



Maintenance of Order in the Honourable House – Establishment and Role of the Guard of the House of Representatives

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Abstract

The study aims to present the establishment, the development and the role of the Guard of the House of Representatives.

The House of Representatives was one of the most important scenes of the political skirmish in the age of dualism. This is well illustrated also by the fact that the contemporary publicists referred to it generally as ‘arena’. The study presents the Guard of the House of Representatives in detail, like in a historical documentary, and takes the reader through the whole spectrum of the period under consideration, from dualism to the present day.

The Guard of the House of Representatives had started working in 1913. The first years of its operation were influenced not only by the international events but also by the increasing internal political conflicts. Despite the difficulties, the Guard became one of the most important elements of the contemporary maintenance of order within some years. This is exactly indicated by the fact that its historical traditions were used also by the policing after the turn of the millennium.

Besides the main purpose of the study, the authors also aim to introduce the Parliamentary Guard, whose role is to continue the historical traditions of the Guard of the House of Representatives in the current political and administrative environment.

Keywords: public administration, dualism, Guard of the House of Representatives, law enforcement, Parliamentary Guard

Maintenance of Order in the Age of Dualism

The period between 1867 and 1919, this means from the Compromise up to the coming into existence of the Soviet Republic is an interesting part of the Hungarian history from several points of view. During the period that was called later as dualism, the Kingdom of Hungary was characterized by a dynamic development which had a significant impact on the economic activities, on the home and foreign affairs of the country and also on the structure of the society. The latter is also important because the previous system that was organized on a feudal basis was gradually replaced in these decades by the civil Hungarian state that laid new foundations also for the involvement of the state.

According to the expectations of the era, there were significant institutional changes in the public administration. This was important from the viewpoint of the maintenance of order because the building up of the civil state was accompanied by the first really significant development of the domestic institutions. This meant in particular the creation of new bodies, for example in 1867 The Hungarian Royal Finance Guard, in 1871 The Hungarian Royal Crown Guard and in 1881 the Hungarian Royal Gendarmerie were established. The most significant innovation of the period was, of course, the creation of the Budapest-Metropolitan Police by the Act XXI of 1881 that provided, in spite of its decentralized character, the creation of the state police, at the same time.

The organization of the law enforcement of the period was characterized by the integration of the tasks of law enforcement. However, this did not mean an exclusivity from the viewpoint of the co-operation of the different bodies but a close co-operation, according to tasks (Parádi, 2007). Beside the above-mentioned bodies, the law enforcement organizations of the Kingdom of Hungary included the so-called guards, the organization of penal authorities that was institutionalized in several steps, finally in 1906 and also the Guard of the House of Representatives. With these about nine law enforcement/police bodies had worked at the end of the era in our country. It is worth pointing out the Guard of the House of Representatives among these organizations that was set up by the political environment that characterized the era, and after its creation the same environment shaped its image.

Struggles of the Political Arena

It is indispensable to clear in connection with the Guard of the House of Representatives, in which form did the Hungarian legislation work in the era of dualism. With the Compromise of 1867 the Austro-Hungarian Monarchy was born with its dual system. Its countries were bound, beyond the ruler's person by the common army and the common ministries of foreign affairs, defence and finances. Both countries disposed of an own government and a bicameral parliament in this constitutional monarchy, the latter met in the capitals, Vienna and Budapest. The two cameras of the Hungarian legislation were the House of Lords and the House of Representatives. The members of the House of Representatives were elected in the individual constituencies, the deputies of Fiume and Croato-Slavonia belonged to them. On the contrary, the House of Lords was organized on feudal basis, according to the Act VII of 1885, this means it was made up of so-called members for life, determined by the Act VIII of 1886. The two bodies met separately, aside from few exceptions. It became a general principle, on the basis of the role of the two houses in the legislation that the effective political initiatives started from the House of Representatives. This is an important factor also because in this period the operation of the House of Representatives was far from being smooth. This had two fundamental causes: on one hand, the divided political environment, and on the other hand, the incomplete or contradictory character of the orders of procedure regulating the operation of the House of Representatives.

The polarization of the political life was caused by the fact that for well over the period between 1875 and 1918 the country was directed by the same political grouping, first called as Libertarian Party, and later as National Working Party. This was possible because when the Libertarian Party dissolved on April 11, 1906, without a legal successor, its previous members with the leadership of István Tisza established the political organization National Circle that later united with the National Constitution Party, and then in 1910 it was established as a party with the name National Labour Party.

