

VII

# SIC MUR AD ASTRA

EDITORS  
GERGELY GOSZTONYI  
IMRE KÉPESSY  
DUNJA MILOTIĆ

Collection  
of papers  
on **Hungarian**  
and **Croatian**  
legal history 2024

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# ASTRA

Eötvös Loránd University / Faculty of Law / Department of the History of Hungarian State and Law / 2024

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# **Panna MEZŐ: The history of the Hungarian Palace of Justice\***

**Eötvös Loránd University, Faculty of Law**

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## **1. Introduction**

King Stephen laid the foundations for the beginnings of a thousand years of legal development in Hungary. The most important figure in the legal system of the Kingdom of Hungary was the later István Werbőczy, who also held the office of Chief Justice. His *Tripartitum*, published in print in 1517, became a collection of "...the established and approved customs and decrees of all the laws, laws and ordinances of the country". From 1541 onwards, with the division of the country into three parts, the centralised curial jurisdiction of the courts declined and was replaced by local, religious jurisdiction.

The reorganisation and reorganisation of the Curia began at the Diet of 1723/24. Acts 24-26 of 1723 stipulated that the Curia was a high court of fixed jurisdiction, sitting regularly, with its seat in Pest and two sections, the Royal Chamber and the Seven-Person Chamber. Following the suppression of the 1848-49 War of Independence,<sup>1</sup> the role of the latter was taken over by the Supreme Court in Vienna, and the Royal Court (and the Court of Variation) was succeeded by five higher district

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\* I was assisted in the preparation of the article by Steindl Imre Nonprofit Zrt., and I would like to thank Andrea Kita for her enormous help.

<sup>1</sup> GOSZTONYI, Gergely: Freedoms in the Hungarian April Laws of 1848. *Journal on European History of Law*, No. 1., 2024.

courts. In the manuscript accompanying the October diploma, Franz Joseph declared that he would restore the Curia. The Conference of the Judiciary, chaired by György Apponyi, was responsible for the provisional organisation of the judiciary. Until 1882, the Curia consisted of two branches, the Court of Cassation, which dealt with nullity cases, and the Supreme Court, which decided on applications for judgments on the merits. Act 59 of 1881 unified the two divisions of the Curia. The political changes after the Reunification and the forthcoming Millennium led to the construction of the Palace of Justice. The judiciary did not yet have a building imposing enough to represent the system and to serve as a venue for trials.

## **2. The building**

The architect of the building, Alajos Hauszmann, was commissioned by Dezső Szilágyi, Minister of Justice.<sup>2</sup> The Palace of Justice is Hauszmann's most outstanding and internationally acclaimed building, and is clearly his magnum opus.<sup>3</sup> According to the design specification, the building is entirely made of stone. It was not until 1878 that the property was legally registered in the land registry, on the basis of the deed of conveyance of 33 April 1878, that the Imperial and Royal Military Treasury became the de jure owner of the 5,232 square metre property.<sup>4</sup> In 1879 the streets were also renamed and the buildings were given new house numbers. The plot's identification number from that time onwards was: 8 Alkotmány Street- 8 Honvéd Street 6- 37 Nádor Street- 5 Szalay Street.<sup>5</sup> Construction began on 16 August 1893 and the building was completed and handed over 3 years later in 1896. The total cost

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<sup>2</sup>A significant part of the 1,120 linear metres of the Ministry of Justice archives – some 9,000 bundles – were burnt during the 1956 revolution. Ministry of Justice Archives. Repertory. Compiled by Iván Bognár, Archives Inventories 17, Budapest, 1962, manuscript; Records of the Palace Administration – K-582 – materials concerning cleaning and maintenance, which are indifferent to the history of building.

<sup>3</sup> On 17 December 1894, the Royal Institute of British Architects elected Hauszmann an honorary and associate member, together with Steindl. *Él*, 2 January 1895, p. 10.

<sup>4</sup> BFL VII. 12/d. Budapest Central District Court. Collection of land registry documents of the Danube Basin. File 1017.

<sup>5</sup> Index book of new and old parcel numbers in the Danube Basin (former Pest) part of Budapest. Bp., 1879, p. 62.

of the construction was HUF 2454851.

