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# Deportation from the Szeged Brick Factory in the Summer of 1944

## Facts About and Survivors' Interpretations of the Functioning of the Special Jewish Council

### Abstract

To this day, the role of Jewish functionaries during the Holocaust remains highly controversial among scholars and a broader public. Immediately after the war, Jewish survivors already attached particular importance to the so-called Jewish collaborators. In the displaced persons' (DP) camps, Jewish courts tried Jewish functionaries, and in Israel the "Nazis and Nazi Collaborators (Punishment) Law" (1950) was designed to filter out collaborators, primarily from among immigrants. This article presents a case in Hungary. Immediately after the war, in May 1945, the Szeged Jewish Community launched an investigation against some members of the community. These members had, before the deportation of the local Jews in the summer of 1944, and on German orders, selected the persons to be deported on various deportation trains. The study shows that the survivors did not find the forced collaboration itself unacceptable. What they could not accept was that the members of the committee had carried out their task arbitrarily, with some redefinition of the sorting criteria. In this way, according to the survivors, they were actively involved in determining the fate of the deportees.

Jewish functionaries, whom many characterise as collaborators in the Nazi policy of annihilating the Jews of Europe, remain one of the most controversial and even provocative issues of the Holocaust, not only among lay people but also among researchers.<sup>1</sup> One absurd example of the controversy can be found in the 2014 publication by Michael Bazylar and Frank Tuerkheimer.<sup>2</sup> The two authors disagreed so strongly on the question of whether former Jewish functionaries should be prosecuted as perpetrators that they wrote separate conclusions to the book. According to Bazylar:

... municipal law or international law has no place in the grey zone. [...] I would not agree with the criminal prosecution of any Jewish survivor who acted as a kapo.<sup>3</sup> I do not believe that the laws of a secular state should have

1 I would like to draw attention to a few important works from the extensive literature on the subject: Adam Brown, *Judging "Privileged" Jews: Holocaust Ethics, Representation and the "Grey Zone"* (New York and Oxford: Berghahn Books, 2013); Evgeny Finkel, *Ordinary Jews: Choice and Survival during the Holocaust* (New Jersey: Princeton University Press, 2017); Doron Rabinovici, *Eichmann's Jews: The Jewish Administration of Holocaust Vienna, 1938–1945* (Cambridge: Polity Press, 2011); and Laurien Vastenhout, *Between Community and Collaboration: "Jewish Councils" in Western Europe under Nazi Occupation* (Cambridge: Cambridge University Press, 2022).

2 Michael J. Bazylar and Frank M. Tuerkheimer, *Forgotten Trials of the Holocaust* (New York: New York University Press, 2014).

3 The authors use the term Kapo "in its wider sense, referring to any prisoner in a concentration or labor camp given some supervisory function by the German administrators". Bazylar and Tuerkheimer, *Forgotten Trials*, 195.

been applied to this situation because of the extreme, in fact, inconceivable circumstances of Jews in the concentration camps.<sup>4</sup>

In contrast, Tuerkheimer says:

The trials we have covered in this book contain the testimony of concentration camp survivors who said they knew when a kapo did the minimum – a good kapo – and when a kapo went beyond that minimum, even in the absence of a Gestapo or an SS onlooker. [...] The fact remains that notwithstanding the horror of the camps, some kapos did just the minimum while others acted with brutality and cruelty beyond what was required. Thus, even in the horrid environment of the camp, kapos could make choices. Those who opted for the brutal should not escape punishment simply because they were Jews or concentration camp inmates. This is not to say that their punishment should be the same as that for an SS guard doing the same thing. Their status as kapos should be a mitigator in terms of sentence but not an exoneration for excess and needless brutality.<sup>5</sup>

This controversy not only divides researchers, and it has not only divided them in the twenty-first century. Laura Jockusch and Gabriel N. Finder have argued that Jewish collaboration with German policies was also a major concern for the Jewish public during the first two decades after World War II.<sup>6</sup> Collaborators were mainly considered to be members of the Jewish Councils and ghetto police, informants, and Jewish functionaries of the various Nazi camps.<sup>7</sup> In the displaced persons' (DP) camps, Jewish courts tried Jewish functionaries,<sup>8</sup> and in Israel a 1950 law – the Nazis and Nazi Collaborators (Punishment) Law<sup>9</sup> – was designed to filter out collaborators, primarily from among immigrants. In Israel, lawsuits were brought against collaborators under this law.<sup>10</sup>

Following the war, Jewish communities and organisations in both Eastern and Western Europe set up honour courts to investigate members of their own communities who were accused of assisting in the perpetration of Nazi crimes. These honour courts were fundamentally different from traditional rabbinical courts, in that they were explicitly secular organisations and operated quite independently of existing rabbinical courts.

