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Chronicle of Scholarly Events in Legal History Held in the Slovak Republic and the Czech Republic in 2023

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The departments and institutes for legal history organized several stimulating and inspiring scientific and educational events in the Slovak Republic and the Czech Republic in 2023. Hereto, we provide a brief informative report on the most engaging events in the field of legal history in 2023.

At the Department of Legal History and Comparative Law (Faculty of Law, Comenius University in Bratislava), most members scientifically focus on the development of law in the 20th century, with the prevalence of private law topics. Besides that, they also research the history of economic law, the law of non-democratic regimes, the reception of Roman law, the historical and comparative aspects of intellectual property law, and medieval law.

The members of the Department participated in two grant schemes:

- APVV project no. 18-0199 focused on the new challenges in the field of property rights in Slovakia;
- APVV project no. 18-0417 focused on the historical development of the Slovak private law terminology in relation to the recodification of Slovak civil law.

The output of these projects was, among other things, several conferences organized during the years 2019–2023 and collective monographs.

In the past three years, Professor Miroslav Lysý and Assistant Professors Lenka Martincová and Martin Gregor collaborated on a three-volume publication on the history of the Faculty of Law, published on the 100th anniversary of the founding of the Faculty of Law. The European Society for Legal History (Brno) chose this book to be the award-winning legal-historical publication for the years 2021–2022.

The Department of History of the State and Law (Faculty of Law, Matej Bel University in Banská Bystrica) focuses on legal history, Roman law, canon law, and methodology of law.

In recent years, the Department members have systematically worked on modern university textbooks focused on the subjects provided by the Department in the pedagogical process.

The Department members dedicate efforts to the popularization of legal history. For example, available online are two lecture series of twenty parts, held by Dr. Alexandra Letková about the trials that shook the history of Czechoslovakia throughout the 20th century, titled “All Rise, the Judge Arrives!” She also regularly participates in lectures at Matej Bel Children’s University or in the “Researchers’ Night” event.

The Department members work on the following grant projects:

The VEGA project no. 1/0619/21 with a focus on values in law. The chief researcher is Assistant Professor Andrea Kluknavská.

Assistant Professor Zuzana Mičková is also a member of the VEGA project no. 1/0184/20, which focuses on the economic relations of the Slovak Republic between 1939 and 1945 and the Protectorate of Bohemia and Moravia.

In addition, Professor Michal Turošík researches the extraordinary state interventions and their application during the COVID-19 crisis on private law relations in the Slovak Republic.

Every year, the Department organizes a legal-historical and theoretical section at a large international conference called “Banská Bystrica Castle Days of Law,” held at the Vígľaš Castle. In 2023, the theme was “The Current Questions Related to Values in the Continental Legal System.”

In the spring months, the Department also organizes a conference called “Banská Bystrica School of Legal History.”

The Department of the History of Law (Faculty of Law, Trnava University in Trnava) provides teaching of compulsory subjects focused on legal history, state history, legal methodology, legal philosophy, and various optional subjects.

The scientific research focuses on researching past legal institutes from social, economic, political, and cultural perspectives to shed light on the current legal, social, and political circumstances.

Almost every member is a chief researcher of one project and participates in the projects of other colleagues, too.

The Head of the Department, Professor Tomáš Gábriš, is the chief researcher of APVV project no. 22-0079, ongoing since 2023, and is focused on the changes in legal science and methodology of law, addressing topics such as the creation, realization, and application of law from the scientific and practical point of view.

KEGA project no. 003TTU-4/2023 focuses on the sources of law in totalitarian Czechoslovakia between 1948 and 1989. It engages the students in reviewing the university textbooks, which aim to develop abilities to analyze historical legal regulations and objectify the knowledge necessary for adopting value attitudes. Under this project, the students have already reviewed one collection of educational material, “The Manual on Working with Legal Sources,” available online at the webpage of the Department. The chief researcher of the project is Professor Miriam Laclavíková.

VEGA project no. 1/0202/22 focuses on the theory of just war by scholars of the Salamanca School and their legacy in modern theories of just war and modern military law. The chief researcher is Assistant Professor Peter Vyšný.

VEGA project no. 1/0012/23 focuses on the comparative analysis of institutes of inheritance law as a possible material starting point for future civil law recodification. The chief researcher is Assistant Professor Adriána Švecová, who also leads the multidisciplinary VEGA project (no. 2/0017/23) in cooperation with the Institute of History of the Slovak Academy of Sciences. This second project focuses on the criminal law aspects of crime and punishment in the Middle Ages and Modern Ages and bears the title: “Legal Norm Versus Judicial Practice. Historical, Discursive and Social Aspects of the Judiciary, Crime, and Punishment in the Middle Ages and Early Modern Times.”

The scientific activity of the Department of Legal History (Faculty of Law, Charles University in Prague) has always been very rich in terms of volume and subject matter. Usually, several department members publish one monograph per year and plenty of articles with topics presented at conference forums, symposia, and workshops.

In 2023, the Department organized a conference in the Senate of the Parliament of the Czech Republic called “Antonín Švehla, Alois Rašín, and Others” about the First Republic Czechoslovak Politicians.

Currently, the Department is working on two projects supported by the National Grant Agency of the Czech Republic. One focuses on the rituals and symbols in Roman law, while the other one, with the intriguing title, “The Building of a Happy Country,” on the origin and

development of the Duchy of Frýdlant. The Department members work on one more project, titled “Laws, Codes and Their Application Practice in the Czech Lands in the 18th–20th Centuries.”

