

Evolving Roles and Legal Dynamics: Status of Women in the Medieval and Modern Era in the Territory of Slovakia¹

Abstract

The article delves into the intricate dynamics of the status of women in history. It provides a brief insight into the evolution of law concerning the status of women in the territory of Slovakia and some examples of the legal practice witnessed in various legal and non-legal sources. Analyzing the antiquated laws and cultural perspectives, the authors explore the nuances that shaped women's lives. It points out the paradoxes of the Enlightenment era, which, while advocating for sensible reasoning and progress, simultaneously witnessed scientific justifications for female subjugation. Nevertheless, it was the starting point for a complete change in women's lives from both the legal and social perspective. This change might even be ongoing, manifesting itself in various issues nowadays, such as getting married and having children at a higher age or not at all.

Keywords: women's status, women's rights, gender equality, patriarchal system, emancipation

Introduction

The status of women has been an ever-intriguing topic in the history of every state and continues to be topical. The relationship between men and women and related female empowerment built upon the access and utilization of knowledge is interesting and informative not only from the historical point of view but also for up-to-date gender-related discussions, including the modern phenomena of the Western world where one often sees a decline from embracing and empowering the femineity and the traditional role of the woman in society. The following article provides a brief informative insight into some of the changes related to the status of women in present-day Slovakia. The authors aim to point out the evolution of law and the application of legal norms in practice. Through historical case law, biographies, or female newspapers, they try to give the readers an insight into the living law and historical practice. For a foreign reader, it provides a brief

¹ The paper is an outcome of the grant project APVV-22-0079 Transformations of legal science – historical and current forms of legal science and scientificity of law.

and informative legal-historical basis upon which it is possible to build further topic-related knowledge.

The Role and Status of Women in the Medieval Hungarian Society

The social standing of individuals in medieval Hungarian society² was predominantly determined by their association with a **social class**, tightly limiting the possibilities for social advancement for both men and women. Additionally, various elements played fundamental roles in shaping societal position and legal abilities, including factors such as age, health, gender, marital status, wastefulness, civic honor, religion, nationality, and occupation.³

A woman's legal and social standing depended on her three **defining social roles linked to her biological function**: virginity, marriage, and widowhood. Her maternal mission to care and provide for her children and manage the household was of utmost importance approved by the predominant religion, Catholicism. "The social perception of widowhood remained paradoxical. On one hand, there was the ideal of the virtuous widow residing on her deceased husband's estate with her children; on the other hand, the harsh reality portrayed a vulnerable widowed woman subject to the goodwill of her family."⁴ At the same time, somewhere in between these two possible scenarios, it was the era in her life when she was the most independent, at least from her traditional female role. For example, "from the correspondence of the noblewoman, Mrs. Anna of Kanizsa, originally from the Drágffy family, we can witness the pivotal changes that occurred in her life after the death of her husband in the summer of 1525. As a widow, she was in charge of the administration of large estates, including several border castle estates. This task was even more challenging because it was the time when the Ottomans invaded the Kingdom of Hungary. We learn from her letters that she began her journey around the kingdom, inspecting her castles and struggling to supply them with food, an army, and weapons."⁵

² The Hungarian Kingdom was an independent state outside the Holy Roman Empire until 1526. The Ottoman victory at the Battle of Mohács in 1526 led to the partition of Hungary between the Ottoman Empire, the Habsburg monarchy, and the Principality of Transylvania. The lands of the Habsburg Monarchy became Austrian Empire in 1804. The Empire of Austria and the Kingdom of Hungary reached a compromise in 1867, establishing a dual monarchy called Austria-Hungary, which lasted until 1918. The Slovaks inhabited the so-called Felvidék, literally Upland or Upper Hungary. In 1918, the Slovaks and Czech established Czechoslovakia.

³ Mosný, Laclavíková, *Dejiny štátu a práva na území Slovenska I.*, 48.

⁴ Laclavíková, Švecová, "Dlhá cesta", 601–2.

⁵ Tihányiová, "From the Medieval Correspondence", 848.