As Rivka Brot has pointed out, however, Jewish courts – whether they functioned as honour courts in DP camps, in some European communities, or even as official state courts in Israel – took Jewish religious law, Halacha (in this case the *din moser*, lit. “law of the informer”), as the basis for their judgments, even if this was not

4 Ibid., 224.

5 Ibid., 224–225.

6 For more on this issue, see Laura Jockusch and Gabriel N. Finder eds., *Jewish Honor Courts: Revenge, Retribution, and Reconciliation in Europe and Israel after the Holocaust* (Detroit: Wayne State University Press, 2015), 1–27.

7 See, for example, Sara Bender, “Judenräte and Other Representative Bodies”. The YIVO Encyclopedia of Jews in Eastern Europe. 16 October 2024, <https://encyclopedia.yivo.org/article/252>; and Havi Ben-Sasson, “Ghetos: Ghetto Police”. The YIVO Encyclopedia of Jews in Eastern Europe. 16 October 2024, <https://encyclopedia.yivo.org/article/225>.

8 For more on this issue, see Zeev W. Mankowitz, *Life between Memory and Hope: The Survivors of the Holocaust in Occupied Germany* (Cambridge: Cambridge University Press, 2002), and Gabriel N. Finder, “Honor Courts”. The YIVO Encyclopedia of Jews in Eastern Europe. 16 October 2024, <https://encyclopedia.yivo.org/article/227>.

9 For the text of the law in English see “Law no. 64: Nazi and Nazi Collaborators (Punishment) Law, 1950”. International Humanitarian Law Databases. 16 October 2024, <https://ihl-databases.icrc.org/en/national-practice/law-no-64-nazi-and-nazi-collaborators-punishment-law-1950>.

10 On the use of the law, see Michael J. Bazylar and Julia Y. Scheppach, “The Strange and Curious History of the Law Used to Prosecute Adolf Eichmann”, *Loyola of Los Angeles International and Comparative Law Review* 34, no. 3 (2012), <https://digitalcommons.lmu.edu/ilr/vol34/iss3/7>.

explicitly stated in the trials.<sup>11</sup> The *din moser*, as summarised by David Assaf, provides that

[s]ince the Talmudic period, Jewish tradition and law have regarded the denunciation of Jews to non-Jewish rulers, even for deplorable or sinful behaviour, as a grave offense, to be condemned and combated. [...] Informers, referred to in Hebrew and Yiddish as *moserim* [...] or *malshinim*, were considered not only traitors to their people, but a danger to other Jews' lives and property. Denouncers were excommunicated, disqualified from giving testimony or swearing an oath, barred from participation in public prayer services, and even denied religious burial.<sup>12</sup>

A hybrid version of the Jewish communal courts of honour and the state judiciary operated in Hungary in the post-war years. In early 1945, the still provisional Hungarian government ordered the certification of public servants, that the government determine whether an incumbent or applicant for a civil service position had displayed "conduct after 1 September 1939 that had violated the interests of the Hungarian people".<sup>13</sup> The decree considered as public servants, among others, "employees of denominational schools, offices and institutions". So-called certification committees (*igazoló bizottságok*) would carry out the certification procedures. Five members of the seven-member committees were drawn from the five political parties of the Hungarian National Independence Front: the *Polgári Demokrata Párt* (Democratic Civic Party), *Független Kisgazdapárt* (Independent Smallholders' Party), *Magyar Kommunista Párt* (Hungarian Communist Party), *Nemzeti Parasztpárt* (National Peasant Party), and *Magyarországi Szociáldemokrata Párt* (Social Democratic Party). The chairman of the committee was chosen by lot among the representatives of the parties. Once a chairman had been elected, the committee had to invite another member with legal qualifications and a representative of the relevant office/institution. The chairman of the certification committee had to publish a list of public servants to be certified at least eight days before the start of the hearing. After that, witnesses who had incriminating information against an incumbent or applicant could come forward. The certification committee could certify the public servant or, in the event of a reasonable suspicion of criminal perpetration, refer them to judicial proceedings. There was no right of appeal against the decisions of the committee. In April 1945, a new government decree increased the membership of the certifying committees to eight, so as to include a member of the respective local branch of the National Trade Union Council.<sup>14</sup> The new regulation allowed the person being certified to bring witnesses and other evidence to the proceeding, but that person could not be represented by an attorney during the hearings.