Beside the above condition, the latitude of the opposition members was also significantly diminished by the aggressive actions of the governing political party. As an answer to this, they applied different kind of ways to block the legislative work, therefore the obstruction become widespread. This kind of behaviour of the deputies was supported by the fact that the orders of procedure divided the parliamentary consultation into three phases which in every case were followed by voting: the general debate of the bills on the agenda happened first, followed by the detailed discussion (frequently by Articles, maybe by letters) and finally,

mostly at the following sitting, followed the final reading of the bill. During the debate, the Chair of the House of Representatives had a special role, as he could call to order the members of the house if they had disturbed or hindered the undisturbed way of the debates.

The opposition however, despite the measures applicable by the Chair, in most cases blocked the debate of the bills effectively, in many cases by contributions lasting for hours, or, if at least 20 deputies initiated it, even by roll-call voting. In 1903, István Tisza was entrusted by the ruler to form a government. His firm purpose was restoring the respect of the governing party and taking actions against the obstruction that hinders the functioning of the parliament. He could finally achieve this on November 18, 1904, with the so-called handkerchief voting. In the name of the Libertarian Party, Gábor Dániel submitted the proposal for the modification of the orders of procedure. During the session held on November 18, 1904, after the contribution of István Tisza, the Chair of the House, Dezső Perczel, violating the orders of procedure, ordered an immediate voting on the proposal. According to the contemporary reports he waved his handkerchief. As the majority of the deputies did not understand the scene, they stood up that had the meaning of voting in favour, according to the practice of that time (to remain seated had the meaning of a voting against). Therefore, Perczel regarded the proposal as accepted, then he resumed the session and adjourned it. The members of the opposition, protesting against the aggravation of the orders of procedure let off steam on the furniture and broke the session room into pieces.

The law that was trickily accepted significantly diminished the latitude of the members of the opposition as the modification introduced two important changes: from there on it became impossible to slow down the legislation with time-wasting contributions, furthermore, if it was justified, the Chair could show the way out of the room to the obstructing deputies, even by using a police squad. The strengthening however did not meet the expectations as the problems in connection with the undisturbed operation of the legislation became more serious again after one oppositional cycle, with the victory of the National Labour Party in 1910.

After the formation of the government the fights among deputies flared up again, especially because of the significantly different standpoints of the governing forces and of the opposition, in connection with the law on armed forces. The bill was a significant point at issue for the deputies of the government and of the opposition because it would have raised the number of the recruits destined for the common army of the Austro-Hungarian Monarchy and also the military expenses. According to the standpoint of the governing party, the status as a great power of the Monarchy and also the safety of the Kingdom of

Hungary could be guaranteed by this. The opposition however did not accept this as in their opinion the Hungarian influence within the common army eclipsed.

The action of the opposition members could block successfully the voting on the bill for several months despite the fact that in 1910 the governing party acquired 61.98% of the credentials, this means it had an absolute majority in the parliament. The government that submitted the bill in May 1911. As it was impossible to find a substantive solution in connection with the law, the prime minister of the government, count Károly Khuen-Héderváry resigned on April 22, 1912. Following the formation of the government by the former minister of finance László Lukács the person of the Chair of the House also changed. István Tisza took over the function from the leaving Lajos Návay who from the beginning called for a more forceful approach against the opposition members. In the following period István Tisza used the forces of the Metropolitan Police in the interest of maintaining the undisturbed order of the sessions. § 14 of Act IV of 1848 made this possible that said that *'the maintenance of the order and silence is carried out by sergeant-at-arms, if necessary, employing the national guard'*.

The presence of the policemen became commonplace at the sessions of the House of Commons with the act of Tisza. They were commanded by Ferenc Pavlik, chief inspector of the Metropolitan Police. The presence of the police triggered a heated negative reaction of the majority of the opposition members, they expressed it in several cases with insulting the policemen and throwing things at them (Fazekas, 2008). Despite that the turn out of the expelled deputies in most cases was only nominally made by force as the words of Ferenc Pavlik to Gyula Justh, president of the Independence and Revolutionary of 1848 Party attest this. Justh was turned out from the session on June 7, 1912, with the demand: *'I ask Your Excellency with deep respect, be so kind to consider the fact that I touch You with my hand as violence.'*

