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Hungarian scholarly events in the field of legal history in 2011

Due to the recent Hungarian legal reforms, the Departments of Legal History of the Faculties of Law of several Hungarian universities had an opportunity to organize a series of conferences in 2011. The conferences mostly focused on some important legal institutions both in the area of private and public law. They were often designated to commemorate the introduction of these institutions. In some cases the conferences were exponential of the research conducted in the respective Departments. The present report provides a short review of the most important scholarly events. The report does not comprise all research currently made in the area of Hungarian legal history and presented at international and national conferences. The report relies on the preliminary feedback as provided by the Departments in question, and on their information about the conferences and workshops organized by these Departments.

The Faculty of Law of the Eötvös Loránd University (ELTE) held several conferences last year. During the series of scientific events called the Hungarian Science Festival in Budapest (held by the Hungarian Academy of Sciences), on the 11th of November, 2011, Prof. Dr. Barna Mezey, President of the University opened a conference entitled *Militarism and De-militarism in the Law Enforcement of the Nation of Hungary in the 19th and 20th Centuries*. Lectures were held by Dr. József Parádi (*Az egységes állami fizetési rendszer és a szakterületi rendfokozati rendszerek a polgári magyar állam rendvédelmébe* [The Unified National Payment System and the Professional Rating System in the Law Enforcement in the Nation of Hungary]), Dr. József Boda (*A katonai rang és függelmi rendszer használatának tapasztalatai a nemzetbiztonsági szakszolgálat tevékenységében* [The Experiences of the Use of Military Ranks and the Disciplinary System in the Professional Service of National Security]), Dr. Zoltán András Kovács (*A rendőrség és a csendőrség katonai alkalmazása 1944–1945-ben* [The Use of the Police Force and Military Police for Military Purposes in 1944–1945]), Dr. Gábor Csiha (*Demilitarizációs mozzanatok a magyar katonai igazságszolgáltatás történetében* [Circumstances of De-militarism in the History of Hungarian Military Judiciary System]), Sándor Zeidler (*A Magyar Királyi Nemesi Testőrség, a Magyar Királyi Darabont Testőrség, a Magyar Királyi Képviselőházi Őrség, a Magyar Királyi*

Koronaőrőség és a Magyar Királyi Folyamőrőség ragrendszerei [The Ranking Systems of the Royal Hungarian Patrician Guards, the Royal Hungarian Darabont Guards, the Royal Hungarian Crown Guards and the Royal Hungarian River Guards]), Dr. Sándor Szakály (*A csendőrtiszti karrier [The Career of Officer of Gendarmes]*), Dr. Sándor Főríz (*A rendvédelmi elvárások tükröződése négy ország rendőrtisztképzésében [The Expectations Towards Law Enforcers as Shown in the Training of Police Officers in Four Countries]*), Nándor Simon F. (*Párt és belügy: Munkásőrőség – a Munkásőrőség rangrendszere és függelmi viszonyai [Party and Internal Affairs: Militia – the Ranking System of the Militia and its Rating Relations]*), Dr. József Estok (*A büntetésvégrehajtási függelmi viszonyrendszer története 1867–2005 [The History of the Rating Relations in the Prison Law System in 1867–2005]*), and Dr. Roland Perényi (*A fővárosi rendőrség tagjainak II. világháború alatti tevékenysége az igazoló bizottsági iratok tükrében [The Actions of the Members of the Police Force of the Capital of Hungary During World War II, as viewed in the light of the Board Documents of Proof]*). The Department of Legal History of the Faculty of Law of the Eötvös Lóránd University collaborated with the Szemere Bertalan History of Hungarian Law Enforcement Scientific Company to organize this conference.