The medieval provisions on **Hungarian personal law** were part of the manual of Hungarian customary law for the nobility, called *Opus Tripartitum* (1514), asserting a substantial legal distinction between the male and female sexes having different rights and obligations. The male gender had the legal and social **authority over women**. The restriction on women's legal capacity during medieval and modern eras was justified by the perceived necessity for their protection, achieved through their subordination to paternal, guardian, or spousal authority. In contemporary discourse, the male sex was commonly denoted by the term *sexus dignior* (the superior, more dignified sex). This characterization carried with it a stereotypical concept of the ideal dynamic between men and women, wherein men were obligated to provide care and protection for women in their power, including safeguarding their property. This responsibility arose partly due to the perceived vulnerability and instability of the female sex, described as *imbecillitas et infirmitas sexus*, as well as its purported “reckless nature” and “simple-mindedness.”⁶

The legal norms reflected this responsibility of men over women in provisions about attaining the majority status. Men reached the majority age at 24, women at 16 years of age.⁷

To provide an example of a provision about the inequality of men and women, we chose Sec. 18 of the I. Part of the *Tripartitum*:

Why women can not inherit property which men received for their service? Women can not inherit real estates and movable property received for the service of men because Hungary is surrounded with enemies. Our ancestors defended Hungary with swords, acquired their property through bloodshedding, and women do not make such a service.

However, rarely, it was possible also for women to acquire donated assets,⁸ which proves that law was not rigid, and woman could be in a high position when it was necessary for the family (broadly speaking, as when Maria Theresa became an emperor – *rex* not *regina*⁹ – because of lack of male heirs).

It is important to note, however, that alongside the male duty towards the women, the legal standing of women also exhibited a **degree of favoritism**. This favoritism was rooted in the

⁶ Laclavíková, Švecová, “Dlhá cesta”, 602–3.

⁷ *Tripartitum*, I. Part, Sec. 111, Subsec. 2.

⁸ Mosný, Laclavíková, *Dejiny štátu a práva na území Slovenska*, vol. 1, 65.

⁹ Varga, “Making Maria Theresa «King» of Hungary”.

woman's position within the social hierarchy, manifested through a comprehensive set of women's special rights which sought to ensure women a dignified existence throughout various life stages – from the time preceding marriage when they resided on their fathers' estates, to the period of marriage, and eventual widowhood when they transitioned to living on their husbands' estates:

1. Right to a girl's quarter: The *quarta puellaris* was the right to a specific share, often a quarter, of the paternal estate reserved for women in the family.

2. Hair rights: *Ius capillare* was a symbolic privilege bestowed upon the daughters to receive alimention and suitable arrangements upon marriage, including the right to live in the paternal house after the father's death until marriage.

3. Right to dowry or contribution: The right of dowry, also referred to as *allatura*, represented a financial provision made by the family to support the daughter upon marriage, further solidifying her economic stability.

4. Right to a wedding gift: *Dos* was the property that belonged to the wife for the first night of the marriage and her fidelity. The price depended on her social status, the number of previous marriages, or the agreement between the spouses. For example, a high-ranking noblewoman often received 400 gold coins (the price of a stone castle), a middle-ranking noblewoman often received 200 golden coins (the price of a church with two cupolas), and the low-ranking noblewoman often received about 20 golden coins.

5. Right to a paraphernal property: This right encompassed gifts or properties exclusively owned by the wife, separate from the communal marital property, and often included jewellery, personal belongings, or assets acquired before or during the marriage.

6. Right of the wife to half of the property co-acquired with her husband: Particularly applicable to the subjects and bourgeois, and, under specific circumstances, among the nobility during the late modern period, this right ensured that the wife held ownership of half the property acquired jointly with her husband during the marriage. This provision was either inherent or occasionally stipulated through a formalized marriage contract.¹⁰

It is necessary to add that the content and exercise of these rights depended on the historical classification of privileged or unprivileged status.¹¹

¹⁰ Mosný, Laclavíková, *Dejiny štátu a práva na území Slovenska*, vol. 1, 61–2.

¹¹ People became equal before the law in 1848. Czechoslovakia abolished royalty titles in 1918.

