

Two Murders Involving the Dismemberment of Corpses in the Same Family – Female Offender and Death Penalty

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Introduction: There are a growing number of sources available to researchers about the perpetrators of crimes sentenced to death for public offences committed during the Kádár Regime. However, very little information is available on the assessment of pardon applications and the justification for commuting sentences.

Aim: The aim of the study is to give an idea of the jurisprudence of the period, the role of public opinion and the difficulties of research by presenting a unique case in criminology, criminalistics and criminal law.

Methodology: I present the case of the woman who, with the help of her husband, murdered one of her sons called József, and several years later, she murdered her husband with the help of her other son called László using the documents still available, press reports and forensic studies of the crime referenced by professionals.

Results: The perpetrator was not executed, but was pardoned and her sentence was commuted to a fixed term of imprisonment. However, the public could not have known this; this information comes from the sources I have analysed that are not public.

Conclusion: The most important lesson to be learned from the court proceedings in this case is that although the person sentenced to death was granted clemency, the public was not informed of this as the press was not allowed to publish this information. The primary reason for this might have been fear of the expected public outcry. This kind of social pressure most surely influenced the work of the police and the law enforcement agencies. To confirm or refute this, several criminal cases with similar decisions should be examined to gain a better understanding of the practice at the time.

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Introduction

Murders with corpse dismemberment are rare, but they usually receive significant attention. Covering up or attempting to kill a person by mutilation does not carry a heavier penalty under criminal law, but it is extremely shocking to the public. In the international literature, the dismemberment of the body is attributed to three reasons: ease of transport, hindering identification and hatred or rejection of the victim (ROSS–RADISCH 2018). It is important to note that this very rare, but all the more outrageous to the public, method does not constitute a criminal offence. The murder itself may, of course, be committed with particular cruelty, for example, but this qualifying circumstance cannot be confused with what happened to the victim's body after death (DULAI 2021). What were the chances of a mother of several children who was sentenced to death when there was a precedent that a death sentence was carried out “only” for the crime of attempted murder? How would the first murder have been discovered if the second had not happened?

Cases

19 February 1972, Balkány, Szabolcs-Szatmár-Bereg county, Hungary: József Sz. visited Mihály Karsai's house for the second time that day, but still could not find the watchmaker and his family. This was strange because Mihály's three-wheeled motorbike was in the yard. The head of the family was so disabled that he could not even get dressed without help. Soon after, the father of the man who had inexplicably disappeared from the motorbike arrived on the scene, and the district officer, after breaking down the door to the room, noticed suspicious circumstances. There seemed to be suspicious blood stains in various places in the house, but mostly on the stone floor. In the meantime, it turned out that Mihály Karsai's wife and one of her children from her first marriage had gone to Budapest to visit relatives. While the members of the on-site inspection team from the county police headquarters found more and more suspicious clues in Karsai's house, the man's wife said that her husband had not travelled with them, but stayed at home with a friend whose name she did not know. Meanwhile, in the house, it was already clear that Mihály Karsai had been killed. Someone had tried to cover up the traces of blood, but the unknown person (or persons) had not been effective enough. The members of the on-site inspection team also opened up the built-in tiled stove in the bedroom, where they found human body parts and bone remains. They then found the dismembered body of the watchmaker in a potato pit dug into the ground in the wood chamber. Since Mrs Karsai's story about the unknown friend seemed unlikely, the wife became the prime suspect. The investigators in the capital told her that they had found her husband dead in the house, and then Erzsébet and her son László were put into a car and set off on the more than

300-kilometre journey to Balkány. Mrs Karsai, who played the role of a worried spouse, practically blurted out during the long journey when she asked if they had managed to find her husband's killer. This question was very suspicious because she had not been told that there had been a murder. Shortly afterwards, Mrs Karsai made a confession and then remarked: "At least my son Jóska's case will be solved" (MAGYAR 1972).