The Department of Hungarian Legal History also held the event called *Symbolische Kommunikation/ Szimbolikus kommunikáció [Symbolische Kommunikation/ Symbolic Communication]*.¹

The Department of Hungarian Legal History of ELTE also held an international conference from the 14th to the 16th of December 2011 called *Aktuelle Aspekte der Rechtshistorischen Forschung (Internationale Doktorandentagung)*. The international conference for PhD students was opened by Prof. Dr. Barna Mezey, and the following lectures were held during these three days: Dr. Dóra Frey: *Ein Sonderfall der Zwangsmigration während und nach dem zweiten Weltkrieg: die Sekler aus Bukowina* (Eötvös Loránd University, Budapest, consultant: Prof. Dr. Barna Mezey), Mag. Kathrin Tragauer: *Vertragspraxis des Ehegüterrechts im 19. Jahrhundert* (Universität Wien, Ausztria, consultant: Prof. Dr. Wilhelm Brauneder), Mike Bacher: *Die Bedeutung der Rechtshistorischen Schule und ihre Wirkungsgeschichte in der Innerschweiz* (Universität Luzern, Switzerland, consultant: Prof. Dr. Paolo Becchi), Sandra Berthel: *Die Geschichte des Täter-Opfer-Ausgleichs* (Universität Basel, Switzerland, consultant: Prof. Dr. Kurt Seelmann), JUDr. PhDr. Tomáš Gábris, PhD.: *Vornormative Wurzeln der Gerechtigkeit* (Comenius Universität Bratislava, Slovakia, consultant: Prof. JUDr. Jozef Klimko, DrSc.), Mgr. Jozef Malagyi: *Beziehung der Kirche und des Staates in der Tschechoslowakei 1918–1938* (Comenius Universität Bratislava, Slovakia, consultant: Prof. JUDr. Jozef Klimko, DrSc.), Imre Képešy: *Der Fall von János Esterházy* (Eötvös Loránd University, Budapest, consultant: Prof. Dr. Barna Mezey), Dr. PhDr. Jiri Sousa: *Einige aktuelle Themen der rezenten tschechischen Rechtshistoriographie* (Karls-Universität, Prague, Czech Republic, consultant: Prof. JUDr. Dr.h.c. Karel Maly), Verena Dorn: *Strafbarkeit von Hexerei und Magie nach dem Ende der Verfolgungen. Historische und dogmatische Aspekte* (Universität Augsburg, Germany, consultant: Prof. Dr. Arnd Koch), Judit Lenkovics: *Fragen der strafrechtlichen Verantwortlichkeit*

¹ B. Mezey (ed.), *Symbolic Communication*, Studies on Legal History 38, Budapest 2011, p. 80.

nach dem I. Weltkrieg (Eötvös Loránd University, Budapest, consultant: Prof. Dr. Barna Mezey) and Dr. Judit Beke-Martos PhD: *Die Beweise zeigen eindeutig, dass er seine Tat nicht während so eines Anfalls begangen hat [...] die Indizien genügen um festzustellen, dass er für seine Straftat verantwortlich ist* (Eötvös Loránd University, Budapest, consultant: Prof. Dr. Barna Mezey).

