

(Dis)continuity of Legal Systems in Czechoslovakia, Hungary and Poland after WWII: Difficult Heritage

The project “(Dis)continuity of Legal Systems in Czechoslovakia, Hungary, and Poland after WWII: Difficult Heritage” – was carried out from 2024 to 2025 under the International Visegrad Fund by a consortium of four universities.¹ The project was led by the Jagiellonian University in Krakow (PI: Maciej Mikula) in collaboration with three partners being the University of Trnava (PI: Tomáš Gábris), the University of Szeged (PI: Norbert Varga) and the University of West Bohemia in Pilsen (PI: Vilém Knoll). The intention of the project’s authors was to integrate the V4 academic community around the issue of the legal heritage of the socialist period and to popularise joint research on the topic. The purpose of the project was, therefore, to outline the characteristics of socialist law in the Visegrad Group countries by proposing research on selected topics from various branches of law, often from a comparative perspective. Some changes in legislation were so abrupt that they led to a break in continuity with pre-war law, causing profound transformations in the situation for individuals. The personal experiences of many people may justify calling the legal legacy of this period particularly difficult. Four thematic blocks were proposed: 1) constitutional issues and fundamental rights, 2) the judicial system, 3) law and the socialist economy, and 4) socialist law and society, with particular emphasis on marriage, family, and inheritance.

¹ The project “(Dis)continuity of Legal Systems in Czechoslovakia, Hungary and Poland after WWII: Difficult Heritage” is co-financed by the Governments of Czechia, Hungary, Poland and Slovakia through Visegrad Grants from the International Visegrad Fund. The mission of the fund is to advance ideas for sustainable regional cooperation in Central Europe. Visegrad Grant No. 22330152.

- Visegrad Fund
-

As part of the project, the international research team made a comparison of the degree of Sovietisation of the legal systems of Czechoslovakia, Hungary, and Poland after 1945. Utilising the work of the international research team allowed the phenomenon of the law of the socialist period to be placed in the context of the 'common' heritage of the legal culture of the Visegrad Group countries.

On 3–5 February 2025, an International Conference entitled: "Continuity and Discontinuity of Legal Systems after WWII in Czechoslovakia, Hungary, and Poland: The Difficult Heritage (1944/1945–1989)" was held in Krakow. The conference took place in the Collegium Maius, the oldest university building. The objective of the conference was to present the results of a joint comparative analysis by the international research team, including experts from all V4 countries. The results of their research were presented by the following experts: from Slovakia, Tomáš Gábriš (University in Trnava) and Miriam Laclavíková (University in Trnava); from Hungary, Norbert Varga (University of Szeged), Mária Homoki-Nagy (University of Szeged), Máté Pétervári (University of Szeged), Kristóf Szivós (University of Szeged), Benedek Varga (University of Szeged), and Dénes Legeza (Hungarian Intellectual Property Office); from the Czech Republic, Petr Dostálík (Palacký University in Olomouc/University of West Bohemia, Pilsen), Marián Byszowiec (University of West Bohemia, Pilsen), and Denisa Kotroušová (University of West Bohemia, Pilsen); and from Poland, Piotr Fiedorczyk (University of Białystok), Katarzyna Krzysztofek-Strzała (Jagiellonian University), Zdzisław Zarzycki (Jagiellonian University), Jakob Maziarz (Jagiellonian University), Marek Strzała (Jagiellonian University), and Paweł Kaźmierski (Jagiellonian University/University of Jena). The audience primarily consisted of legal historians, historians, and students of law and history.

In the dissemination of knowledge about the legal culture and identity of the V4 countries, the action of publishing a post-conference monograph was invaluable. The authors of the 19 scientific articles are Miriam Laclavíková, Ingrid Lanczová, Tomáš Gábriš, Peter Vyšný, Adriana Pollák Švecová, Norbert Varga, Mária Homoki-Nagy, Máté Pétervári, Kristóf Szivós, Benedek Varga, Dénes Legeza, Vilém Knoll, Marián Byszowiec, Tomáš Pezl, Jakub Hablovič, Petr Dostálík, Vendulka Valentová, Jindřich Psutka, Denisa Kotroušová, Piotr Fiedorczyk, Katarzyna Krzysztofek-Strzała, Jakob Maziarz, Marek Strzała, Zdzisław Zarzycki, and Paweł Kaźmierski. The articles published in the above-mentioned volume address only selected issues; therefore, the proposed comparisons will allow us to see similarities, differences, and parallel directions of development of socialist law in the Visegrad Group countries. They thus confirm the hypothesis that, despite the significant impact of Soviet legal doctrine, developments in individual Eastern Bloc countries were similar in many aspects, but also different in others. Additionally, they open up perspectives for future research on the often difficult legacy of socialist law and legal practice. The articles were published in the "Cracow Studies of Constitutional and Legal History" and are

available in open access.² Furthermore, selected legal regulations from the socialist period of Czechoslovakia, Hungary, and Poland have been translated into English and access to them provided in the ‘IURA. Sources of Law from the Past’ database.³

It is worth mentioning that this project was a continuation of a previous research project entitled “Continuity and Discontinuity of Pre-war Legal Systems in Post-war Successor States (1918–1939).” The full details of the previous project can be found online.⁴

The scientists participating in the project warmly invite you to explore the project website “(Dis)continuity of Legal Systems in Czechoslovakia, Hungary, and Poland after WWII: Difficult Heritage.”⁵

Paulina Kamińska

Uniwersytet Jagielloński w Krakowie, Polska

Jagiellonian University in Kraków, Poland

<https://orcid.org/0000-0002-1374-6202>

² Abstracts of the texts are available at <https://crihestu.id.uj.edu.pl/post-conference-articles>.

³ <https://iura.uj.edu.pl>.

⁴ <https://wyznaniowe.law.uj.edu.pl/visegrad>.

⁵ <https://crihestu.id.uj.edu.pl/vf-grant>.