Although, due to the strict measures the obstruction retreated but the violence did not cease to exist within the house. Its form and way were very different, from verbal aggression through physical violence as far as homicide attempt (Cieger, 2016). It was ordinary that the opposition members broke the session room into bits, however the case of Gyula Kovács, deputy of the opposition was qualified as a more serious incident than the previous ones. On June 7, 1912, he entered the room from the balcony of the journalists, pulled a gun and shot at István Tisza three times. The starting point of the incident was the mentioned law on armed forces. This was the topic of the session of June 4, 1912, when István Tisza, against the rules of procedure silenced the opposition members, deliberately ordered the voting of the bill, then he ordered to turn out the protesting deputies (among them Gyula Kovács) of the room. The attack followed

this. Tisza was not hit by any bullet but the scene did not end because Kovács wanted to put a bullet through his own head with the fourth shot. After the unsuccessful attack, the deputies of the governing party got him down and started hitting him.

The case had a serious echo in the contemporary press, first because of the very detailed reports, second because this was the first occasion when deputies used a shotgun in the session hall. This was the first attack against István Tisza that was followed by three other attacks. As several bills of the ruling party triggered a serious public outrage, therefore the order swarmed not only in the house but also outside. Demonstrations were started in front of the Parliament that was cordoned with the participation of policemen. The order of the square was guaranteed by the army and by deployed gendarmes. Policemen worked at the entry to the Parliament. During the entry they checked the identity of deputies, with the contribution of parliamentary clerks, hindering those deputies expelled from the sessions, as for example the mentioned Gyula Kovács, could not enter the building. The polarized political life influenced the public opinion, this is reflected by the fact that sometimes even the usage of policemen in the session hall was uncertain. The session on September 17, 1912, is a good example to this when the policemen had to raise the unmanageable deputies one by one from the benches during the spat of the deputies that lasted for almost four hours. During that action, one of the deployed policemen denied the turning out of the expelled deputies (Fazekas, 1994). The state of the contemporary affairs is characterized by the fact that after the policeman who denied the implementation of the instruction was fired from the police, he was employed in one of the domains of count Mihály Károlyi.

The establishment of the Guard of the House of Representatives

Because of the spreading violence and in the interest of reconstructing the operation of the Parliament, prime minister László Lukács on October 31 in the same year filled a bill that included the widening of the power of the Chair and the establishment of an armed guard under the direction of the Chair of the House of Representatives. The latter had naturally the stated intention to give to the Chair at last an effective means against the disturbing deputies of the opposition. The ruling party saw the necessity to establish the guard justified on the basis of the rules of procedure in force and also according to the following provisions of the Act IV of 1848:

§ 10. Sessions of both Houses continue to be public. Each House sets rules in the interest of the silence and order necessary for their discussions and for keeping the audience in full taciturnity and they strictly carry out their fulfilment through their Chairs.

§ 11. In this part it is ordered in advance that the audience must not disturb the consultation in any way.

§ 12. If a participant or the audience disturbs the discussion, and the one-time warning of the Chair is not successful, for the second time, with reference to the present law he can expel the participant or respectively the audience and he can make their seats closed.

§ 13. If this happened the discussion will be continued either that day or later, according to the majority's decision, but always in public.

§ 14. The maintenance of order and silence is carried out through sergeants-at-arms, if necessary, with the involvement of the national guard.

The House of Representatives discussed the bill on December 10 and accepted it the same day. The enactment took place on December 31, 1912, after the approval of the House of Lords and the royal assent (Orbán, 2012). The Guard of the House of Representatives started working on January 31, 1913, in the building of the Parliament on the basis of the Act LXVII of 1912, the effective service started on May 5, 1913.

Before the presentation of the guard's service activity, it is important to deal with the other conditions in connection with its establishment. We clearly regard the guards, this means the Hungarian Royal Guard, the Hungarian Royal Crown Guard and the Hungarian Royal Guard of the House of Representatives as integral parts of the Hungarian policing because the task and operation of any body determine its essence. The ability of the above organizations to any combat activity, their appropriateness for military defence against any external menace against our country or their ability to fighting activity against regular forces were naturally quite far from that what is fundamentally expectable from military organizations. The members of these bodies while they were individually qualified as soldiers, and their internal activity had a clear hierarchical military character, they had military ranks, their basic tasks were the defence of the internal order, the protection of the legislative body, of the highest public office and the crown regalia symbolizing the sovereign state power, to serve the tranquillity of the constitutional operation.