The Department of Legal History of the Faculty of Law and political Science of the Pázmány Péter Catholic University organised an international conference on 25th–26th of November 2011 (entitled *Die bundesstaatlichen Staatsorganisationen*). The conference was organized by Prof. Dr. István Szabó and Prof. Dr. Wilhelm Brauner. The first section was called *Der deutsche Föderalismus im XIX–XX. Jahrhundert*, and contained the following lectures: Prof. Dr. Hans-Christof Kraus (Universität Passau): *Das deutsche Kaiserreich als monarchischer Bundesstaat*, Prof. Dr. Ewald Grothe (Bergische Universität Wuppertal): *Der organische Föderalismus bei Hugo Preuss*, Dr. Magdolna Szigeti (Pázmány Péter Katholische Universität, Budapest): *Weimar der unitarische Bundesstaat*, Hans Kaiser (Bundesratsminister a.D. für den Freistaat Thüringen): *Der deutsche Bundesrat nach dem Bonner Grundgesetz*, Dr. Piotr Czarny (Jagiellonski Universität, Krakau): *Die Länderkammern in den Bundesstaaten und der deutsche Bundesrat*. The second section (called *Österreich und Schweiz*) was built up of the following presentations: Em. o. Univ. Prof. Dr. Wilhelm Brauner (Universität Wien): *Föderalismus in Österreich vor und nach 1918*, Em. o. Univ. Prof. Dr. Wilfried Posch (Universität für Gestaltung, Linz/Donau): *Die Frage der Hauptstadt in einem Bundesstaat*, Prof. Dr. Zoltán Pállinger (Andrássy Gyula Deutschsprachige Universität, Budapest): *Entstehung des schweizerischen Bundesstaates*, Dr. Elisabeth Berger (Universität Wien): *Liechtenstein: Vom Quasi-Kronland zum Staat*. The third section (called *Die Europäische Union*) hosted the following lectures: Prof. Dr. Ulrich Hufeld (Helmut Schmidt Universität, Hamburg): *Föderalismus und Staatsbankrott: Der Ernstfall in der bündischen Solidargemeinschaft*, Dr. Csaba Tamás (Pázmány Péter Katholische Universität, Budapest): *Die nationalen Parlamente und das Subsidiaritätsprinzip in der Europäischen Union*. The lectures during the fourth section, held on the second day of the conference (entitled *Föderalismus – Gedanken in Ostmittel-Europa*) were the ones as follows: Prof. Dr. Barna Mezey (Eötvös Loránd Universität, Budapest): *Föderalismus-Gedanke bei Ferenc Rákóczi*, Prof. Dr. István Stipta (University of Miskolc): *Lajos Kossuth: Die Donauer Konföderation*, Dr. Judith Balogh (Debrecen University): *Die Theorie der östlichen Schweiz (Oszkár Jászi)*, Prof. Dr. Srdjan Sarkič (Universität Novi Sad [Neusatz]): *Die Frage der bundesstaatlichen Staatsorganisation im Jugoslawien*, Prof. Dr. István Szabó (Pázmány Péter Katholische Universität, Budapest): *Die Frage der Staatlichkeit des Habsburger Reichs nach dem*.

The Debrecen University's Department of Legal History of the Faculty of Law also hosted several international events on different aspects of law. During the *Brazilian-Hungarian Conference* (on the 18th of February, 2011) Mr Wagner Antunes, Secretary of the Embassy of Brazil in Budapest, gave a presentation entitled *A Brazil gazdaság [The Economy of Brazil]*. Mrs. Dr. László Szűcs Dr. Katalin Siska also held a lecture, entitled *Brazil-Magyar diplomáciai kapcsolatok [Brazilian-Hungarian Diplomatic Relations]*. The presentation called *Pampa Egyetem bemutatása [The Introduction of Pampa University]* was conducted by Prof. Luiz Delfino Albarnaz, principal of the

institute. As a part of this series of events, the Department of Legal History held the *Eritrean–Hungarian Conference* on the 29th of September, 2011, where presentations were given by: Sába Tesfay, the appointed lecturer of the Department of Cultural Anthropology of the Eötvös Lóránd University (*Röviden Eritreáról [A Few Words on Eritrea]*) and Mrs. Dr. László Szücs Dr. Katalin Siska, whose presentation bore the title *Eritrea – Magyarország diplomáciai kapcsolatának története [The History of the Diplomatic Relations Between Eritrea and Hungary]*. In the course of the *Iraqi – Hungarian Conference* on the 26th of October, 2011, lectures were given by Dr. Diary Majid, Assistant Ambassador and Secretary of the Embassy of the Republic of Iraq called *Az Iraki Köztársaság kultúrájáról, társadalmáról, népviseletéről és földrajzáról [On the Culture, Society, Traditional Clothing and Geography of the Republic of Iraq]*, and by Mrs. Dr. László Szücs Dr. Katalin Siska called *Az Iraki Köztársaság és Magyarország diplomáciai kapcsolatának története [The History of the Diplomatic Relations Between Iraq and Hungary]*. During the course of the *Madagascan-Hungarian Conference* (27th of April, 2011), lectures were given by the Consul of the Consulate of the Republic of Madagascar, Mr Randrianasolo Lalarison Richard, Dr. Gabriella Farkas, whose presentation was entitled *Madagaszkári küldetés [The Madagascar Mission]*, and Mrs. Dr. László Szücs Dr. Katalin Siska with the title *A Madagaszkári-Magyar diplomáciai kapcsolatok [Diplomatic Relations Between Madagascar and Hungary]*. The *Moroccan-Hungarian Conference* was held on the 24th of March, 2011, Ambassador Moulay Abbes El Kadiri (the Great Ambassador of the Embassy of Morocco in Hungary) and Mrs. Dr. László Szücs Dr. Katalin Siska held lectures, the latter called *A marokkói-magyar diplomáciai kapcsolatok [Diplomatic Relations Between Morocco and Hungary]*. And finally, on the 11th of May, 2011, the *Turkish – Hungarian Conference* was held, where the audience could attend to the presentation of Güçyener Izzettin, Assistant Ambassador from the Hungarian Embassy of Turkey, and by Mrs. Dr. László Szücs Dr. Katalin Siska, whose lecture was entitled *A Török-Magyar diplomáciai kapcsolatok története [The History of the Diplomatic Relations Between Turkey and Hungary]*.