Changes after the 18th Century

The Enlightenment era is notable for significant intellectual progress and turbulent scientific and technological advancements. Marked by the pursuit of sensible reasoning, the main attempt of the Enlightenment movement was to replace traditional metaphysical and religious justifications with rational scientific reasoning. However, this pursuit did not yield a unified stance on the status and rights of women. On the one hand, the progressives advocated for women's emancipation, challenging prevailing notions of female subordination, and sought to dismantle societal barriers that restricted women's access to knowledge and participation in civic affairs. On the other hand, even within the medical domain, a contrasting narrative emerged, bolstered by scientific reasoning claiming to be rational and objective, i.e., in harmony with nature. The foundational elements drew upon redefined concepts of human anatomy and female psychology. To give an example, the French physician Joseph Raulin (1708–1784) said about hysteria, that “in theory, the disorder can affect both sexes, but women are more at risk for their lazy and irritable nature.”¹²

We can find contemplations about gender in many philosophical works, including those of John Locke, Thomas Hobbes, Jeremy Bentham, Immanuel Kant, Jean-Jacques Rousseau, etc. For example, Gabriella Slomp states about Hobbes:

Hobbes's politics of gender affords valuable insights into his concept of equality. It is argued that: (i) although in Hobbes's theory women are equal to men “by nature” and remain so “in natural conditions”, (ii) the Hobbesian social contract does not rule out logically the possibility of unequal treatment of men and women living in civil associations; (iii) nevertheless, contemporary interpreters can find in Hobbes's political philosophy a number of arguments that might be deployed to deny the morality, rationality, and utility of sexual subjugation.¹³

Even women themselves started to advocate for their rights, and the Hungarian Kingdom was not an exception. For instance, Countess Kata Bethlen (1700–1759) was one of the earliest Hungarians to write memoirs, which prove that she “contributed generously to the advance of learning by

¹² Tasca, Raspetti, Carta, Fadda, “Women And Hysteria”, 114.

¹³ Slomp, “Hobbes”, 441.

establishing schools and scholarships. She also contributed to the education of girls, which she felt sadly neglected.”¹⁴

The redefinition of women within the Enlightenment framework created a paradox, mixing the progressive ideas of emancipation and the regressive beliefs that sought to perpetuate established gender norms.

This **mixed view** was visible in our national law that combined progress with conservation of feudal institutes.

To address the above-mentioned issues, it is necessary to state here that:

1) The inequality in attaining the majority status remained in our national law until 1874, when, through Act No. XXIII of 1874, **the age limit for attaining the majority status changed to 24 equally for both sexes.**¹⁵

2) The *Tripartitum*, including the feudal provisions on property and inheritance rights of women, remained the source of law even after 1848. Until 1950, all the above-mentioned institutes remained in the legal order, with some changes introduced through the court practice. Precisely, women were not legally entitled to dowry or a marriage gift for the first marital night and fidelity. The former subjects and town bourgeois continued to have common co-acquired marital ownership, while the former nobility continued to have separate marital ownership. Women continued to be entitled to alimention even after the divorce if the husband was guilty of divorce and until they concluded a new marriage pursuant to Act No. XXXI of 1894 on Marriage Law.¹⁶ Furthermore, from the end of the 19th century, when women began to be economically active or had their own, separate property, the jurisprudence,¹⁷ court practice,¹⁸ and also the

¹⁴ Wilson, *An Encyclopedia of Continental Women Writers*, 122. It is necessary to add that only Maria Theresa's reform called *Ratio Educationis* of 1777 introduced six years of compulsory school attendance for all children between the ages of six and twelve. Before that, generally, only the nobility and bourgeois educated their children.

¹⁵ The limit diminished to 21 years in 1919 and 18 years (which is also the current limit) in 1949.

¹⁶ Laclavíková, Švecová, *Praktikum k dejinám štátu a práva na Slovensku*, vol. 2, 172–5.

¹⁷ “Zsögöd is in favor of a woman also having the obligation to support an oppressed, incapacitated man, as in Sec. 1360 of the German Civil Code. Vavrik, a member of the Hungarian codification commission, does not agree with such a dependence on a woman and thinks that only in the case of accidental incapacity should a man be entitled to alimony from a woman. According to the Act of 1898, the woman is also responsible for the man's medical expenses, but that is only towards the third parties, and she has the right to demand from the man the return of the amount paid.” Ráth, *Práva medzi mužom a ženou v Uhorsku*, 13.