Quoting the words of József Parádi *'the attitude was general that the armed service of the homeland is not a profession but a mission, so the moral and material appreciation of the person having this mission corresponded to this'*

(Parádi, 2010). Belonging to the staff of the public staff, the guaranteed salary, the supply with medical and social services and with pension, in case of death the provision for the bereaved and the accommodation according to family and rank, all they meant an envied social status, because of the elite character of the policing bodies of the Kingdom of Hungary. The existence of the same factors made possible the application of higher level of expectations and requirements for the staff of maintenance of order at their admission and at the determination of their tasks. Beyond the human factors, the elite character manifested itself also in the material conditions, they were supplied with all means necessary for the successful fulfilment of task of the policing forces, with modern technical equipment, furniture, tools, and also with appropriate accommodation. As a result of the above the Hungarian policing organizations of the era worked on a high level. Despite their high-level militarization and bureaucratization, they could compete with similar organizations of any country of Western Europe, they did not fall behind them in any aspect. A generally accepted public bravery prevailed in the country.

Operation of the Guard

The Guard was subordinated to the Chair of the House of Representatives to maintain the inner order and to guard and defend the House of Representatives. It was organized from military or gendarmerie individuals applying voluntarily, it consisted of 56 persons. It was militarily organized, had two officers, one of them served as commander in the rank of field officer while the persons serving in the ranks consisted of six palace company sergeants and 48 palace sergeants (Zeidler, 2015). The Guard was not subordinated to the Ministry of Defence, it was not part of it, therefore the ministry had no right to direct or supervise it. The Guard disposed of its operating expenses, listed in the defence category of the state budget independently, without any say of the Ministry of Defence that was in fact involved (Parádi, 2017).

On the basis of the Service Instruction and Working Order, issued after its establishment and of the provisions of the Personal Rules, the abilities to write, read and count were among the expectations toward the palace guards. They had to be fit for military service, had to have a minimum height of 178 cm, had to be either not married or widowed without children. The degrees of rank of the field army that constituted a peculiar system within the military structure governed their degrees of ranks, through their status as a militarily organized guarding body. It is worth mentioning that between the two world wars the

degrees of ranks of the guards were not regarded higher than the same military degrees of ranks. Their uniform was completed with the longer, respect commanding sword of the infantry officers that was changed in service to the shorter cavalry sword. The purpose of this change was to make them easier to fulfil the tasks during the daily operation of the guards, as they had to move on plenty of steps within the Parliament and in the narrow space between the rows of the session hall (Tóth, 2003).

The guard with its decorated uniform continued providing its service activity on the basis of its task structure that was shaped in the period of dualism. Its dominant motive remained the parading character and the palace guarding activity. At the same time, the detective body of the Metropolitan Police provided the investigating, detecting and criminal activities of the armed safeguarding in the background that were less spectacular but indispensable (Parádi, 2017). If it was necessary to strengthen the staff or service of the guard in the House of Representatives, the Chair of the House of Representatives could use the contribution of the gendarmerie or the armed forces through the government, on the basis of the law on the establishment of the Guard of the House of Representatives (§ 4 of Act LXVII of 1912).

The presence of policemen providing the tasks of security commanded by municipal chief police inspector Ferenc Pavlik who was regarded as a daily visitor of the sessions of the House of Representatives, ceased to exist on March 15, 1913. The first incident of the Guard that was effectively established on May 5 did not take a long time because during its deployment on June 4 it had a serious conflict with a deputy of the opposition. When the government led by László Lukács resigned because Lukács was involved in a corruption case, the deputy commander of the guard, captain Vilmos Gerő, while they turned out the deputies expelled because of their disorder stroke with the flat of his sword the independence deputy Lehel Héderváry because the politician disparaged grossly the palace guard and its members. This form of violence was previously applied only for bringing the street demonstrators under discipline. The tempers were further inflamed by the deployment of force in the House of Representatives, triggering series of duels and other conflicts both within the Parliament and outside (Pollmann, 1997). The statistics of the Chair's interventions between May 1912 and April 1914 signs exactly the weight of the steadily occurring incidents in the house. This shows that 68 deputies were summoned to make amends to the Honourable House, 13 deputies were reprimanded, and the number of the expelled ones reached 1784 persons during 148 sessions (Cieger, 2016).

