

Norbert Varga - Benedek Varga: Overview of the Hungarian-Polish Legal History Student Workshops

The close cooperation between Faculty of Law and Administration of Jagellonian University and the legal historians of the Faculty of Law and Political Science of University of Szeged goes back almost a decade. Within the framework of the cooperation agreement between the institutions mentioned above, the faculty and students of the two universities have established close partnership in the fields of teaching and research, as well as talent management. The cooperation was launched with the professional support of the then head of the Department of Polish Legal History, *Prof. Dr. hab. Wacław Uruszczak* and *Prof. Dr. Mária Homoki-Nagy*, the head of the Department of Hungarian Legal History in Szeged. Every two years, Polish and Hungarian students interested in the history of law present their initial academic results in a joint workshop, which is hosted alternately by the two university cities of Krakow and Szeged.

The first workshop (*Polish-Hungarian Law Student Workshop*) took place in Krakow, Poland between 5 and 8 April 2016. The second meeting was organised in Szeged as part of the conference entitled *Polish-Hungarian Legal History Student Workshop II: Historical and Comparative Examination of Legal Professions in Jurisdiction and Administration*, which had a student session at the Chair House of Academic Committee of Szeged on 13th June 2018. The students presented mainly the work of prominent representatives of the legal professions, professors. The workshop included a presentation by: Ilona Rębisz, (Jagiellonian University) Paweł Włodkowic - The Most Famous Polish Lawyer of the 15th; Century Bence Krusóczki, (University of Szeged) Dr. Salamon Beck - the last case-lawyer; Ildikó Ámán, (University of Szeged) The Two Professors Kolosvary (Father and Son) on the Same Cathedra; Edyta Kubiak, student (Jagiellonian University) Mikołaj Zalasowski - Lecturer at the Cracow University in the 17th Century; Mihály Botos, (University of Szeged) Marton Géza-"Professor of Liability" Viktória Kárnyáczki, (University of Szeged) The life and work of Ferenc Varga; Balázs Timár, (University of Szeged) Sándor Plósz-1867-1911; Arkadiusz Piskorz, (Jagiellonian University) Juliusz Makarewicz - Author of Polish Penal Code (1932); Zita Varga, (University of Szeged) Károly Csemegi, one of the greatest Hungarian criminal law codifier; Bartosz Galucha, (Jagiellonian University) Antoni Zygmunt Helcel (1808-1870). Lawyer, Politician, Law Historian; Ildikó Galina, (University of Szeged) Károly Szladits, one of the most significant professor of the Hungarian private law.

The third meeting, took place in Krakow from 20 to 21 September 2019 in the framework of an international conference, called *Unions of States in the Past. Theory and Practice*. The lectures covered widespread legal history topics: the exercise of judicial power, the role of the ABGB, the application of Lithuanian law in Polish law, etc. The lecturers were Mihály Botos (University of Szeged), *Die objektive Haftung in Ungarn im 19. Jahrhundert*; Ildiko Galina (University of Szeged), *The significant of law of 1869th IV. in Hungarian constitutional development*; Kornél Horváth (University of Szeged), *Could the ABGB have been the base of the unification of the Hungarian private law?*; Bence Krusóczki (University of Szeged), *Unfair competition in the Hungarian judicial practice*; Kristóf Szivós (University of Szeged), *The Effect of the Provisorische Zivilprozessordnung to the Hungarian Procedural Codification*; Zita Varga (University of Szeged), *Inheritance litigation in the light of ABGB in Csanád County between 1862-1865* Ilona Rębisz (Jagiellonian University), *Crown Tribunal and Lithuanian Tribunal: Two High Courts in Polish-Lithuanian Commonwealth 1578/1581-1795*; Bartosz Gałucha (Jagiellonian University), *Subsidiary Application of the Lithuanian Law in Poland*

(1569-1795); Kinga Ciosk (Jagiellonian University), *Teodor Ostrowski's "Prawo cywilne narodu polskiego" ("Civil Law of Polish Nation"): A Handbook of Polish and Lithuanian Law of 1781*; Arkadiusz Piskorz (Jagiellonian University), *Incorporation in 16th Century and Its Results in the Area of Civil and Penal Law*.

The 4th Polish-Hungarian Legal History Workshop was held at the Faculty of Law and Political Sciences of the University of Szeged on 30th November 2022. The Department of Hungarian Legal History of the Faculty of Law of the University of Szeged has been in close contact with the legal historians of the Jagiellonian University of Krakow for many years. Thanks to the cooperation between the two universities, Polish and Hungarian students were able to present their research results in the field of legal history for the fourth time, thus providing a mutual insight into the legal culture of the two countries. Prof. Dr. Maciej Mikula played an important role in the preparation and guidance of the Polish students, while the Hungarian students were assisted by Dr. habil. Norbert Varga, associate professor. In 2022, in accordance with tradition, the Faculty of Law and Political Sciences of the University of Szeged organised the student conference in the framework of the OTKA project K 138618 *"The development of private law between the two world wars"*. Accordingly, the theme of the workshop was the development of private law between the two world wars, with a special focus on the codification of private law, changes in commercial law and competition law.¹