The 39-year-old Mrs Karsai (Erzsébet Kodák) was born into a poor family in 1931. Five of her eleven siblings died. She completed six grades and then worked as a labourer. In 1950, she married József Ujvári, a bricklayer, but he drank and behaved aggressively, so the marriage was not a happy one. Nevertheless, they had four children before divorcing in 1958. From then on, Erzsébet raised her three sons and daughter alone, while working as a cleaner at the hospital in Nyíregyháza. It was there that she met Mihály Karsai, who had been paralysed from the waist down years earlier. The watchmaker was living well in Balkány, but needed someone to look after him. Erzsébet needed a man with the right financial background. They married in 1967. Karsai took care of the four children, while Erzsébet sold her apartment in Nyíregyháza so that they could build a new house in place of the old one in Balkány.

One of her sons called József, disappeared before construction began. The aggressive, troubled child reportedly did not like to work, and lived on his parents or grandparents, along with his other brother, László. József probably had serious mental problems, as he was repeatedly examined in psychiatric hospitals. Because Erzsébet had been spectacularly concerned about her son for years, no one suspected that she had anything to do with his disappearance. Sometimes, when an unknown body was found in the neighbourhood, she and her neighbour would get into a taxi and, on arriving at the police station, ask if it was her son who had been found. The neighbour was also given money to prove that Erzsébet had done everything she could to find out what had happened to her son, should she need it in the future. During this period, on 14 November 1969, Miklós, the middle child, hanged himself in his grandparents' garden. The suicide was the subject of legends. Miklós had earlier allegedly said that his brother József had been killed and that he knew who did it, but he could not reveal the name because then he would be killed too. Despite this, however, the police investigated the death under state administrative procedure, meaning that no criminal offence was suspected. The suicidal boy was buried.

Meanwhile, Mrs Karsai's second marriage began to fall apart. Caring for the disabled head of the family was becoming an increasing burden, but Mihály refused to divorce. Mrs Karsai then decided to get rid of her husband, sell the house and move to Nyíregyháza with the children. But she did not dare to commit the murder alone, so for months she persuaded, bullied and almost prepared her son László. "I told him that his brother (József) had not disappeared, but that his foster father had killed him and brutally dismembered him. I thought it would awaken in him a hatred for Mihály and he would be capable of killing him. I told him he must die the way he had done to József. When we were alone, almost every time I suggested to him that he should be killed... Then came 18 February 1972. I knew we had to kill him before we left for my sister-in-law's. Then we'd cut him up and burn him. I knew we wouldn't have time to finish the whole thing, but I expected we'd get home on the 21st and then we'd burn what was left of it and I'd report it missing. I will say I don't know when and I don't know who made it disappear"

(Hírnök 2000), confessed the suspect, but her plan was flawed, because on the day after the murder, the aforementioned man showed up at their house and saw the wheelchair orphaned in the yard.

“We were going to my sister-in-law’s in Budapest for Julianna’s name day. We went to bed around 10 p.m. I had already prepared the small axe and the woodcutter’s block. I told my son that I would go to bed together with my husband, that László should wait in the kitchen and I would tell him when it was time. After a little while I went out to László, but when I saw that he did not want to commit the murder, I said to him that we must do to him what he did to his brother. Don’t be afraid, I will be by your side! – I put the axe in his hand and led him into the room” (Hírnök 2000).

Erzsébet even told her son to hit the man on the head with the hilt of the axe, so that there would be no blood. Karsai was awakened by the first blow and cried out not to be hurt. László was almost silenced by the events, but his mother persisted until the boy finally struck the victim several more times on the head. Next came the dismemberment of the body, which, as it soon turned out, Mrs Karsai had already practised. László, following his mother’s instructions, first cut off the foster father’s head, but had to remove the platinum from the stove because the head did not fit into the firebox. Indeed, the burning of the body parts was not finished until the last train left for Pest, so they put the body parts in a wash pot and hid it in the potato pit. In Budapest, they visited several nightclubs with Mihály’s brother, who was dead by then, and even asked how his brother was.

László collapsed after the arrest, realising that he had been badly misled by his mother, to whom he was so attached, into committing a serious crime. After his condition improved, he denied Erzsébet and confessed to everything. Meanwhile, a metal prosthesis made to replace one of Mihály Karsai’s femoral heads was found among the ashes and burnt bones in the house’s tiled stove. This alone was enough to identify the victim.