¹⁸ “In general, the practice of the Royal Supreme Court was in favor of the opinion that the husband was also entitled to alimony if he was poor and unable to earn money and the loss of working (earning) capacity occurred during the marriage or as a result of the marriage (e.g., because of the transmission of an infectious disease from the wife to the husband).” Laclavíková, *Formovanie úpravy majetkových vzťahov medzi manželmi*, 282.

drafters of the Hungarian Civil Code of 1916 (§ 27) called for a post-divorce alimention of the former husband by the guilty wife.

At the beginning of the 19th century, under the influence of Napoleon's Civil Code (1804), several modern civil codes came into effect across Europe. In the Austrian part of the monarchy, it was the Civil Code of 1811 (ABGB), with sections 44–136 regulating family and marital law.¹⁹ This Code was in effect in Slovakian territory during the decade of neo-absolutism after 1852. The conception of marriage reinforced women's unequal status, with the man as the head of the family, and women obligated to follow, assist in household matters, and obey his commands.²⁰ "Codification of civil law in Hungary was a long and diverse process. Codification ideas got central attention only at the beginning of the 20th century. In 1902 a version of the general part of a future civil code was drafted but never became a binding legal document."²¹

Therefore, *Tripartitum* continued to be in effect, amended through constitutional and legal changes – but only a few Acts addressed private matters.²² Paradoxically, the preservation of feudal privileges in the aristocracy inadvertently had positive consequences, maintaining some provisions of women's property rights during marriage, and ensuring widows' financial security. The above-mentioned Act of 1874 not only changed the age limits for attaining majority, it even emancipated women from paternal guardianship upon reaching the age of 24, making them legally independent until marriage. Hungarian law exhibited exceptional liberalism compared to the Austrian part of the monarchy and most Western European countries. In these regions, women were perpetually under paternal guardianship, transitioning to marital guardianship, which also included control over their property. In both parts of the monarchy, mothers wielded parental authority only in the case of illegitimate children or widowhood. In Hungary, if not stated otherwise in the testament, mothers automatically became guardians, while in Austria, it was the grandfather, followed by the mother.²³

¹⁹ Schwelb, "Marriage and Human Rights", 337–83. The text of the Austrian Civil Code, effective since 1812, is available at: <https://www.beck-online.cz/bo/chapterview-document.seam?documentId=onrf6mjygeyv6ojugywt> (accessed 31.08.2024).

²⁰ Malý, Sivák, *Dejiny štátu a práva v Česko-Slovensku do roku 1918*, 320–2.

²¹ Fézer, "Re-Codifying Civil Law", 73. The first Hungarian Civil Code was adopted in 1959. However, during that time, the Slovaks already lived in Czechoslovakia since 1918, where the first Civil Code was adopted in 1950.

²² Harmathy, Németh, *Questions of civil law codification*, 206.

²³ Dudeková, "Právne postavenie ženy v 19. Storočí", 380, 383. See also Act No. XX of 1877 on Guardianship and Curatorship.

A significant step forward was the Act No. XXXI of 1894 on Marriage Law. The unification through mandatory civil marriage represented substantial progress, especially in addressing the issue of definitive divorce in problematic marriages, initiatable equally by both spouses. Naturally, statistically, it was predominantly men that filed the divorce petition²⁴ due to still prevailing economic dependencies of women, maintaining their commitment to marriage. The primary impediment to women's autonomy, aside from traditions, lay in insufficient education and lack of qualifications. In a world where all official and employment positions were held by men with adequate education, even if a girl received higher education, independent career expectations were not common. Priority was given to domestic and manual labor, with the development of artistic skills and language knowledge alongside it. Education was perceived as a means to ensure effective household management in line with societal status. From the 1840s, influenced by the national movement, a shift occurred as women, the future mothers, became seen as the ones responsible for educating children in the national spirit. In Slovak newspapers, articles advocating for female education appear starting in the 1870s: “If among educated men, there are ones who only want to have in their wives maids and cooks, who do the cooking, washing, and hoeing, they are unfair and selfish, not worthy of women.”²⁵ A wave of Hungarization of the non-Hungarian ethnicities strengthened in the second half of the 19th century (therefore also the importance of educated women nurturing children in national spirit) and during the Great War, when women stepped into men’s jobs for the first time ever, the transformation of women’s lives was irreversible. With this transformation, the number of divorces rose, however, in the traditional Slovak rural society, this rise was only mild. During the First Czechoslovak Republic, the divorce rate over the long term was low, around 0.2–3.6 divorces per 100 marriages a year.²⁶ On the following lines, we provide some examples of decisions through which women obtained divorce pursuant to Act of 1894:

- The witnesses testified that the defendant visited a brothel several times and locked himself in a room with a woman of easy morals. The marriage, therefore, shall be dissolved pursuant to Sec. 80, letter c).²⁷
- Five months after the conclusion of the marriage, the plaintiff found out that she was suffering from gonorrhea and scabies, with which her husband infected her because he was already suffering from these

²⁴ Herger, “The Introduction of Secular Divorce Law”, 142.

²⁵ Kačírek, “Vnímanie emancipácie žien”, 392–4.

²⁶ Šprocha, Majo, *Storočie populačného vývoja Slovenska*, vol. 1, 44.

²⁷ Decision of Royal Curia, No. 5960/96. M. 15.089., from January 26, 1897. In Meszlény, *Házassági Jog és a Bírói Gyakorlata*, 106.

diseases at the time of the marriage, and he knew about that. The marriage shall, therefore, be dissolved pursuant to Sec. 80, letter a).²⁸

- The defendant left the household after he spent the plaintiff's dowry and did not take care of her and their son. The marriage shall, therefore, be dissolved pursuant to Sec. 80, letter a).²⁹
- The defendant, during the marital separation, gifted a different woman with valuable jewellery. The marriage shall, therefore, be dissolved pursuant to Sec. 80, letter a).³⁰
- The defendant cruelly treated his wife, scolded her constantly, called her names, did not help her when she was sick, sent her away from the house, threatened her that she would die by his hands, and when she passed out while working with horses, the defendant came to her and told her to get up because he would hit her with a pitchfork. The marriage shall, therefore, be dissolved pursuant to Sec. 80, letter a).³¹

Though, independent women were still more a rarity even in the First Czechoslovak Republic. A women's magazine published the article "Ideal Woman" in 1933, which tells us more about the contemporary perception of women:

(An ideal woman) is kind, lovely, and, therefore, beautiful, even if her face is not symmetrical. She shall not attract the man with her coquettishness but with gentle, kind, natural behavior. She shall be smart. A man shall always find understanding in her and pleasant home with her, that he prefers to go home instead of going to an inn. When he comes home in the evening, he shall see smiling faces. She shall be tactful. When she observes that he is in a bad mood or worried, she shall not ask him for money for a new hat or tell him that the maid broke a plate. She shall be thrifty. She does not have to have everything she sees in the shop windows or what her rich friends have. She neither shall make debts nor spend the money intended for the household on small things such as makeup-powder, paints, etc. She shall not gossip, slander, or be malicious. She shall be happy to help where needed. She shall be proud in front of other men, affectionate to her husband, not out of weakness but out of loyalty. She shall not be selfish. She shall be the personification of love, the eternal, always blooming, even

²⁸ Decision of Royal Curia, No. 2008. M. 16, 271, from September 26, 1899. In Meszlény, *Házassági Jog és a Bírói Gyakorlata*, 98.

²⁹ Decision of Royal Curia No. 1069. M. XII., from August 28, 1900. In Meszlény, *Házassági Jog és a Bírói Gyakorlata*, 93.

³⁰ Decision of Royal Curia, No. P. III. 1756, MD. VIII. 75, 1912. In: Meszlény, *Házassági Jog és a Bírói Gyakorlata*, 109–10.