The first session was chaired by Professor Maciej Mikula (Jagiellonian University).² The conference was opened by Dariusz Piotrowski's lecture (Jagiellonian University) (*From Five Legal Systems to One Commercial Code (1934): The Development of Polish Commercial Law in the Interwar Period on the Basis of Commercial Company Law*), which gave an insight into the development of Polish commercial law between the two world wars, including the problem of legal particularism and the work of the codification committees established in 1919.³ Izabela Wasik's (Jagiellonian University) presentation (*Das Gesetz vom 2. August 1926 über das auf häusliche Verhältnisse anwendbare Privatrecht - eine Analyse der Rechtsprechung des Obersten Gerichtshofs in der Zweiten Republik Polen*) dealt with the Marriage Act of 1926 and the related Supreme Court practice, reflecting on the importance of the Court's law-development activities. This was followed by a lecture by Zsanett Forgó (University of Szeged) (*The Restriction of Dower in the Judicial Practice of the Royal Regional Court of Kalocsa During the First World War*), who presented how the restriction of widowhood rights was enforced in the First World War jurisprudence of the Royal Regional Court of Kalocsa. The following presentation (*Marriage and Divorce in Interwar Poland*) by Beata Dziego (Jagiellonian University), focused on Polish marriage law between the two world wars and she compared it with the Polish marriage law of the 21st century. Szandra Sümegi (University of Szeged) was the last lecturer of this session, who spoke about the two main legal institutions of the property regime of the Horthy-era (*Military Land Grant and the "Vitéz" Land Property in Hungary Between the World Wars*). The session concluded with a lively discussion, with Polish speakers raising questions mainly on the issue of matrimonial property law, and Hungarian

¹ In the footnote we will refer to publications that are related to the theme of the last workshop.

² Maciej Mikula edited the fourth volume related to the theme of the workshop, which was published with the support of the Visegrad Grant in 2022 in Cracow Studies of Constitutional and Legal History Vol 15 (2022, Issue 2).

³ Piotrowski, Dariusz: Interpretation of the premise of „harming a shareholder” of a capital company from a historical legal perspective. *Transformacje Prawa Prywatnego*, Issue 4, 2022. pp. 27-45.

speakers were open to discuss about legal "territoriality" that was raised in several of the presentations.

The second session was chaired by *Dr. Norbert Varga*, habilitated associate professor of the Department of Hungarian Legal History of the Faculty of Law of the University of Szeged.⁴ The substantive law topics of the previous session were followed by a lecture on procedural law by *Dr. Kristóf Szívós* (University of Szeged), who analysed the dogmatic background of the change of action based on the Civil Procedure Code of 1911.⁵ The next speaker, *Benedek Varga* (University of Szeged), in his lecture entitled "*Historical category or future economic crime: The price gouging*", examined the dogmatic issues of a crime that appeared during the First World War, the price gouging abuse, illustrating the statutory elements of the offence on the basis of archival sources.⁶ *Dr. Bence Krusóczki* (University of Szeged) presented the case law of the Competition Act of 1923 under the title "*Good Morals and Unfair Competition*", also based on archival sources.⁷ This was followed by a lecture by *Piotr Owsiak* (Jagellonian University), which gave an insight into the private law of micro states.(Monaco, Andorra) between the two world wars, and the session was concluded by a presentation by *Agnieszka Morawiec* (Jagellonian University), who examined the issue of religious freedom in the Second Polish Republic through the traditional Jewish educational system. The discussion that followed

⁴VARGA, NORBERT: Árdragító visszaélések a Szegedi Ítéltábla gyakorlatában az 1920. évi XV. tc. alapján [Examples of sharking misuses in the practice of the Court of Justice of Szeged, according to the 15th Act of 1920.] FORUM: Acta Juridica Et Politica. Volume 7, 2017. pp. 83-93. VARGA, NORBERT: The European Roots of Hungarian Regulation of the Cartels Special Attention to the Foundation of Cartel Supervisory Public Authorities. Journal of European History of Law. Volume 11, 2021. pp. 112-117. VARGA NORBERT: Introduction to the Hungarian Cartel Regulation in the Interwar Period. KRAKOWSKIE STUDIA Z HISTORII PANSTWA I PRAWA. Volume 15, 2022. pp. 215-226., VARGA, NORBERT: Between Public and Private Law: The Foundations of the Regulation of the Hungarian Cartel Law of 1931. In: Jogtörténeti Szemle, Vol. 19., Special Issue, 2021, pp. 65–71.; VARGA, NORBERT: All Essential Elements of a Cartel Contract Based on a Specific Example, In: BIRHER, N. – MISKOLCZI-BODNÁR, P. – NAGY P. – TÓTH J., Z. (Eds.), Studia in honorem István Stipta 70. Budapest, 2022, pp. 505–512., VARGA, NORBERT: A kartelljárás jog szabályozása és gyakorlata, különös tekintettel a Kartellbíróság működésére. [The regulation of practice of procedural antitrust law, with particular reference to the functioning of the Cartel Court] Versenytükr, Special issue, 2016. 84-95. pp. Varga Norbert: A kartellfelügyelet bevezetése Magyarországon. [The introduction of cartel supervision in Hungary.] Iurisperitus Kiadó, Szeged, 2020. VARGA, NORBERT: Lawsuits on Cartel Presentation Omission After the 20th Act of 1931 Came into Effect. In: Journal of European History of Law. Issue 13. 2022. pp. 149-155. VARGA, NORBERT: Egy választottbíróági eljárás kartelljogi relevanciái [The antitrust relevance of an arbitration]. In: Jogtörténeti Szemle, Vol. 29. 2021. 29-37. pp. VARGA, NORBERT: Provisions on Arbitration Proceedings Set Down in Cartel Agreements Based on the First Hungarian Cartel Act. In: Athens Journal of Law. Vol. 7, 2021. pp. 53-64.