The exterior of the building has four facades, the main facade facing Kossuth Square. It has Baroque and Renaissance features. Hauszmann said: „no matter how bright the modern Renaissance architecture, it would not have been possible to achieve anything here; it would always remain small and would dwarf the Parliament; that is why I chose the Roman Baroque style.”<sup>6</sup> Hauszmann also submitted an entry for the Parliament building, but the building was designed by Imre Steindl. Hauszmann was worried that the Palace of Justice would not stand out next to the Parliament, so he chose the Roman Baroque style, as it used strong cornices and barely visible roofs, unlike the tall towers and domes of the building opposite. It is not intended to overpower the light of the Parliament, but it should stand out sufficiently. The group of sculptures on the tympanum, familiar from Greek architecture, is attributed to György Zala. In the centre of the triangle is a trial, and in the two corners sit the law-giver and the law-seer. Above it is the triad, or triple carriage, of the goddess of justice, the work of Charles Senyei, which, unlike other ancient depictions, is not four but three chariots on horseback.<sup>7</sup> The horses were given to the statues by a circus every day until they were finished. The attic of the main façade shows 12 figures. These are not the work of famous sculptors, as they could not be commissioned due to the millennium building works and the shortage of funds. Instead, Hauszmann turned to Alajos Stróbl and offered students at his sculpture school a 300 forint scholarship for the sculptures. The 12 works symbolise human labour under the protection of the law.

Above the main entrance there was once a Latin inscription, “Iustitia regnorum

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<sup>6</sup> Plans and buildings of Alajos Hauszmann. In: GERLE, János: *Hauszmann Alajos*. Budapest, 2002, Holnap Kiadó.

<sup>7</sup> OBH, contract of Károly Senyei. *A triumphal chariot (Driga) with a genius and three horse figures*, for 4500 forints, 6 m high, made of copper - *the copper plates weigh at least 5 kg. per square metre*; Other works: *a seated figure representing the turmoil, 3.60 m ... and the two Sphinxes, ..two seated figures 2.50 m long*. The first is the main figure in the pediment, the two seated statues are by Fadrus, the Sphinxes are not mentioned elsewhere. The required weight of the statue could not be determined by the reception committee.

fundamentum”, meaning “Justice is the foundation of the countries”. This was also written above the gate of the Vienna Castle, as it was the motto of Francis I. Entering the building, we are greeted by a huge hall after the foyer, where we look up and are greeted by a fresco painted in tempera by Charles Lotz. The artist was already a great success at the time, having painted many frescoes in Budapest. The works in the palace were judged by a committee including Hauszmann and Stróbl. The committee unanimously accepted Lotz’s sketch and wrote the following report.<sup>8</sup> The fresco, on the theme of ‘State and Law’, was based on the ceiling of the church of St Ignazio, but did not aim to be a perfect copy. The main figure in the composition is Justitia, who is shown in clouds above a parchment, a law book and palm branches. In her left hand is a balance held aloft, in her right hand a sword. The painting can be divided into two main large sections, connected by the glowing figure of the goddess, which stands out in the painting. On one side there are allegories of the protective power of the law, on the other of the power of the scourge. The figure of Justitia appears several times within the building. This is no coincidence, since the figure of the goddess is an allegorical representation of justice.

### **3. Ceremonial Hall**

The foyer is adjacent to the banquet hall. In the hall’s foyer, you can see rose-patterned over-lighting shafts, whose light enhances the space even more. The walls of the banquet hall are made of polished marble, richly gilded<sup>9</sup> and painted to enhance the hall’s solemn atmosphere. The second floor is accessed from the galleries on either side, and in the centre of the hall was a semi-circular floor, which is no longer in the hall. On the walls were paintings,<sup>10</sup> which have been removed from the building over time and are now replaced by mirrors. Hauszmann wrote of the paintings in the

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<sup>8</sup> *Ibid.*, pp. 281–282.

<sup>9</sup> The gold was applied using the so-called gold smoke technique. This has stood the test of time and is left in its original form during the renovations.

<sup>10</sup> The portrait of the King and Queen of the Banquet Hall was painted by Lajos Bruck in the coronation costume and life-size by the Order of St Stephen.

