Comparative Central European Holocaust Studies* (West Lafayette: Purdue University Press, 2009), 240-53.

¹⁸ Norman Naimark, *Fires of Hatred. Ethnic Cleansing in Twentieth Century Europe* (Cambridge: Harvard University Press, 2001), 187-88.

¹⁹ For more on this see Andrea Pető, ‘New Differences? Competing Canonisation of History of WWII’, in Dietlind Hüchtler and Alfrun Kliems, eds., *Überbringen – Überformen – Überblenden. Theorietransfer im 20. Jahrhundert [Deliver – Transfer – Superimpose. Transfer of Theory in the 20th Century]* (Köln: Böhlau Verlag, 2011), 67-75.

²⁰ Andrea Pető, ‘Death and the Picture. Representation of War Criminals and Construction of Divided Memory about WWII in Hungary’, in Andrea Pető and Klaaertje Schrijvers, eds., *Faces of Death. Visualising History* (Pisa: Pisa University Press, 2009), 39-57.

Therefore as a conclusion I am suggesting a new approach, which might be a result of serendipity. In both cases: of sexual violence and of perpetrators during WWII, a better conceptual framework would be to think about emotions as constructs. Both the people's tribunals and the rapes committed by the Red Army constructed "emotional communities".²¹ Reading the recollections of the perpetrators and talking to their children, one gets the impression that the people's tribunals were passionate and violent places of revenge. On the other hand, talking to the victims and witnesses, the impression gained is one of fear and dissatisfaction. The analysis of the data in our database revealed that women were receiving harsher sentences for the same crime as men, with one exception: if they brought in the argument that they did it because they followed the order coming from a husband or brother. Then the court was ready to forgive. The matriarchy born in need was restored.

From the interviews I conducted with rape victims, it is clear that loneliness and isolation were the most important feelings on the topic: women as victims evaporated in the public discourse, losing agency. In both cases crimes remained unpunished which undermined trust in the legal system and in justice in general, which had far reaching consequences.

In the Cold War context, criticizing the process of the people's tribunals or mentioning the extensive number of rapes committed by the Red Army were also aiming at undermining the dominant antifascist historical narrative frame. This paper was an attempt to illustrate what are the consequences of the availability or rather non-availability of gendered narrative spaces. At the end, we can sadly state: serendipity does not work for post-WWII gender roles.

²¹ Barbara Rosenwein, 'Worrying about Emotions in History', *American Historical Review*, 107, 3 (2002), <http://www.historycooperative.org/journals/ahr/107.3/ahr0302000821.html> (31 July 2012).