On the 24th of November, 2011, the Department of Hungarian Legal History in the Department of Law of the University of Szeged held a conference called the fifth conference of legal historians, *A polgári peres eljárás magyarországi fejlődéstörténete (Száz éve nyert elfogadást az 1911. évi I. tc.) [The History of the Development of the Civil Procedure in Hungary (The Hundred Years of the 1st Act of 1911)]*, in the centre of the Academic Committee of Szeged. It was the fifth time that Prof. Dr. Mária Homoki-Nagy organized this Conference of Legal Historians in Szeged. The members of the conference were greeted by the Dean, Prof. Dr. Imre Szabó, and Prof. Dr. Mária Homoki-Nagy. After that there followed the plenary presentations by Prof. Dr. Éva Jakab (*A polgári perrendtartás az ókori jogtörténet tükrében [Code of Civil Procedure Reflected in Ancient Legal History]*), Dr. Gábor Béli (*A legrégebb perrendet megörökítő magyar jogkönyv [The Hungarian Law Book Immortalizing the Oldest Legal Procedure]*), Prof. Dr. Barna Mezey (*A törvénykezés kérdései az Országbírói Értekezleten [The Questions of Jurisdiction During the Assembly of the State Judges]*), and Prof. Dr. Dr. h. c. József Ruszoly (*Választási bíráskodási eljárás a királyi Kúrián az 1899:XV. tc. szerint [The Procedure of Elective Judicature in the Curia, based on the 15th Act of 1899]*). After these presentations, the members split into two sections (the chair-

ing presidents of the first section were Prof. Dr. László Blazovich and Prof. Dr. Barna Mezey, and the chairing presidents of the second sections were Prof. Dr. István Kajtár and Dr. Gábor Béli) and described the most recent results of their researches in the field of legal proceedings.