Based on these two decrees, the Jewish community of Szeged established a certifying committee in May 1945. This committee was also tasked with the investigation of the members of the so-called Council of Five – the Jewish community leaders who, in the summer of 1944 and on German orders, had compiled a list of passengers

11 See for example the article: Rivka Brot, Julius Siegel: "A 'Kapo' in Four (Judicial) Acts", *Dapim: Studies on the Shoah* 25 (2011): 65–127.

12 Assaf, David. "Informers." The YIVO Encyclopedia of Jews in Eastern Europe. 16 October 2024, <https://encyclopedia.yivo.org/article/2058>.

13 For the text of the regulation see "Az ideiglenes nemzeti kormány 1945. évi 15. M.E. számú rendelete a közalkalmazottak igazolásáról" (Debrecen, 4 January 1945). [https://library.hungaricana.hu/hu/view/OGYK\\_RT\\_1945/?pg=42&layout=s](https://library.hungaricana.hu/hu/view/OGYK_RT_1945/?pg=42&layout=s).

14 Az ideiglenes nemzeti kormány 1945. évi 1080. M.E. számú rendelete a közalkalmazottak igazolásáról" (Budapest, 19 April 1945).

on a deportation train at the Szeged brick factory.<sup>15</sup> Understanding this narrative requires some introduction and contextualisation.

A few weeks after the German invasion of Hungary on 19 March 1944, the newly installed government of Döme Sztójay ordered the concentration of the Hungarian Jewish population, followed by the deportation of the Jews to Auschwitz. By the beginning of July 1944, Hungarian authorities, primarily the Hungarian gendarmerie, had forcefully removed more than 400,000 Hungarian Jews and turned them over to the German authorities, which deported the Jews to Auschwitz-Birkenau. Fifteen thousand Jews went in a different direction, however. Upon the request of the Reich Security Main Office (*Reichssicherheitshauptamt*, RSHA), the Hungarian gendarmerie sent these 15,000 people, among whom were Jews from Szeged and its environs, to Vienna and its surrounding areas. That was done in June and July 1944 due to the local need in Vienna and its environs for forced labourers in the war industry and in small factories and plants, and for seasonal agricultural work.<sup>16</sup>

From 19 June, almost 9,000 Jews from Szeged and the surrounding area awaited their fate in a brick factory in Szeged, which functioned as a concentration point and transit facility. On 20 June, the representative of the Special Task Force (*Sondereinsatzkommando*, SEK) Eichmann in Szeged, SS-Captain (SS-Hauptsturmführer) Franz Angermayer,<sup>17</sup> summoned the industrialist Dr Lipót Lőw, the textile merchant Ernő Kertész, Szeged rabbi Dr Jenő Frenkel, Rabbi Dr Adolf Silberstein from Hódmezővásárhely, and the physician Dr József Radó, also from Hódmezővásárhely. As Lőw mentioned in his post-war testimony, all five were known Zionists. These five men were responsible for the selection of 3,000 – which eventually became 2,400 – people whose scheduled deportation to Auschwitz was to be diverted to Strasshof, near Vienna. As they compiled the list, the members of the Council of Five remained ignorant of the transport's destination. Based on a letter written by Ernő Szilágyi, the executive chairman of *Keren Hayesod* (the United Israel Appeal) in Hungary, to the members of the Council of Five – a letter that was, however, handed to them by Angermayer – they did know that the matter was connected with some kind of Zionist enterprise.<sup>18</sup>

We can reconstruct the method and the circumstances governing the compilation of the list from the post-war accounts of the members of the Council of Five, given in 1945 before the certifying committee of the Jewish Community of Szeged.<sup>19</sup> The Council had to select 3,000 people from those held in the brick factory according to the following criteria: families with many children; families of labour servicemen; and relatives of people who had played a role in Jewish public life. Regarding this last criterion, Szilágyi had sent a list attached to his letter. Angermayer ordered the list to be sent two days later and instructed the members of the Council to keep the selection criteria completely secret.

15 "Letter from the Mayor of Szeged to the Presidium of the Jewish Community of Szeged, informing that he has received the notification of the community dated 18 May 1945, concerning the formation of the certifying committee, 25 May 1945." Yad Vashem Archives, JM/31030, 2435.

