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Overview of Conferences Focusing on Legal History and Roman Law, Organized in the Czech Republic in 2014

Key words: Czech Republic, conference, source of law, summer school.

Słowa kluczowe: Czechy, konferencja, źródło prawa, szkoła letnia.

Each year the Czech Republic hosts several conferences on the history and development of domestic legislation, and on selected major events from legal history. Organizers of these events are usually particular Departments of Legal History, which are part of one of the four Faculties of Law (Brno, Prague, Olomouc, Pilsen). The purpose of this chronologically arranged overview is to acquaint readers with conferences, colloquia, and summer schools held in the Czech Republic in 2014.

On October 12th, 2014, the conference titled *The Period of Oppression 1938–1945* was held on the premises of the Moravian Archives in Brno. The conference was organized by the European Society for the History of Law in cooperation with the Moravian Land Archives and the Department of the History of the State and Law at the Faculty of Law of Masaryk University. The conference commemorated the sad 75th anniversary of the establishment of the Protectorate of Bohemia and Moravia, which significantly affected the existing legal and social life of the country.

In mid-April 2014, the interdisciplinary conference *Sexual Offenses Yesterday and Today* was held in the conference room at the Faculty of Law of Masaryk University. The conference was organized by the European Society for the History of Law in cooperation with the Departments of the History of the State and Law, and of Criminal Law of the Faculty of Law of Masaryk University, and the Police Academy in Bratislava. The conference was attended by postgraduate students, academics, and practitioners. The series of legal-historical presentations pointed out legal aspects of sexually motivated crime in Roman legislation and in medieval and early modern sources of Czech and Hungarian origin. The content of particular papers as well as the characteristic title of the conference demonstrate the fact that sexual offenses, as they are known today, have roots going

far back into history, and basically the only thing that has changed is the type and length of sentence.

On April 25th and 26th, 2014, the Faculty of Law of Palacký University in Olomouc organized the *Sixteenth Annual Conference of Experts on Roman Law from the Czech Republic and Slovakia*. The subject of discussion was “Reception of Roman law in Europe.” The introductory conference papers explained the methodology of reception of Roman law and the work of medieval commentators. It was followed by presentations on the so-called primary reception in the light of Barbarian law and influences of Roman law in early medieval England. Other contributions drew attention to quotes from sources of Roman law in medieval municipal law and Czech humanistic literature. This was followed by presentations on institutions of Roman law in domestic private law. The final presentations were a paper on influences of Roman law in Islamic law and two papers on manifestations of the reception of Roman law in the practice of the courts.

In late June 2014, the 28th Medieval Friday took place at the Institute of History at the Faculty of Arts of Masaryk University in Brno. It is a traditional gathering that takes place several times a year and focuses on various topics from the fields of history, legal history, auxiliary historical sciences, and archiving. The subject of this meeting was Landfrieden in the wider social, legal, and political context.

On September 15th and 16th, 2014, the Faculty of Arts of Charles University in Prague hosted an international scientific conference titled: *Carpathian Ruthenia in the State of Czechoslovakia (1918–1945)*. The conference was organized by the Faculty of History of Uzhhorod National University together with the Faculty of Arts of Charles University. The colloquium offered a wide range of topics to both students and contributors. The particular papers focused on local social changes, the issue of exile, the activities of Czechoslovak Legions, the status of ethnic minorities and also, inter alia, the constitutional position of Carpathian Ruthenia.

Each year, the Department of the History of the State and Law at the Faculty of Law of Masaryk University organizes the *Summer School on Legal History*, which targets bachelor, master, and doctoral students studying at one of the Faculties of Law. The subject of the Summer School, which took place from the 23rd through the 25th of September 2014, was “Law and its sources of inspiration throughout history.” Although it is not a conference in the true sense, we felt it appropriate to include this event in the overview due to its orientation. The aim of the Summer School was to draw the attention of students to legal and non-legal inspirational sources of current and historical creation of legal standards. In addition to the Czech legislation, the lecturers also focused on specific systems of religious law, such as Sharia or rabbinic law. With regards to the currency of the so-called New Civil Code, which came into force in the Czech Republic in 2012, the Summer School also included papers focusing on the sources of this legislation, which include not only previous domestic and current foreign legislation, but to some extent also Roman law.