³¹ Decision of Royal Curia, No. 6883, from June 4, 1906. In: Meszlény, *Házassági Jog és a Bírói Gyakorlata*, 102. Generally speaking, the divorce grounds pursuant to Act No. XXXI of 1894 were adultery, unnatural offenses, and bigamy (Section 76), intentional desertion without a lawful cause of a certain duration (Section 77), violence endangering life or health of the spouse (Section 78), capital punishment or imprisonment for at least five years if the spouse had no knowledge of the committed crime before marriage (Section 79), the intentional commission of a grave matrimonial offense different from the above-mentioned ones (Section 80 (a)), instigating children belonging to the family to commit a crime or to conduct an immoral life (Section 80 (b)), leading an immoral life (Section 80 (c)), and sentence to imprisonment for less than five years (Section 80 (d)).

when the snow covers her head. She shall stand by her husband in good times and in bad times. She shall not leave the children to the maids but take care of them herself. She shall be the heart of the family, the star around which a happy family life revolves. She shall be the light whose rays shine up the lives of children and protect them from moral decline.³²

Efforts to Attain Women's Political Rights

The efforts to attain political rights crowned the emancipation process of women. However, these efforts faced numerous complexities throughout Europe. Naturally, the traditional conservative beliefs posed a significant obstacle. Even some women did not always perceive political matters as part of their responsibilities. For example, this was evident in the conservative stance of the National League for Opposing Woman Suffrage in England. The key women figures of the Anti-suffrage movements argued that:

- "The woman suffrage movement can be defeated – it must be defeated – and by women themselves." (Mary Ward);
- "The rule of women becomes the precursor, as it is the sign, of general decay." (Eliza Linn Linton);
- "The enfranchisement of women is a step which might end in a national disaster." (Margaret Jersey).³³

In the intricate political landscape of Hungary, the efforts of females were even more complicated, as not even all men enjoyed the right to vote before the Great War.³⁴

Advocacy for women's political rights in the Hungarian Kingdom found its voice within the social-democratic current, particularly among the civil radicals. The turning point came in 1904, when Rózsika Bédy-Schwimmer, a pacifist and women's rights advocate, founded the Association of Feminists.³⁵ This association actively fostered close ties with international

³² "Ideal Woman", 192–3.

³³ "Women Against the Vote".

³⁴ According to the Hungarian April Laws of 1848, the condition for active suffrage was socioeconomic status, and for passive suffrage, the knowledge of the Hungarian language. Mosný, Laclavíková, *Dejiny štátu a práva na území Slovenska*, vol. 2, 17–8.

³⁵ "Rosika Schwimmer earned a reputation as a leading proponent of women's rights in Hungary before the age of 30. In Hungary, she organized women workers, lobbied for marriage reform and birth control, and campaigned against child labor. As press secretary of the International Women's Suffrage Alliance, she moved to London, where she lobbied for peace at the start of the Great World. Schwimmer travelled to America to drum up support for pacifism and suffrage, creating the Women's Peace Party in 1915. The following year, she persuaded Henry Ford to finance a peace conference in Stockholm." Wenger, "Rosika Schwimmer".

movements, such as the American Men's League for Women's Suffrage, which held a congress in Budapest in 1913.

However, similarly to England, the conservative opinions of both men and women persisted, especially in Slovakia. For example, Ľudmila Podjavorinská said that:

Feminism was a closed book to us Slovaks... For us, women's rights were connected to men's rights, they were a joint national question. Our nation was in an unfavorable political position within the Monarchy and struggled for existence. In our country, not even men had the right to educate themselves following their national beliefs, they could not work in State bodies, and the right to vote for a Slovak man meant selling his beliefs, serfdom, and corruption. Therefore, feminism would undermine the national force against Hungarization.³⁶

After the establishment of Czechoslovakia, the efforts materialized with the codification of women's suffrage in the 1920 constitution. According to Section 9:

All citizens of the Czechoslovak Republic, regardless of gender, who are over 21 years of age and meet the other conditions of the election rules for the Chamber of Deputies have the right to vote for the Chamber of Deputies.

The first Czechoslovak president, Thomas Garrigue Masaryk, was a proponent of gender equality. To prove this, when he married Charlotte Garrigue in 1878, he took her family name as his middle name. Followingly, in 1898, in his work *The Social Question*, he wrote that he came to the justified conclusion about complete equality between men and women.³⁷

Conclusion

In feudal society, social class prevailed over gender, meaning that a noblewoman held a higher status than a man of urban or subject status. However, women were "the weaker sex," mostly excluded from public life, primarily due to tradition and women's lack of education, which only started to improve in the 18th century. While traditional and legal constraints often limited their formal rights, women showcased resilience, adaptability, and agency within the societal

³⁶ Podjavorinská, "Vývin ženskej otázky", 76.