The task of the personal staff of the guard had the task, on the basis of the Act LXVII of 1912 *'to keep the audience in total silence'*, to maintain the order and

silence of the discussion and to execute the rules of procedure strictly. There was a direct phone connection between the Chair of the House of Representatives and the inspection of the guard, so when the Chair decided to expel any disruptive deputy, he informed the guard through this line. At this time the commander of the guard, fulfilling the instruction of the Chair, called upon the expelled deputy to leave the hall, he showed him out or, if the summoned did not obey, he could be turned out even by using armed force. Beside these the guard provided the service of the fire-guard and during the Second World War also the civil defence service of the Parliament (Fazekas, 2008).

De iure, de facto...

In connection with the guard that was criticised in several interpellations by the members of the opposition, deputy Gyula Sággy considered that the government turned the parliamentarism upside down, he regarded the palace guard as a limitation of the deputies' immunity. Beside however other kinds of criticism also touched the body. On March 13, 1914, in his interpellation to defence minister Samu Hazai, deputy István Rakovszky drew the attention to the tension between the military and civil societies, to the involvement of the army in the political life. Deputies Márton Lovászy and Móricz Esterházy stressed in their speeches that the law that created the guard speaks about a guard that is militarily organized and not about a military force organized as a guard. Therefore, they regarded unsustainable that a civil person, the Chair of House, could command soldiers belonging to a corps or exercise any personal powers on them (Orbán, 2012). It is possible to enumerate the critics on the operation or on the justification of the guard's existence for a long time that clearly shows that the staff (palace guards) of the newly establishing Guard of the House of Representatives had to cope not only with the fulfilment of the enforcement tasks but also with the burdensome political atmosphere.

The operation of the House of Representatives ceased to exist at the end of the Second World war, with the marching in of the Soviet troops, so the maintenance of the guarding body that guarded it became devoid. Together with this, when the Arrow Cross people decided to leave Budapest, László Baký evacuated the guard, as well. They moved in the direction of Kőszeg-Sopron and reached the border. They did not go any longer because their competence ceased to exist. They surrendered to the Russians with the assistance of a priest who spoke Russian and explained them that they were not a combat unit and they never shot at the Red Army. They got a free pass with the stipulation that they

should not use country vehicles, and with the instruction to return to their place of employment. They reached the proximity of Tata where Cossacks captured them. The Cossacks hoped for ransom and accompanied them to the internment camp of special captives at Székesfehérvár. One member of the guard could escape from there in an adventurous way, and showed up in the Parliament. He got the information there about the existence of the temporary national assembly in Debrecen. He showed up there, as well and reported about the captivity. Because of this, the camp at Székesfehérvár was instructed to release the unit but they were informed that they ceased to be a unit. Almost everybody went to seek their families so the guard dispersed in a spontaneous way.

The members of the guard were supposedly commanded to their original troops. Their task was fulfilled for a short time by the National Assembly Guard, then up to April 16, 1949, by the staff of the State Security Authority. The State Security Authority was a partly secretly acting state security organization of the Hungarian communist party-state dictatorship between 1948 and 1956. Its official tasks were to chase the enemies of the system, the defence of the system and of its leaders. The main purpose of the decision was to take out the guard from the supervision of the Ministry of Defence and to give it to the sphere of the authority of the Ministry of Interior (Orbán, 2012).

It is important to remark as a closing thought that the Guard of the House of Representatives was de jure never dissolved, its normal working ceased to exist de facto with the spontaneous dispersing of the personnel of the House of Representatives and of the guard. After the consolidation of the socialist system the Parliament was defended for decades by the Government Guard of the Ministry of Interior (later: Republican Guard Regiment). When the latter ceased to exist (June 30, 2012), the task was temporarily fulfilled by the Rapid Response and Special Police Services up to January 1, 2013. The newly established Parliamentary Guard started working at this time. It continues the historical traditions of the Guard of the House of Representatives. Its operation is currently determined by a cardinal law, Act XXXVI of 2012 on the National Assembly.

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Laws and Regulations

Act IV of 1848 on the annual sessions of the Hungarian Parliament

Act XXI of 1881 on the Budapest-Metropolitan Police

Act VII of 1885 on the modification of the organization of the House of Lords

Act VIII of 1886 on the fulfilment of paragraph 23 of Act VII of 1885 on the modification of the organization of the House of Lords

Act LXVII of 1912 on the establishment of the Guard of the House of Representatives
Act XXXVI of 2012 on the National Assembly

Reference of the article according to APA regulation

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