In early October 2014, the Faculty of Law of the University of West Bohemia in Pilsen organised a conference titled: *Metamorphoses of Law in Central Europe*. The fourth annual conference was held in Znojmo and bore the subtitle “Do we live in the best of all possible legal worlds?”. The agenda focused primarily on current legal issues in countries of the Visegrad Group (V4), however, the conference also included papers

of a legal-historical nature. Specifically, there was a paper dealing with the principle of equality in relation to the Hungarian anti-Jewish laws, and one on *ius commune* and *ius proprium* in the light of medieval law.

As in previous years, the international conference *Days of Law* was held at the Faculty of Law of Masaryk University in November 2014. The subject of legal history was covered by the section “Technical development of the law”. The contributors focused on how technological advances in society influenced the development of legislation. It included reports on medieval and current Roman law, which addressed these issues against the background of historical events and contemporary legal sources.

From the 4th through the 6th November 2014, Prague hosted the international conference *The Development of National Legal History as a Legal Discipline in Central Europe. A Tribute to Prof. Jaromír Čelakovský (1846–1914)*. The conference was organized by the Masaryk Institute and Archives of ASCR, p.r.i. in cooperation with the Centre for Legal History Studies at the Faculty of Law of Charles University and the Prague City Archive. The conference was held to commemorate the 100th anniversary of the death of Prof. Jaromír Čelakovský, a prominent Czech legal historian and archivist. The presentations were related to two topics: the development of national legal history as an independent discipline, and the personality of Jaromír Čelakovský and the results of his research activities.

On November 28th, 2014, the Centre for Medieval Studies in Prague in cooperation with the Instytut Historyczny of University of Warsaw hosted the Czech-Polish congress on *Legal Culture in the Middle Ages*. The conference was attended by historians, and especially legal historians, from the Czech Republic and Poland. The papers focused on the nature of the legal environment in medieval Czech Lands and the Polish state. The contributions included presentations regarding the practice of the courts, and legal practice, law books, and the editorial availability of significant historical legal documents.

At the end of November 2014, the Czech Bar Association organized the eleventh *Conference on the History of Advocacy*. It is a traditional annual conference organized by the association at various locations in the Czech Republic. The conference was intended not only for advocates, or lawyers, and students of various law disciplines, but also for expert practitioners in archiving and administration. The event included papers on the history of advocacy, and selected courthouses, as well as presentations dedicated to particular personalities from the history of advocacy.

The papers presented at the above-mentioned conferences were subsequently published in the proceedings and monographs. The international character of most of the events is proof of close cooperation among domestic and foreign legal historians, whose goal is to find answers to questions related to national and European legal history on the basis of joint discussion. In future we expect the further development of this cooperation.

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Chronicle of Legal Historical Events in Germany in 2014

Key words: lecture, conference, legal history, legal archaeology, mediation, bankruptcy, animals, marriage, rule of law, legal transfer, transnationalisation.

Słowa kluczowe: wykład, konferencja, historia prawa, archeologia prawa, mediacja, upadłość, zwierzęta, małżeństwo, praworzędność, recepcja prawa, transnacjonalizacja.

January 2014

On **January 13th** a particularly interesting guest lecture was presented in the Institute of Legal History of the University in Göttingen. Prof. Heiner Lück, one of the most prominent specialists in the history of German law in Middle and Eastern Europe, gave a one-hour lecture titled *Legal History Under The Open Sky: What Legal Archaeology Is And What It Can Do* [*Rechtsgeschichte unter freiem Himmel: was ist und was kann Rechtsarchäologie*]. Professor Lück gave his audience a lively picture of how law can be created, distributed, and enforced using everyday examples. His mention of Polish legal historian Witold Maisel, the founder of legal archeological research in Europe, was one of the highlights.

February 2014

The Max-Planck Institute for European Legal History (MPI) organized the International Conference on Mediation, which took place between **February 5th and 7th** in Frankfurt am Main. The focus of the discussion was the evolution of concepts, modes, and manifestations of mediation, with emphasis on how it relates to the concepts of retaliation and punishment.

Between **February 20th and 21st**, a research group of the LOEWE¹ initiative, dedicated to “Extrajudicial and judicial conflict regulations” organized an international conference on “Dealing with economic failures” in cooperation with the MPI. The main topic of the debate was the legal and socio-economical discussion on bankruptcy and insolvency proceedings throughout history. One of the issues raised was the problem

¹ LOEWE – Landes-Offensive zur Entwicklung Wissenschaftlich-ökonomischer Exzellenz [State Initiative for Scientific and Economic Excellence].

that occurs when written law, in spite of giving the normative background for such proceedings, doesn't always correspond to the social climate of the given country. Such law can only be interpreted in consideration of social and economic terms, e.g. the currency value at the time the bankruptcy or insolvency took place. The participants' presentations focused on the extrajudicial ways of execution and avoiding imprisonment throughout history, and the ability to inherit a bankrupt's duties, as well as the treatment of bankrupt salesmen in different countries and time periods.