During the two days of the conference, the following lectures were delivered: Dr. Krisztina Delacasse: *Képviselési jog – képviselési kényszer (A perbeli képviselőre vonatkozó szabályok változása a PTR-től a Pp-ig)* [*Representative Law – Representative Compulsion (The Change of Rules on Legal Representation from the PTR to the PP)*], Dr. Tamás Antal: *A községi bírászkodás jogintézményei és a polgári perrendtartás* [*The Legal Institutions of Community Jurisdiction and the Civil Procedure*], Dr. Janka Teodóra Nagy: *A községi bírászkodás az 1911. évi Pp. szabályozásában és a joggyakorlatban – Bónis György és tanítványai tápéjogi néphagyománygyűjtése tükrében* [*Community Jurisdiction Based on the PP of 1911 and in Practice – Taking the Collection of Popular Legal Traditions by György Bónis and his Students Into Consideration*], Prof. Dr. István Stipta: *A pénzügyi közigazgatási bíróság eljárást érintő elvi döntései* [*The Decisions out of Principle in Connection with the Procedure of the Financial Administrative Court*], Dr. Levente Völgyesi: *A Pp-ben fellelhető jogorvoslatok intézményfejlődése a magyar jogtörténetben* [*The Institutional Development of the Legal Ailments in the PP in the Legal History of Hungary*], Dr. Attila Horváth: *A magyar polgári eljárásjog fejlődése 1945 és 1989 között* [*The “Development” of the civil procedure in Hungary from 1945 to 1989*], Prof. Dr. Elemér Balogh: *A polgári perrendtartás a magyar Alkotmánybíróság gyakorlatában* [*The Civil Procedure in the Practice of Constitutional Court of Hungary*], Prof. Dr. Béla Szabó: *A felső-magyarországi városszövetség 17. századi jogkönyvének eljárásjogi vonatkozásai* [*The Relations detectable in the 17th Century Legal Law Book of the Town Alliance of Upper Hungary in the Light of the Procedural Law*], Dr. Szilvia Bató: *Egy ismeretlen forráscsoport: magánjogi perkivonatok* [*An Unknown Group of Sources: Outlines of Civil Law Trial*], Prof. Dr. Mária Homoki-Nagy: *Az adóssági perek története* [*The History of Debt Trial*], dr. László Papp: *Polgári perrendtartás a szabadalmi eljárásban* [*Code of Civil Procedure on Patent Procedure*], Mrs Csaba Herger: *A házassági kötelék védelmét szolgáló intézmények az 1911. évi I. tc-ben a 19. századi előzmények tükrében* [*The Institutions Protecting the Marital Bonds in the 1st Act of 1911 and in Light of the Precedents from the 19th Century*], Dr. Ibolya Katalin Koncz: *A nőtartással kapcsolatos eljárásjogi kérdések az 1911. évi I. tc. alapján* [*Questions of Legal Proceedings in the Field of the Alimony of Women According to the 1st Act of 1911*] and Dr. Judit Beke-Martos: *Polgári eljárásjog az Egyesült Államokban* [*Civil Procedure in the United States*].²

The Graduate School (PhD) of the Faculty of Law of the University of Szeged held a conference on the 26th of November, 2011 called *Az új Alaptörvény és a jogélet reformja – The New Hungarian Constitution and the Reform of Legal Life – Das neue ungarische Grundgesetz und das Reform des Rechtslebens*, during which the following

² The publication of the Fourth Conference of Legal Historians: Mária Homoki-Nagy (ed.), *IV. Szegedi Jogtörténet Napok. Konferencia a bírói hatalomról és az állampolgárságról* [*Fourth Legal Historians' Day in Szeged. Conference on the Judicial Power and Citizenship*] Szeged 2011, p. 200. The Department of Legal History of University of Pécs published a conference volume in 2011: Gábor Béli et al., *Institutions of Legal History with Special Regard to Legal Culture and History*, Bratislava–Pécs 2011, p. 464.

lectures on legal history were held: Prof. Dr. László Trócsányi (the Ambassador of Hungary in France): *Az új magyar Alaptörvény létrejötte és fogadtatása* [*The Creation of the New Hungarian Basic Law and its Reception*], Dr. Norbert Varga: *Az országgyűlési képviselők összeférhetelensége: egy sarkalatos jog történeti előzményei* [*The Incompatibilities of the Members of the Parliament: the Historical Predecessors of a Cardinal Law*] and dr. Mónika Nacsa: *Történeti alkotmányunk vívmányai: az új Alaptörvény egyes rendelkezéseinek jogértelmezési próbája* [*The Achievements of Our Historical Constitution: the Trials of Legal Interpretations of Certain Dispositions of the New Basic Law*].³

During the conferences held in 2011, the researchers in the field of legal history in Hungary gave an account of their own most recent results. Apart from this, lecturers from different Departments of Legal History attended several international conferences and held lectures there in the previous year. The effectiveness of these conferences is shown by the fact that the written accounts of several lectures delivered during these conferences were published in separate study collections.

³ The first volume published in the Graduate School in the Faculty of Law in Szeged: N. Varga (ed.), *Jog és Irodalom. Recht und Literatur – Droit et Litterature* [*Law and Literature. Recht und Literatur – Droit et Litterature*] [In:] É. Jakab, N. Varga (eds.), *Szegedi Jogász Doktorandusz Konferenciák I*, Szeged 2011, p. 195.