In the meantime, investigators found a witness who found strange an earlier statement made by Mrs Karsai when they were together at the cemetery at the grave of Miklós, who had committed suicide. “Rest in peace, and you too, my son Jóska”, Mrs Karsai said. This information did not satisfy the investigators, as József’s mother herself had previously claimed that she had no idea where he was, and had regularly made worried enquiries to the police. During the investigation, a piece of bone was found, which Mrs Karsai had buried in his son’s, Miklós’s grave, but it was burnt and was not suitable for examination. They did, however, manage to find an earthenware stove that the family had sold after demolishing the old house. The new owners said they had not used it because it gave off an unpleasant smell when they tried to light it. It was then discovered that it was because Erzsébet had tried to burn József in it years earlier.

It was obvious that the severely disabled watchmaker would not have been able to kill a young man on his own. If he had done it, he would have needed an accomplice. On 21 October 1968, Mrs Karsai testified. “He demanded that I give him the two thousand forints he was entitled to from the apartment in Nyíregyháza. They often quarrelled about this and at such times my son threatened to kill both Mihály and me. [...] My husband and I then decided to stop tolerating his threats and to kill him ourselves and dismember his body. On 21 October, the time seemed to have come. [...] I gave him two Tardyls and a Seveal. This made him sleepy and he went to bed. Then I told my husband he could

come. He took the axe and killed the boy. Then he chopped him up and burned him in the portable pottery stove. [...] I helped him (Hírnök 2000)”.

The Szabolcs-Szatmár-Bereg County Prosecutor's Office charged Mrs Karsai as co-defendant with the particularly cruel and premeditated murder of several people, while László Ujvári was also charged as co-defendant with the particularly cruel, premeditated murder of several people. In light of the murder of the two family members, the suicide of Miklós, the other son, was also very suspicious. The boy had left no suicide note and, before his death, he had allegedly complained a lot about his mother, who had humiliated and insulted him. However, no foul play was suspected.

Verdict

The Nyíregyháza County Court found Mrs Karsai guilty of premeditated and profiteering crimes committed against several people, partly as an accomplice and partly as an instigator, and sentenced her to life imprisonment as the main penalty. László Ujvári was found guilty of premeditated murder and sentenced to 12 years' imprisonment. The prosecutor appealed for an aggravation on the grounds of misclassification, the defence appealed for a different classification and for leniency. In the case of Mrs Karsai, the Supreme Court commuted the first instance judgment by finding that both murders were committed with a view to complicity and partly for profit, and sentenced the defendant to death. The convicted person and her defence counsel, who was obliged to do so by law, applied for clemency, and the Presidential Council commuted Mrs Karsai's sentence from death to life imprisonment.²

Discussion

As the criminal case file is no longer available, the reasons for the Presidential Council's decision to grant the pardon are not known. In case of women on death row, similar cases occurred in the Kádár era, for example when the prisoner had a dependent child, but there are also cases where the prisoner became pregnant after the crime was committed but before being arrested, a fact which only came to the attention of the authorities after the death sentence had been passed. In the case of Mrs Karsai none of these factors applied. However, there are known cases of crimes committed, for example, by a woman who was sentenced for an “only” attempted murder with the maximum penalty available at the time.³

² In Hungary at the time, the sentence was twenty years, but in case of good behaviour, the prisoner could be released on parole after fifteen years. A 1989 newspaper article reveals that Erzsébet was released on parole at the age of 56, shortly before the fall of communism. According to my information, she died on 2 February 2019 at the age of 97 (DULAI 2022a; CSURGAY 1989).

³ In the case of Mrs Szabó, the penultimate woman executed in Hungary, the minutes of the deliberations show that the decision in that criminal case was not clear, but the clemency request was eventually rejected (DULAI 2022b).

Moreover, the crime of double dismemberment and its trial received a great deal of press coverage, which meant that the work of the law enforcement bodies could have been influenced by the social pressure felt at the time. Mrs Karsai was nevertheless pardoned, although it is perhaps no coincidence that this was not reported in the press. In other cases, the press did not report the news of the pardon application. This complicates the work of the researcher, as there is no database in which to filter for information on this matter.

It should also be noted that, although two case studies on the crime were published after the indictment and the final judgement, neither article discussed professional conclusions or possible lessons to be drawn from the case.

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