April 2014

Between **April 2nd and 4th**, an international conference *The animal in legal history* [*Das Tier in der Rechtsgeschichte*] was held at the Heidelberg Academy of Sciences [Heidelberger Akademie der Wissenschaften]. Despite the interdisciplinary character of the conference, the main contribution was made by legal historians, who presented the role animals play in many different aspects of civil and criminal law. Not only did they discuss the liability for damages caused by animals and its evolution, they also discussed the role of animals in the legal process as defendants, pieces of evidence (especially in sorcery trials), and punishment (such as hanging convicts along with wolves or dogs). They also discussed the role of animals as a form of payment and a source of utilities. Subsequent discussion of animal rights throughout history was particularly important. Even in medieval trials in which animals were defendants, no animal was killed without being found guilty.

May 2014

On **May 22nd and 23rd**, the Humboldt University in Berlin organized a debate on *The Role of a State Under the Rule of Law. Liberal Democracies and the Execution of Political Force in the 1970s–1980s. The Streets – the Court – the Prison* [*Orte des Rechtsstaats. Liberale Demokratien und die Herausforderung politischer Gewalt in den 1970er und 1980er Jahren. Straße – Gericht – Gefängnis*]. The principal aim of the conference was to answer the question of how the rule of law and democracy survived in the 1970s and 1980s, facing the threat of political violence and terrorism. The participants discussed different ways a democracy survives: Through mass protests (the streets), and the role of criminal law as a remedy for terrorism (the court), as well as the denial of special treatment or punishment for imprisoned terrorists (the jail).

July 2014

Between **July 3rd and 5th**, the University of Konstanz organized a conference titled *Das Recht und die Legitimation von Alleinherrschaft – Ruling Alone and Legitimation by Law*. The main issue was the role of law in legitimizing one's rule. Starting with the sovereigns of the ancient world, the participants discussed the influence of written law on the legitimization and limitations of autocracy, provided that the ruler was usually the one who promulgated the law.

At the same time, between **July 3rd and 4th**, the Max Weber Foundation organized an international conference on *Religious Contacts and Conflicts in Rites of Passage; European and Extra-European Perspectives of the Early Modern Period* in cooperation

with the MPI. The presentations concentrated on legal aspects of marriages and other religious rites of passage in multi-religious environments.

August 2014

Between **August 25th and 28th** an international and interdisciplinary conference on *Conflict between the Literature and the Law in Early Modern Romania – Access to Romanized Literary Studies in Legal History* [*Der Konflikt in Literatur und Recht der frühmodernen Romania – Zugriffe der romanistischen Literaturwissenschaft und der europäischen Rechtsgeschichte*] took place in Frankfurt am Main. The focus of the debate was the dialogue between literature and legal studies, as two isolated sciences, based on the analysis of the meaning of a given text. The participants discussed the reception of Roman law in both literature and German law in the Early Modern Period, as well as the influences of Romanized literature on legal life and the language of written law.

September 2014

Between **September 7th and 11th** the 40th Legal Historians' Day was held [Rechtshistorikertag] in Tübingen. It is a very prominent congress of German-speaking legal historians. Emphasis was placed on the role of economic law – a very new area of legal history – which has yet to establish its position as a separate discipline. Numerous presentations were dedicated to the connection between the economy and law, with emphasis on the context of the law as related to water in ancient Rome, as well as in the South America of the Early Modern Period. Another major group of presentations concerned the role of written law in times of economic and political crisis.

October 2014

On **October 16th and 17th** the MPI held a workshop on *International Security, Political Crime, and Resistance: The Transnationalisation of Normative Orders and the Formation of Criminal Law Regimes in the 19th and 20th Century*. The participants focused on the following problems:

1. The normativity-constituting nongovernmental instruments.
2. The establishment and defense of international security.
3. The legitimization and justification of supranational orders.

December 2014

At the end of the year, the MPI organized a series of lectures titled *Translating Normativity. New Perspectives on Law and Legal Transfer* [*Normativität Übersetzen. Neue Perspektiven auf Recht und Rechtstransfer*]. The first lecture took place on December 4th, with the cycle planned to last until the beginning of February 2015. The main purpose of the cycle was to answer the question of what happens to legal norms transferred to a new cultural context and how they influence the new legislation of the adopting culture.