The Department of the History of the State and Law (Faculty of Law, Masaryk University in Brno) is another stable and important scientific and pedagogical center for legal-historical sciences. From the educational point of view, the Department members primarily teach compulsory subjects for first-year university students (Czech and Czechoslovak Modern Age Legal History, General Legal History, Roman Law) and various optional subjects.

The Department members focused their scientific activities mainly on the issues of modern legal history, with a specific focus on the following topics:

- the First Czechoslovak Republic (primarily the development of public law),
- the Protectorate of Bohemia and Moravia,
- the socialist era in the national history,
- the functioning of law in totalitarian regimes (primarily Nazi law),
- the development of private law,
- the history of jurisprudence, including the history of the Brno Faculty of Law and its teachers (in this context, we highlight the publication of the memoirs and hitherto unpublished manuscripts of Vladimír Kubeš, one of the most prominent Czech jurists of the second half of the 20th century, and Václav Chytil, politician and university teacher persecuted by the Communists after 1948).

They also focused on critical editions of medieval legal sources and selected problems of feudal law.

An indispensable part of scientific research at the Department is research on some institutes of Roman law and related issues of inheritance law and the influence of Roman law on legal development in the Middle Ages and the modern era.

Since 2013, the most notable ongoing project of the Department has been the publication of the Encyclopedia of Czech Legal History. The Head of the Department, Jaromír Tauchen, is one of the chief editors of the encyclopedia, collaborating with all the Department members and other external collaborators, especially from other Czech and Slovak legal history departments. So far, the Department has published 23 volumes under this long-term and memorable project.

The members of the Department of Theory of Law and Legal History (Faculty of Law, Palacký University in Olomouc) specialize in canon law, Roman studies, civil studies, and

legal philosophy. They contribute to the Encyclopedia of Czech Legal History of the European Society for Legal History and the project Biographical Dictionary of Czech Countries of the Academy of Sciences of the Czech Republic.

In 2023, the Department members researched topics within two grant projects. One of them focused on the history of inheritance law, particularly the property protection of a woman after the death of her husband. The other one is on the House of Liechtenstein in Czechoslovakia and Central European Legal Science. Furthermore, one of the Department members participated in the international project “Romanistische Methode im Ostmitteleuropa” on the methodology of legal Romanistics in the interwar period.

The Department organized the international conference of legal Romanists of the Czech Republic and the Slovak Republic on the topic “Rules, Regulations and Exceptions to Them” as part of the Young Lawyers Debate conference with the section named “Personalities of Central European Civil Studies.”

To conclude, we would like to point out the workshop entitled “Quo Vadis, Slovak and Czech Legal Historiography?”, where the members of all the Slovak and Czech departments could meet, present, debate, and spend fruitful time together. The workshop took place in Trnava, as the organizer was the Trnava Department of Legal History, on September 13–14, 2023. Even though the event coincided with the thirtieth anniversary of the dissolution of Czechoslovakia, it was a revival of the pleasant old tradition of meetings of legal historians and Romanists with roots in the period of the common Czechoslovak state and intending to foster cooperation between legal history workplaces. The organizers hosted teachers and doctoral students from Bratislava, Trnava, Banská Bystrica, Košice, Brno, Prague, Pilsen, Olomouc, and Budapest.

The theme was the development of legal methodology and scientific trends and perspectives in legal historiography. The participants contributed with their views on new challenges and ongoing issues in legal history science and pedagogy. They exchanged their experience from pedagogical and scientific practice and created and expanded professional relationships between the older, middle, and younger generations of legal historians and Romanists.

On the first day of the event, a plenary session was held on the grounds of the Faculty of Law of the University of Trnava in Trnava, the content of which was a presentation of the personnel composition and scientific-pedagogical activity of individual workplaces. First, the heads of departments introduced their departments, and then the members spoke for themselves. The working part of the event ended at noon, and after lunch, the participants

moved to the Červený Kameň castle, where they took part in a guided tour. Afterward, the discussions continued in the Medolandia restaurant in Dolná Krupá.

On the second day of the workshop, Professor Gábriš guided a discussion on various topics, such as the quality of teaching, the problem of plagiarism, the use and abuse of artificial intelligence, especially in the creation of final theses, the low interest in doctoral studies, etc. As is usually heard from similar discussions about academic education, one must choose suitable and up-to-date teaching methods, which is not always easy, and at the same time, maintain a long-term motivational strategy for the development of legal history science and its accessibility in higher education. Without a doubt, this is the way how to preserve this scientific field, modernize it autonomously, and develop it on interdisciplinary and transdisciplinary levels. The official part of the second day ended with a guided tour of Trnava, the first town in present-day Slovakia to be granted privileges by the king in 1238 and thus the first free royal city. The final discussions took place during lunchtime at the restaurant “U Wetzlera,” named after the Slovak Jewish writer, known for escaping from the Auschwitz concentration camp and co-writing the Vrba-Wetzler Report.

Last but not least, the organizers believe it was a successful and beneficial event since more than forty participants from both parts of the former Czechoslovakia participated. Its excellent and creative atmosphere proves that similar activities should become regular features in the career of a legal historian and Romanist, and we look forward to another meeting of this kind and similar.