⁵ SZÍVÓS, KRISTÓF: Tools of the Case Management in the First Hungarian Code of Civil Procedure. In: Frenkel, David A.; Varga, Norbert: Law and History New Studies. Athens Institute for Education and Research, Athens, 2021. pp. 105-115. SZÍVÓS, KRISTÓF: The Changes in the Right of Novelty in Hungarian Civil Procedure in the Interwar Period. In: Krakowskie Studia z Historii Panstwa i Prawa, Vol. 15., No. 2., 2022, pp. 245–259. SZÍVÓS KRISTÓF: Das freie Vorbringen und seine Begrenzung nach der Kodifikation des ungarischen Zivilprozessrechts. In: Journal on European History of Law, Vol. 13., No. 2., 2022, pp. 114–120.;

⁶ VARGA, BENEDEK: A Legfelső Honvédelmi Tanács közjogi helye és tevékenysége a Horthy-korszakban [The legal status and the function of the Supreme Defence Council in the Horthy-era]. In: Acta Universitatis Szegediensis : forum : publicationes discipulorum iurisprudentiae. Vol. 3, 2021. pp. 653-689.

⁷ KRUSÓCZKI, BENEC: The Role of the Budapest Chamber of Commerce and Industry Regarding Unfair Competition. In: Frenkel, David A.; Varga, Norbert: Law and History New Studies. Athens Institute for Education and Research, Athens, 2021. pp. 85-104.; KRUSÓCZKI, BENEC: A tisztességtelen verseny a Szegedi Királyi Ítéltábla joggyakorlatában [The practical implementation of the unfair competition in the royal courts of appeal in Szeged]. In: Acta Universitatis Szegediensis: FORVM : publicationes discipulorum iurisprudentiae, (1), 2018. pp. 245-269.; KRUSÓCZKI, BENEC: A Budapesti Kereskedelmi és Iparkamara szerepe a tisztességtelen versenyselelmények kapcsán. [The unfair competition practice of the Budapest Chamber of Commerce and Industry] In: Acta Universitatis Szegediensis: FORVM: publicationes discipulorum iurisprudentiae (2), 2019. pp. 195-220.

the presentations focused on the importance of processing archival documents, but also included several questions on the development of Hungarian criminal law during and after the First World War.

The students' workshop provided an excellent opportunity for undergraduate and postgraduate students researching legal history to gain a deeper knowledge of the history of the development of another state's legal system and to compare it with the legal traditions of their own country. The conference is a clear testimony of the cooperation between the two universities over almost a decade and we hope that this relationship will be strong in the future. We would like to thank *Prof. Dr. Maria Homoki Nagy*, Head of the Department of Hungarian Legal History, the Jagiellonian University and the University of Szeged for their support, Dr. Máté Pétervári, Adjunct Professor,⁸ and Judit Marvanek for their organizational work.

The student workshops provide an excellent opportunity for young researchers to learn about each other's research results and build contacts. In addition to professional contacts, they will also have the opportunity to discuss and reflect on their research in the context of friendly discussions, the next forum which will be held in Krakow.

⁸ PÉTERVÁRI, MÁTÉ: Megakadályozta-e a csődnitási hullámot az I. világháború alatt a csődönkívüli kényszeregyezés bevezetése a Kalocsai Kir. Törvényszék illetékességi területén? [Whether the Introduction of Compulsory Non-Bankruptcy Settlement Prevented the Wave of Declarations of Bankruptcy in the Area of Competence of Royal Regional Court of Kalocsa During the First World War?] In: Jogtörténeti Szemle (under publication).; PÉTERVÁRI, MÁTÉ: Changes in the Hungarian Insolvency Law in the Interwar Period. In: Krakowskie Studia Z Historii Państwa i Prawa, Vol. 15., No. 2., 2022, pp. 227–244. PÉTERVÁRI MÁTÉ: The Bankruptcy Act in Hungary in the Interwar Period. In: Frenkel, David A.; Varga, Norbert (ed.): Law and History New Studies. Athens Institute for Education and Research, Athens, 2021. 65-84. pp.