ALEXANDRA LETKOVÁ
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Annual Report on Slovak Legal History 2014

Key words: scholarly events, Slovak legal history, report.

Słowa kluczowe: wydarzenia naukowe, słowacka historia prawa, sprawozdanie.

1. Academic degrees

Unfortunately, no academic degrees in the field of legal history were awarded in 2014.

2. Conferences

2.1. Transformation of Constitutional Law (Comenius University in Bratislava)

The international conference *Premeny ústavného práva* was organized by the Department of legal history of the Faculty of Law. The conference reflected significant changes in constitutional law during the 20th and 21st centuries in central and eastern Europe, especially in Slovakia, Czech Republic, Poland, Croatia, and Ukraine. The conference was attended by experts on constitutional law and legal history.

2.2. Milestones of law in the area of Central Europe 2014 *Milestones of law in the Central European region* (Comenius University in Bratislava)

Milníky práva v stredoeurópskom priestore 2014 is a yearly international conference for PhD, candidates and young scholars in many fields of legal scholarship in the area of the central European region. Traditionally, one section was dedicated to legal history includ-

ing Roman law. The conference provides PhD candidates and young scholars with the possibility of presenting their work, getting to know each other, and preparing the way for prospective cooperation.

2.3. *Quid leges sine moribus?* (Trnava University in Trnava)

The online international conference *Quid leges sine moribus? (Metamorphoses of the evolution of state and law in history)* was dedicated to the jubilee of Prof. JUDr. Dr.h.c. Peter Mosný CSc. The outcome of the conference was published in Poland.

2.4. The Sales Contract – history and current practice II (Pavol Jozef Šafárik University in Košice)

The international conference *Kúpna zmluva – história a súčasnosť II*, which took place at the Faculty of Law of Pavol Jozef Šafárik University in Košice, was focused, among other topics, on contractual relations in the form of the Sales Contract. The conference created a great opportunity to discuss the issue of the Sales Contract in an environment, where both legal historians and civilists could meet. This event was the continuation of a successful conference with the same name from 2013.

3. Monographs

3.1. Jozef BEŇA: *Diskontinuitná kontinuita slovenských ústavných dejín*, Bratislava: Atticum, 2014, 275 s.

[Jozef BEŇA: *Discontinuous Continuity of Slovak Constitutional History*, Bratislava: Atticum, 2014, 275 p.]

The monograph *Discontinuous Continuity of Slovak Constitutional History* was written as an examination of the concept of continuity of constitutional law as it was elaborated in Slovak history in the 20th century. On the basis of legal-political development, the main objective was to assess this concept and its impact on the law of the Slovak Republic. The author very convincingly explained the right of a nation to self-determination in the development of Slovakia's statehood in the context of the division of the Czechoslovak federation into two distinct new states. The entire very competently-written book has woven into its pages the question of continuity and discontinuity or, in author's words, "discontinuous continuity". He identified very clearly the elements of continuity and discontinuity in Slovakia's constitutional development.

3.2. Tomáš GÁBRIŠ: *Dočasné súdne pravidlá Judexkuriálnej konferencie z roku 1861. Monografická štúdia a historickoprávny komentár*, Bratislava: Wolters Kluwer, 2014, 506 s.

[Tomáš GÁBRIŠ: *Provisional Judicial Rules of the Judex-Curial Conference of 1861. Monographic study and legal-historical commentary*, Bratislava: Wolters Kluwer, 2014, 506 p.]

The monograph is a second supplemented edition of the work of the same name from 2013. Provisional judicial rules from 1861 were a tool of reconstruction of the Hungarian legal system after the neoabsolutist period when Austrian law was introduced into Hungary. At the Judex-Curial Conference, legal scholars and politicians adopted a decision to abandon the previous twelve years of neoabsolutism and centralism introduced by Austrian law, and opted for a renewal of the traditional Hungarian legal system with some changes introduced by the laws of March 1848 (the March Constitution of 1848). At the same time they retained some rules of Austrian origin and created some rules that were entirely new, particularly in the field of civil procedural law and inheritance law. Provisional judicial rules were an expression and embodiment of both continuity and discontinuity of legal development. Provisional Judicial Rules of the Judex-Curial conference were until now only superficially covered by Slovak legal historiography.

3.3. Ladislav HUBENÁK: *Lexikón právnych dejín Slovenska*, Bratislava: Wolters Kluwer, 2014, 350 s.

[Ladislav HUBENÁK: *Dictionary of Slovak Legal History*, Bratislava: Wolters Kluwer, 2014, 350 p.]