³⁷ "T. G. Masaryk o rodine", 32–3.

framework. The driving force lay in their courage and abilities. Furthermore, the Hungarian lawmakers in the mid-19th century were influenced by the most notable lawyers of contemporary Europe and, moreover, protestant religion to demonstrate resistance and fight for independence from the Catholic Habsburgs, creating a very modern legal environment. Therefore, women could, for instance, obtain divorce in the Hungarian Kingdom much earlier than in many other European states.

To conclude, the journey toward equality was long and intricate, influenced by cultural, legal, and educational factors. Nonetheless, even the attainment of equality in national conditions poses further questions and issues to solve, including, for example, how to cope with the expectations that this fast and achievement-driven era imposes on both sexes, although a bit more on women as future mothers. More than a hundred years ago, when the need to attain equality was more than obvious, the Slovak publicist Elena Maróthy-Šoltéssová wrote an article, an excerpt of which still makes one contemplate:

This era has begun to demand a kind of magical multifunctionality from women, with an unfinished number of tasks. Women shall develop and grind all their dormant mental abilities as one grinds a diamond. And also deepen these abilities so they do not only sparkle superficially. On top of that, they have their original, natural role in the family and household, becoming more multifaceted and complicated.³⁸

Bibliography

Primary printed/edited sources

“Ideal Woman”. *Živena* 23/7 (1933): 192–3.

Maróthy-Šoltéssová, Elena. “Slovenská žena”. *Slovenská žena* 1/1 (1920): 1.

Meszlény, Artúr. *Házassági Jog és a Birói Gyakorlata*. Budapest: Grill Károly Könyvkiadóvállalata, 1930.

Podjavorinská, Ľudmila. “Vývin ženskej otázky”. *Živena* 11/4 (1921): 76–7.

Ráth, Augustín. *Práva medzi mužom a ženou v Uhorsku*. Prague: Alois Wiesner, 1906.

“T. G. Masaryk o rodine”. *Živena* 16/2 (1926): 32–3.

Legal sources

Czechoslovak Constitutional Act No. 121 of 1920

Tripartitum opus iuris consuetudinarii incltyi regni Hungariae of 1514

Austrian Civil Code of 1811, <https://www.beck-online.cz/bo/chapterview-document.seam?documentId=onrf6mjygeyv6ojugywta> (accessed: 31.08.2024)

³⁸ Maróthy-Šoltéssová, “Slovenská žena”, 1.

The Hungarian April Laws of 1848
Hungarian Act No. XXIII of 1874 on the Age of Majority of Women
Hungarian Act No. XX of 1877 on Guardianship and Curatorship
Hungarian Act No. XXXI of 1894 on Marriage Law
Decision of Royal Curia, No. 5960/96. M. 15.089., from January 26, 1897.
Decision of Royal Curia, No. 2008. M. 16, 271, from September 26, 1899.
Decision of Royal Curia No. 1069. M. XII., from August 28, 1900.
Decision of Royal Curia, No. P. III. 1756, MD. VIII. 75, 1912.
Decision of Royal Curia, No. 6883, from June 4, 1906.

Secondary sources

Dudeková, Gabriela. “Právne postavenie ženy v 19. storočí. Hranice a limity”. In: *Sféry ženy. Sociológia, etnológia, história*, eds. Jolana Darulová; Katarína Košťalová, 377–90. Banská Bystrica: Fakulta humanitných vied Univerzity Mateja Bela – Sociologický ústav AV ČR, 2004.

Fézer, Tamás. “Re-Codifying Civil Law in Hungary”. *Studia Prawnicze. Rozprawy i Materiały* 15/2 (2014): 73–92.

