

Dósa Elek Műhely

A műhely a jogtörténet oldaláról közelít a jog-vallás-erkölcs összefüggésrendszeréhez. Az elmúlt években Dósa Elek naplójának kiadását készítettük elő.

A Dósa Elek Műhely kereteiben folyik a Jogelmélet, Jogtörténet és Egyházjog Tanszék oktatóinak a kutatása.

Ezek közül kiemelkedő a négy országot átfogó nemzetközi jogtörténeti program, amelyben a tanszék több oktatója is részt vesz.

A program tartalma:

Primary goal of the project is to research the causes and consequences of the Treaty of Trianon using legal historical-legal methods of research. Stated type of research of the Treaty of Trianon is new, therefore following partial researches will be required:

1. To complexly define, characterize and analyse common as well as different features, phenomena and factors of the main legal institutions of international (diplomatic, consular law), created as early as in Roman public law, in particular international law of war (*ius fetiale*) using the method of deduction – from general knowledge to creation of specific conclusions, examples of usage, application of the *serules ad hoc*. To identify, interpret and execute historical legal analysis of chosen conflicts, collisions of medieval Canon law and Roman law while exercising the primacy of papal or imperial power, as well as to establish accepted legal bases; research of the overseas departments problems and application of canon law on their inhabitants. Research of activities of the University of Salamanca (de Vittoria, Suarez, Soto), Oxford (Gentili) and the operation of natural law school (Grotius) – „difference in unity“ while creating fundamental principles and maxims of international law and applying them to the specific chosen European historical events. At last, the research of Vienna congress (1814-15) „stability in instability“ – its impact on creation of diplomatic and consular law in relation to subsequently created Versailles system of international treaties – with specific focus on the Treaty of Trianon.

2. Following the point 1 to characterise and analyse the impact of key events of 19th. century on creation and modification of the borders of Austria-Hungary, specifically in the view of border changes related to main international treaties concluded until WWI. Research of the Austro-Hungarian compromise in this phase of research will be exceedingly important, since this event, for a long period of time influenced the relations between Hungarians and minorities that in the present-day constitute their own states. Within this context it will be important to give attention to the changes of county borders, mainly the counties that later represented the so-called „buffer zone“.

They ear of 1920 – eternal trauma, or Slovak-Hungarian compromise ? Indispensable part of there search will be searching for common positions with Hungarian colleagues participating in the project. The consequences of Treaty of Trianon, specifically in relation to the history of law and judicial system are not even in Hungary researched yet (e.g. in Slovakia – the matter of presence, extent, structure and consequences of criminal activity motivated by the effort to abolish the international consequences of the Treaty of Trianon and that, among other – in context of national legislation presented by the Act. n.o. 50/1923 on the protection of there public). With in this contex twe expect significant advancement of knowledge as in Slovakia as in Hungary.

3. Another aim of this project in terms of suggested connections is the matter of taking over and forming specific aspects of state power – in the broadest context – in relation to Hungary as well as in wards. Taking-over/ forming the state authority in the territory of Slovakia after the foundation of inter-war republic was problematic. Partial aim will be to analyse in detail the formation of particular branches of public authority, with specific focus on the southern parts of the newly founded republic.

4. The next aim of the project will be to create an analysis of Treaty of Trianon in the context of principles, maxims and standards of concluding international treaties and their significance in international law and in relation to building mutual relations between countries. The process of concluding the Treaty of Trianon and its effects will be the object of detailed research. Comparative method will be used to research the relation of the Treaty of Trianon and other international treaties directly or indirectly related to it. The so-called Versailles system represents an example of a system of international treaties concluded after WWI between victors and the defeated. Researchers will also present a view point on the development of international commerce between particular countries whether on the side of victors or on the side of the defeated in WWI. Within the framework of solving the grant task, the mutual influence of the Treaty of Trianon and the right of self-determination will be researched, as well as the influence of the treaty on perception of the institution of citizenship, also in the light of EU law that introduced the institution of citizenship of the European union. Finally, the hypothesis that the Treaty of Trianon and its impact contributed to the creation of laws of national minorities will be verified.

Ezen túlmenően a Dósa Elek Műhely keretében készül az évenkénti Budapest Jelentés (a vallásüldözésről) egy tanulmánya.