The legal history of Slovakia is an integral part of national history and closely related to the general history of state and law, and contemporary European legal history. This work is especially an encyclopedic tool, which mainly complements textbooks on legal history. The dictionary reflects historical facts, terms, and legal definitions and adds to the complete picture of Slovak legal history. The publication is divided into three parts: Part I contains a chronological overview of basic legal and historical events from the 5th century AD to 1993, the second part is an encyclopedic dictionary containing the interpretation of terms and legal institutions. The third part contains tables with composition of governments, election results, etc.

3.4. Miroslav LYSÝ: *Moravia, Mojmírovci a Franská ríša. Štúdie k etnogenéze, politickým inštitúciám a ústavnému zriadeniu na území Slovenska vo včasnom stredoveku*, Bratislava: Atticum, 2014, 373 s.

[Miroslav LYSÝ: *The Moravians, the Moimir Dynasty, and the Frankish Empire. Studies on Ethnogenesis, Political Institutions, and Power System in the territory of Slovakia in the early Middle Ages*, Bratislava: Atticum, 2014, 373 p.]

The monograph *The Moravians, the Moimir Dynasty, and the Frankish Empire* explains the problems of early medieval ethnicity, politico-genesis, and political relations between Moravia and the Carolingian Empire. The author's approach to the subject is characterized, above all, by increased attention to the authentic terminology of sources, as well as by deep insight into previous historiographical attempts at studying Moravian social development, taking into account their internal logic, philosophical background, and socio-political implications. The described monograph was a habilitation thesis, which Miroslav Lysý defended in February of 2015, after which he was appointed an associate professor at the Faculty of Law of the Comenius University in Bratislava.

3.5. Ondrej PODOLEC: *Medzi kontinuitou a diskontinuitou... Politický systém Slovenskej republiky 1939–1945*, Bratislava: Atticum, 2014, 272 s.

[Ondrej PODOLEC: *Between Continuity and Discontinuity... The Political System of the Slovak Republic 1939–1945*, Bratislava: Atticum, 2014, 272 p.]

The aim of this monograph is to analyze the different legal and historical institutions of the political system of the Slovak Republic of 1939–1945. The work provides information about the legislation and also compares the application reality (“law in use”) with the formal legal order. The author works with legal history and also with general history, processing the issue consistently using the comparative method. The monograph is a valuable contribution to the legal and general historiography of the Slovak Republic for the years 1939–1945. As such, it is likely to become a standard work for authors who will examine the political system in Slovakia during the given time period of 1939–1945.

3.6. Adriana ŠVECOVÁ: *Trnavské meštianske závety (1700–1871) I, II zväzok*, Bratislava: Veda, 2014, 1386 s.

[Adriana ŠVECOVÁ: *Trnava Burgher's Testaments (1700–1871) Vol. I, II*, Bratislava: Veda, 2014, 1386 p.]

The two-volume monograph about testaments of Trnava burghers from the modern age shows signs of clearly profiled legal-historical analysis and synthesis, which are presented in a monographic section (vol. 1). The edition of sources itself will certainly be used in future scientific research and in the teaching of legal history, possibly also in the general historical disciplines or auxiliary historical sciences. The author analyzed basic principles of inheritance law, property titles, debts, rights and obligations, upon the death of an individual in the Hungarian burghers' inheritance law, which was the source for later codifications. The work is a *de facto* one, but not the only one, of the prefigurations of modern inheritance law in Slovakia.

The year 2014 was a very successful year for legal history, mainly in quantity of published publications. Hopefully the year 2015 will be even richer in the academic sphere of Slovak legal history and will bring many interesting conferences and publications presenting the results of the research of Slovak legal historians.

ROMAN SHANDRA
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A Brief Review of Scientific Events in Legal History in Ukraine in 2014

Key words: Ukraine, Ivan Franko Lviv National University, legal history, civil law, verv court, shock court, city law.

Słowa kluczowe: Ukraina, Lwowski Uniwersytet Narodowy im. Iwana Franki, historia prawa, prawo cywilne, werwny sąd, kopny sąd, miejskie prawo.

During 2014 several historical-legal scientific works were published and two professional conferences were held by Ukrainian scholars.

Among published scientific works special attention should be dedicated to the monograph *History of Civil Legislation Coding Ukrainian Territory (1797–1991)* by Oksana Blazhivska, an lecturer of the department of intellectual property at Taras Shevchenko Kyiv National University, and judge of the Commercial Court. The monograph considers historical and legal foundations of civil legislation coding in Ukrainian territory at different historical periods thoroughly, comprehensively, and substantially.