Harmathy, Atilla; Németh, Ágnes. *Questions of civil law codification*. Budapest: Institute for Legal and Administrative Sciences of the Hungarian Academy of Sciences, 1990.
<https://mek.oszk.hu/24200/24277/24277.pdf>

Herger, Eszter. “The Introduction of Secular Divorce Law in Hungary, 1895–1918: Social and Legal Consequences for Women”. *Journal on European History of Law* 3/2 (2012): 138–48.

Herger, Eszter. “Die Bedeutung des vertraglichen ehelichen Güterrechts in der Modernisierung des ungarischen Privatrechts”. *Journal on European History of Law* 9/2 (2018): 223–30.

Herger, Eszter. “Die Mitgift. Beiträge zur Ausdeutung des traditionellen Familienmodells im ungarischen Ehegüterrecht”. *Journal on European History of Law* 8/2 (2017): 42–9.

Kačírek, Ľuboš. “Vnímanie emancipácie žien v slovenskej spoločnosti v 60. a 70. rokoch 19. storočia.” In: *Sféry ženy. Sociológia, etnológia, história*, eds. Jolana Darulová; Katarína Košťalová, 391–401. Banská Bystrica: Fakulta humanitných vied Univerzity Mateja Bela – Sociologický ústav AV ČR, 2004.

Laclavíková, Miriam. *Formovanie úpravy majetkových vzťahov medzi manželmi (od vzniku uhorského štátu do prvej československej kodifikácie rodinného práva)*. Bratislava: VEDA, 2010.

Laclavíková, Miriam; Švecová, Adriana. *Praktikum k dejinám štátu a práva na Slovensku*. Vol. 2: 1848–1948. Trnava: Typi Universitatis Tyrnaviensis, 2016.

Laclavíková, Miriam; Švecová, Adriana. “Dlhá cesta k právnej emancipácii ženy v rodinných a majetkových vzťahoch”. *Historický časopis* 66/4 (2018): 601–2.

Malý, Karel; Sivák, Florian. *Dejiny štátu a práva v Česko-Slovensku do roku 1918*. Bratislava: Obzor. 1992.

Mosný, Peter; Laclavíková, Miriam. *Dejiny štátu a práva na území Slovenska*. Vol. 1: od najstarších čias do roku 1848. Šamorín: Heuréka, 2010.

Mosný, Peter; Laclavíková, Miriam. *Dejiny štátu a práva na území Slovenska*. Vol. 2: 1848–1948. Krakow: Spolek Slovákov v Poľsku – Towarzystwo Słowaków w Polsce, 2014.

Schwelb, Egon. “Marriage and Human Rights”. *The American Journal of Comparative Law* 12/3 (1963): 337–83.

Slomp, Gabriella. “Hobbes and the Equality of Women”. *Political Studies* 42/3 (1994): 441–52.

Šprocha, Branislav; Majo, Juraj. *Storočie populačného vývoja Slovenska*. Vol. 1: *demografické procesy*. Bratislava: INFOSTAT-Výskumné demografické centrum, Centrum spoločenských a psychologických vied SAV, Univerzita Komenského v Bratislave, 2016.

Tasca, Cecilia; Rapetti, Mariangela; Carta, Mauro Giovanni; Fadda, Bianca. “Women And Hysteria In The History Of Mental Health”. *Clinical Practice & Epidemiology in Mental Health* 8 (2012): 110–9.

Tihányiová, Monika. “From the Medieval Correspondence of Hungarian Noblewomen”. *Historický časopis* 69/5 (2021): 839–62.

Wilson, Katherina M. *An Encyclopedia of Continental Women Writers*. Vol. 1–2. New York: Garland Publishing, 1991.

Internet sources

Varga, M. Benedek. “Making Maria Theresa ‘King’ of Hungary”. <https://www.cambridge.org/core/journals/historical-journal/article/making-maria-theresia-king-of-hungary/35CFFFAFC1B912F569A04CB1EECA29A5> (accessed 2.01.2024).

Wenger, Beth. “Rosika Schwimmer”. <https://jwa.org/encyclopedia/article/schwimmer-rosika> (accessed 7.01.2024).

“Women Against the Vote”.

https://www.laetottenham.org.uk/_site/data/files/users/12/files/2A6808B152DD10039B470925290CDB12.pdf (accessed 9.01.2024).