16 Kinga Frojimovics and Éva Kovács, "Jews in a 'Judenrein' City: Hungarian Jewish Slave Laborers in Vienna (1944–1945)", *Hungarian Historical Review* 4, no.3 (2015): 705–736.

17 Sources from survivors mention several names, including Angermayer and Argermayer or Angelmayer. As we do not know all the names of the 150 members of SEK Eichmann, it has not yet been possible to identify the person.

18 Frojimovics Kinga and Molnár Judit eds., *Szeged-Strasshof-Szeged. Tények és emlékek a Bécsben és környékén "jégre tett" Szegedről deportáltakról, 1944–1947* (Szeged: SZTE ÁJTK Politológiai Tanszék – Szegedi Magyar-Izraeli Baráti Társaság, 2021), 23–26.

19 The process of compiling the list is reconstructed from the following document: Dr. Lőw Lipót, Kertész Ernő, "Jelentés, n.d." Yad Vashem Archives, JM/31030, 2258–2262.

Members of the Council from Szeged selected the candidates from that city, while the two council members from Hódmezővásárhely, relying on the recommendations of the presidents of the individual communities, selected those from the countryside who would go to Strasshof instead of Auschwitz. The list of 3,000 included 1,500 persons from the city of Szeged and 1,500 from the surrounding countryside.

The day after the Council started its work, on 21 June, Angermayer appeared in its offices and told them that they could only put 2,400 people on the list, and only children under twelve and adults over fifty. The Council members asked if this meant breaking up families, to which Angermayer replied: „That’s not the point! We’re not interested in that at all!”<sup>20</sup> Then he left, saying that the shorter list was required by five p.m. the following day, threatening that he personally and publicly would shoot any persons on the list who exceeded the 2,400-person limit. After a long discussion, the Council members agreed, in the belief that those on the list would indeed have a chance of surviving, to prioritise the children.

The list was ready on 22 June. That afternoon, Angermayer ordered everyone to the brickyard and read it out. He ordered that all those on the list had to move past him so that he could personally determine that no persons between the ages of twelve and fifty had been placed on the list.

As the assembled crowd saw the persons selected and understood that the selection would break up families, the existence of the list caused turmoil, since no one understood the reasons for the selections. The agitation sufficed to bring Angermayer back on 24 June: he shouted that families would be permitted to remain together and subsequently ordered the compilation of a new list of names by the evening of Monday, 26 June.

Three deportation trains left from the Szeged brick factory. The first departed on 24 June and arrived in Auschwitz a few days later. In fact, the second transport was bound for Auschwitz, too; however, due to an air raid, this transport was halted at just beyond Kassa (today’s Košice in Slovakia) and diverted to Austria. Leaving Szeged on 28 June, the third transport departed directly for the Austrian border.<sup>21</sup> Only two per cent of the deportees from the first transport to Auschwitz returned by the summer of 1945; about three quarters of those deported to Strasshof would survive the Holocaust.<sup>22</sup>

Almost all of the Strasshof survivors had a relative who died in Auschwitz or another concentration camp. Those survivors who returned to Szeged after liberation were emotionally traumatised by the mass death, and they accused anyone whom they felt had something to do with it. In this context, it is interesting to note the nature of the accusations that the survivors made against the Council of Five members who were responsible for the Strasshof list.

Apart from the various, sometimes personal accusations, the survivors felt that, in two cases in particular, the members of the Council of Five interpreted the task entrusted to them according to their own convenience, meaning that they acted ar-

20 Ibid. The original German text is: “Das ist doch kein Standpunkt! Das interessiert uns ganz und gar nicht!”

21 This train stopped in Budapest to detach a wagon with sixty-six so-called prominent people. For the history of this group, see András Lénárt and Dóra Pataricza, “Kiválasztottak”. A cionista mentőakció szegedi csoportjának sorsa”, in *A Holokauszt Magyarországon – Új kutatási irányok*, eds. Péter Buchmüller, Klacsmann Borbála, and Pataricza Dóra (Budapest: OR-ZSE 2024), manuscript.