Another monograph of great interest, *Historical-legal Characteristics of Formation and Dissolution of the USSR*,¹ was issued by Vitaliy Skomorovkyi, an lecturer of the department of the history of state and law at King Danylo Halytskyi Ivano-Frankivsk University. The process of elaboration, adoption, and implementation of legislation on the formation of the USSR was analyzed, peculiarities of its application at different historical periods were described, processes of Soviet state formation and development were considered, manners of interaction between allied republics shortly before legal documentation of allied states and their legal nature within the USSR were outlined, and main reasons for the dissolution of the USSR were clarified by the author.

An important focus of historical and legal academic research is Ivan Franko Lviv National University. The law faculty of the university has a scholar society *History of State and Law* led by professor Borys Tyshchuk. Representatives of this school publish

¹ W. Skomorowskyj, *Istoryko-prawowa charakterystyka stworennia i likwidacii SRSR*, Iwano-Frankivsk 2014, 410 p.

scientific works on the history of state and law annually. Prof. Ihor Boyko in 2014 issued the book *History of Legal Regulation of Civil, Criminal and Procedural Relations in Ukraine*,² which investigated major stages of formation and development of civil, criminal and procedural law in Ukrainian territory from ancient times to the present. Special attention in this work is drawn to problems of the formation and functioning of rules and institutions of civil, criminal and procedural law in Ukrainian territory, sources of law, and systematization of legal standards in the 9th through 20th centuries.

Monographs were also published by representatives of the mentioned scholar society in 2014. Dr. Marian Bedriy issued the monograph entitled *Shock Courts in Ukrainian territory in the 14th through 18th centuries: Historical and Legal Research*.³ The monograph examines peculiarities of formation and functioning of shock (“kopa”) courts in Ukrainian territory during the 14th through 18th centuries, along with the procedure for delivering Ukrainian shock (“kopa”) legislation. The author analyses causes of transformation of the ancient Rus verv courts to shock (“kopa”) ones in the 18th century, highlights the legal status of shock (“kopa”) courts, and characterizes procedural peculiarities of the legal shock (“kopa”) proceeding.

Dr. Volodymyr Kakhnych published the monograph *City-States and Municipal Law in Medieval Europe: Historical and Legal Research*,⁴ which is a comprehensive work covering historical and legal research of historical-legal procedure in the formation and functioning of city-states and municipal law in Medieval Europe. Based on historical and legal sources, the author analyzed the background of city-states (mainly Venice, Florence, Genoa), their social structure and state system. He also explained features of the development of city-states in Eastern Europe using the example of the Novgorod and Pskov republics, and described peculiarities of municipal law.

In 2014 there were two conferences organized by the International Association of Historians of Law. The first of them – the 30th International Historical and Legal Conference *Constitution and State Formation: National Traditions and World Experience* – was held July 4th through 6th, 2014 in Chernihiv. Co-organizers of this conference for coordination of fundamental legal researchers were the Koretskyi Institute of State and Law of the Ukrainian National Academy of Sciences (NAS), the Commission of the History of Ukrainian Law of the Presidium of the Ukrainian NAS, and the Section of History of State and Law of the Scientific Board of the Ukrainian NAS.

The following issues were discussed at the conference: the concept of the constitution, its essence, political and legal nature, legal properties, and role in state formation in special and temporal dimensions, “state”, “statehood”, “state formation”, and “the state-building process” as conceptual elements of historical and legal science, public authorities and civil society in state-building processes, political and legal opinion concerning the form and content of the constitution, features of constitutional acts in various

² I. Bojko, *Istoriya pravovoho reholuvannia cywilnych, kryminalnych ta procesualnych vidnosyn w Ukraini*, Wydawnyczyj centr LNU imeni I. Franka, Lviv 2014, 903 p.

³ M. Bedrij, *Kopni sudy na ukrajinskich zemlach u 14–18 st.: istorykoprawowe doslidzennia*, Halyc’kyj drukar, Lviv 2014, 264 p.

⁴ W. Kachnych, *Mista-derzawy ta miske prawo w sredniowiecznij Jewropi: Istoriykoprawowe doslidzennia*, Halyc’kyj drukar, Lviv 2014, 140 p.

countries of the world at different times, main legal requirements to a modern constitution as a legal basis of a stable state formation process, development of constitutionalism in Ukraine and the world, and national constitutional traditions, and constitutional order and other significant institutions of constitutional law in retrospect and prospect, etc.

The second conference – the 29th International Historical-Legal Conference *State Sovereignty, National Security and World Public Order in Historical and Legal Terms* was held November 27th through 30th, 2014 in Berehove. It was co-organized by the Koretskyi Institute of State and Law at the Ukrainian National Academy of Sciences, the Commission of History of Ukrainian Law at the Presidium of the Ukrainian NAS, the of History of State and Law Section of the Scientific Board of the Ukrainian NAS for coordination of fundamental legal researchers, the National Academy of Legal Sciences of Ukraine, the Ivan Franko Lviv National University, and the Uzhhorod National University.

The following issues were discussed at the conference: state sovereignty, national sovereignty, national security, state security, world public order, international law and order in the conceptual apparatus of legal science, history of establishing the modern world and international law and order and international humanitarian law, legal policy in the field of security, threats, and challenges to international and national security at different historical eras and experiences in neutralizing them, state and civil society as antagonists or symbionts in the context of providing national security: modernity and historical-legal parallels; historical and legal science in information war and ideological confrontation; democratic revolutions and military coups in the light of historical and legal analysis, and historical and legal aspects of national security and military doctrine concepts, etc.

2014 *Annual Report on Legal History from Hungary*

Key words: Hungary, conference, publication, Tripartitum.

Słowa kluczowe: Węgry, konferencja, publikacja, Tripartitum.

Conferences and other events

2014 was a year of important anniversaries for legal historians in Hungary. First of all it was the quincentenary of the Hungarian *Tripartitum* law book by István Werbőczy which was completed in 1514. Although it never entered into force, judiciary practice applied it for centuries, so the *Tripartitum* became the primary source of Hungarian customary law and one of the most important documents of the country's legal history.

Three conferences, all of them held in Budapest, were dedicated to the *Tripartitum* anniversary. The first one (*Half a Millennium of Hungarian Legal Development*) was organized by the National University of Public Service and was held at the seat of the Hungarian Academy of Sciences (HAS) on March 25th. The second one (*The 500-Year-Old Tripartitum – the survival of the Tripartitum's rules*) was set up by the Eötvös Loránd University and was held on November 5th. The last but not least conference was the *Werbőczy's Tripartitum is 500 Years Old – Conference on the Feast of the Blessed Widow Elisabeth*. The subtitle is a reference to the text of the king's assent to the *Tripartitum* which was granted on November 19th.

Most of the lectures were about the legal aspects of the *Tripartitum*, but the audience was also informed about the biography of István Werbőczy, differences between various translations of the *Tripartitum*, and reception of the book among Croatians.

2014 was also the centenary of the outbreak of the First World War. On this occasion the Hungarian Lawyers' Association, the Department of the History of Hungarian State and Law of the Eötvös Loránd University, and its Scientific Students' Association organized a minor conference called *The Road to the First World War* which was held in Budapest on October 15th.

The legal history departments of the Szeged University and the local Regional Committee of the HAS produced a conference called *The Three Legal Historians from Szeged* to honor the memory of György Bónis (1914–1985), Ödön Both (1924–1985) and Béla Iványi (1878–1964). The commemorative meeting was held in the southern Hungarian city November 27th and 28th. The inclusion of seven German legal historians giving lectures in their mother tongue gave the event a bilingual character. Relatives of the three great scholars were also present. These topics were also influenced by the Tripartitum anniversary.

2014 was also the 30th anniversary of the death of the renowned Hungarian jurist and ethnographer Ernő Tárkány Szücs. On this occasion the research team named after him organized the *Ernő Tárkány Szücs Interdisciplinary Conference on the Cultural History of Law and Legal Ethnography* in the small Southern Transdanubian city of Szekszárd between October 2nd and 3rd. Among the lecturers there were also legal scholars, historians, ethnographers, and a sociologist. As a result the presentations were about very different topics like the usage of pillories, the sumptuary laws in early modern Transylvania, and the impact of an unsuccessful execution on folklore. The common base of these different presentations was a concept that not only those rules which are created and enforced by the state should be regarded as law, but also the norms of smaller communities as well.

The conference *The Constitutional System of the Provisionary Period (1920–1944) Part I* was not connected to any anniversaries. It was organized by the Department of Legal History of the Pázmány Péter Catholic University and the HAS Institute for Legal Studies. It was held at the University's Faculty of Law on May 23rd. The lecturers spoke about the different aspects of the regency of Miklós Horthy such as the role of executive power in lawmaking, the binding power of the supreme court's (the Hungarian Royal Curia) decisions, or the problems arising from the reannexation of the lost territories.