22 For more on the deportation train to Strasshof and the compilation of the list of deportees, see Dóra Pataricza, “Put My Mother on the List Too!” – Reconstructing the Deportation Lists of the Szeged Jewish Community”, in *Deportations in the Nazi Era: Sources and Research*, eds. Henning Borggräfe and Akim Jah (De Gruyter Oldenbourg, 2023), 297–316.

bitrarily to a certain extent. The very fact that families with many children and family members of men who served in Hungarian labour service battalions were included in the list indicated that the Council had selected the inhabitants of the brick factory. In fact, almost everyone in the brick factory had a male relative who had served in the Hungarian army's labour service battalions, and the Orthodox Jews who were transported from Makó to Szeged included many families with several children, but not all of them were included on the list.

As the list was eventually limited to 2,400 people, the Council decided to exclude Jews who converted to Christianity. During the certification committee procedure, meaning already after the Holocaust, and knowing that those who were not sent to Strasshof were deported to Auschwitz, Lőw defended himself and his colleagues on the Council by stating the following during his interrogation in June 1945:

In connection with the compilation of the list, I will say that I could not reconcile with our moral sense (our Jewish conception) the inclusion on the list of converted Jews, i.e., Jews who for many years [...] had not taken any part in their Jewish communal obligations. [...] We, in Szeged, did not take a rigid position on this question, because we did not consider those who had been baptised in the last months, especially for the purpose of saving their daughters, to be converts in this respect [...]. We also took the same view of those who were baptised on the night of 15 June and in the days that followed.<sup>23</sup>

Out of moral conviction, the Council did not include in the list those Jews who had converted before the German invasion on 19 March 1944. They did, however, make some compromises: those who had been baptised after being locked up in the ghetto because they had – wrongly – listened to rumours in order to save themselves or at least part of their family from deportation, were not subject to the rule. The survivors who accused them, however, believed that those who had been baptised in the last few weeks had in fact been included on the list because they were mainly friends and acquaintances of the Council members, the economic and intellectual elite of the community. The veracity of this claim cannot be verified from the sources available to us.

The members of the Szeged certifying committee accepted the arguments of the survivors. In its decision of August 1945, the Committee referred Ernő Kertész and Lipót Lőw to the Szeged People's Prosecutor's Office for further investigation, arguing the following:

The certifying committee considers that if the order received had been fully executed by the list-makers, they cannot be held responsible for the consequences. But they are liable and may be suspected of committing an act against the people if they took into account their own considerations, i.e. friendship or connections influenced them in drawing up the list, contrary to the order.<sup>24</sup>

Following the hearing of witnesses, the certifying committee found that the three criteria were revised in a completely ad hoc manner by the members of the Council of Five. They had stuck to one criterion only, to include those who played a role in Jewish public life, which was also "in the interests of their circle of friends". Finally, the following statement was made in relation to the case of the baptised Jews: as a

<sup>23</sup> "Igazoló bizottsági jegyzőkönyv, 27 June, 1945." Yad Vashem Archives, JM/31030, 2230.

<sup>24</sup> "Igazoló bizottsági határozat, 26 June, 1945; 26 July, 1945; 2 August, 1945, and 9 August, 1945." Yad Vashem Archives, JM/31030, 2239–2242.



result of the racial laws and regulations in Hungary, in 1944 the converted Jews were under the jurisdiction of the Jewish Councils in the same way as members of the Jewish communities. The authorities did not recognise “a special body for the protection of the interests of the Jews who had been baptised”. “The members of the Council of Five themselves admit that the Jews who had been baptised were excluded from the transport list”, and the certifying committee considers that this was the most serious act against the people.

The Hungarian state criminal court eventually acquitted the members of the Council of Five who had been referred to the court. The case, however, carries a very important lesson for Jewish survivors in Hungary and for the history of post-war Jewish communities in Hungary in general. The survivors of Szeged did not initiate proceedings against the members of the so-called Council of Five, which was active in the Szeged brick factory in June 1944, because they took an active part, on orders, in the sorting process of the deportees. Their transgression lay in the arbitrary process of selection, particularly with regards to excluding converted Jews from the community. The survivors therefore felt that, at the time of the Holocaust, the converts should have been considered as much a part of the community as those who insisted on their Jewish religion.

The case of the certifying committee of the Szeged Jewish community also shows that, in the years following the war, the Jewish community in Hungary was as concerned about the issue of Jewish collaboration as were other surviving communities. And the accusations against the Council of Five seem to confirm Tuerkheimer’s approach: the survivors were not complaining about the fact of collaboration itself. They could not accept that the members of the Council had carried out the task imposed on them in an arbitrary manner, somewhat redefining the selection criteria. In this way, the Council members were actively involved in determining the fate of the deportees.

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