At the same time a scientific session called *Obligatio est iuris vinculum – The Roman Law of Obligations and Its Impact on Modern Legal Systems* was held at the Headquarters of the HAS. It was organized by the Roman Law and History of European Private Law Subcommittee of the HAS Committee of Legal and Political Sciences. The presentations focused on the definition of contracts and the problematics of *actio iniuriarum*.

Publications

Beside conferences and other events there were several Hungarian books dedicated to legal history which were published in 2014.

The *White Lady of Lőcse*¹ (today: Levoča, Slovakia) by Attila Barna (associate professor, Széchenyi István University) is about the historical background of a novel with the same name by the famous Hungarian writer Mór Jókai. The title character of these works was a woman who was accused of aiding the anti-Habsburg (the so-called *kuruc*)

¹ A. Barna, *Lőcsei fehér asszony*, Győr Megyei Jogú Város Levéltára, Győr 2014.

rebels and executed. Barna used archival sources to find out the truth about the white lady's trial.

*Customary Law of Cities according to the Ars Notaria*² by Gábor Béli (associate professor, University of Pécs) fills in gaps in knowledge of legal norms used by city courts in medieval Hungary by inspecting the text of *Ars Notaria* which is one of the country's oldest legal textbooks. The analysis of this medieval textbook, which contains mostly samples, helped to clarify rules of civil procedure and the work of the cities' administrative bodies.

*The Purple Dignity, the Yellow Betrayal – Symbols and Rituals in Legal History*³ by Mrs. Kinga Bódy Beliznai (assistant professor, Eötvös Loránd University) is the extended edition of the author's Ph.D. thesis. It focuses on the use of symbols and rituals in courts, wedding ceremonies, and other legal procedures in Hungary throughout history, including interesting examples from other countries as well. The monograph highlights the role of colors, animal symbols, and clothes in the history of law. People nowadays may find it strange that animals which "committed crimes" or caused damage were executed as well as humans.

*We Followed the Customs of Our Ancestors (Legal History, Legal Popular Customs, Art)*⁴ by József Gelencsér (honorary associate professor, University of West Hungary) focuses on sanctions which are not enforced by the state but by smaller communities. The author emphasized that most of these penalties, like burning of the arsonist or expelling a girl from the party because she refused to dance with someone were based on a law of retaliation.

*Prehistory of Our Law*⁵ by Irma Szádeczky-Kardoss (honorary professor, Eötvös Loránd University) is about Hungarian legal history before the founding of the state. The influence of the khazars, levirate marriage, and legal symbols of ancient Hungarian myths, etc. are the topics of this monograph.

*The Prisoners of the Red Moore*⁶ by Frigyes Kahler (honorable associate professor, Pázmány Péter University) is about some show trials during the interwar period and the early communist era in Hungary. The book's aim is to commemorate politicians, judges, and priests who were executed despite their innocence.

*Public Law Institutions of the Roman Kingdom and the Republic*⁷ by Attila Pókecz Kovács (associate professor, University of Pécs) provides a counterweight to the preponderance of works about Roman law which focus on private law aspects, though development of public law is also interesting. The author points out that the transition from a monarchy to a republican state led to well-functioning governance and respectable albeit oligarchic administration.

² G. Béli, *Városi szokásjog az Ars Notaria alapján*, Publikon, Pécs 2014.

³ K. Bódiné Beliznai, *A bíbor méltóság, a sárga árulás*, Balassi Kiadó, Budapest 2014.

⁴ J. Gelencsér, *Őseink szokásait követtük... (Jogtörténet, jogi népszokás, művészet)*, Vörösmarty Társaság, Székesfehérvár 2014.

⁵ I. Szádeczky-Kardoss, *Jogéletünk őstörténete*, Püski, Budapest 2014.

⁶ F. Kahler, *A vörös ingovány foglyai*, Kairosz Könyvkiadó Kft, Budapest 2014.

⁷ A. Pókecz Kovács, *A királyság és a köztársaság közjogi intézményei Rómában*, Dialóg Campus, Budapest-Pécs 2014.

*Early History of the Palatine 1000–1342*⁸ is the published Ph.D. thesis of Tibor Szőcs (senior research fellow, Hungarian Medievalistic Research Group). While Szőcs is neither a lawyer nor a legal historian, his monograph includes several topics related to the history of medieval Hungarian law in many ways. The palatine (*nádor*) was second in power only to the king in Hungary, and was often named as the judge of the countryside's nobility.

⁸ T. Szőcs, *A nádori intézmény korai története, 1000–1342*, MTA Támogatott Kutatócsoportok Irodája, Budapest 2014.