Banqueting and Council Rooms: „I followed a similar procedure to that for the statues in obtaining the 16 royal paintings in the Council Rooms: in view of the good results achieved there, I turned to the School of Painting. Gustáv Keleti, the director, and Lajos Ebner, the teacher, undertook to have the best portraits of His Majesty copied by their qualified pupils. The result was successful here too, as we obtained well-painted portraits for the halls.”<sup>11</sup> The artistic creations accounted for about 5% of the building’s expenditure. Why was it important to have so much artwork in the building? Also quoting the designer: „The architect’s task is not only to provide an opportunity for the sister arts to decorate the building with their artistic creations, but monumental architecture is also a requirement and a significant prerequisite and means of doing so. Since most of our public buildings are treated badly by the sister arts, [...] I have included painting and sculpture in the decoration of the Palace of Justice, so that they can go hand in hand with architecture.”<sup>12</sup> The pathos associated with the judiciary, which surrounds the judicial system, a kind of liturgical ritual, can be an important element of the site, its representative role, and the works of art that can be found there will complete the overall picture.

#### **4. Meeting room**

In addition to the Curia, the building also houses the Budapest Court of Appeal, the Budapest Chief Public Prosecutor’s Office and the Crown Prosecutor’s Office, so the palace also has several courtrooms. In the courtroom of the Prosecutor General’s Office, the podium bench system has been preserved to this day. The furnishings in the courtroom and throughout the building were shared between Endre Thék<sup>13</sup> and

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<sup>11</sup> GERLE, *op. cit.*, pp. 282–283.

<sup>12</sup> *Ibid.*, pp. 275–276.

<sup>13</sup> Contract for the Endre Thék Furniture and Crafts Woodworking Factory, 30 December 1895, 74351 forints. Quantification of the furniture for representative rooms (banqueting rooms, conference rooms, library), judge’s chambers, corridors, tables, chairs, cabinets, railings, stone chests, etc. In 1896 a contract for the supply of cabinets and 21 leather upholstered soundproof doors was concluded.



Samu Kramer.<sup>14</sup> The former made the oak and leather-clad items, the latter made more noble, mahogany-wood furniture, in addition to oak, with silk weave or tapestry, granite-topped cupboards, etc. The frame on the wall once held a portrait of Franz Joseph, now empty. Behind the door, which used to stand behind the judge's bench, is now walled up, but it too is being restored to its original function. It will obviously not have the same significance in the present proceedings as it did 100 years ago, but its representational role is worth mentioning.

## 5. Justice

The first depictions of the goddess of justice date back to ancient Egypt. Maat, the goddess, is shown with wings adorned with ostrich feathers in hieroglyphics, but the feather itself may also have represented her. However, the Romans probably modelled their goddess on Themis, who appeared in ancient Hellas. Her daughter Dik is often mistaken for her mother. However, in Greek mythology there are numerous deities associated with law and justice, such as Eunomia, the goddess of justice, or Nemesis, the goddess of righteous retribution, so it is difficult to say exactly how their Roman counterparts evolved. As we move through time, the number of attributes associated with them has expanded. In Europe, from the 13<sup>th</sup> century onwards, the goddess appears in various works of art, here with a globe and scales. The scales, as a symbol of justice and justice, first appeared in ancient Egypt.<sup>15</sup> The scales also have several legal meanings. It represents equality before the law, independence, that everyone is judged on their merits. In the depictions, the two scales are placed on the same level, referring to the equal treatment of the parties, equality before the law.

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<sup>14</sup> OBH, Kramer Samu csász. 17 January 1896, 20892 forints. Detailed list of furniture for the room, with the use of materials. More than 130 window sashes were ordered from Kramer the following year.

<sup>15</sup> Here, the soul could only enter the world of the gods if it had first been judged. If he lived a righteous life, he could enter. But the souls of the rejected were eaten by the crocodile-headed, lion-maned, hippopotamus-footed female demon, the Death Eater.

Also associated with it is the sword as a symbol of the punishment of the guilty, of justice. In Hungarian history, it was given to the king at his coronation, along with the other coronation symbols, and was also used during the knighthood ceremony and the sword ceremony. It is also associated with the covered eye, the most widely accepted idea being that the blindfold symbolises objectivity, impartiality, impartiality, impartiality and non-prejudice.<sup>16</sup>

The statue of Justitia, modelled by Alajos Stróbl, stood on a high pedestal in the axis of symmetry of the eastern side of the central hall. The most famous statue of a goddess in our country cost 14,000 forints, measuring 4 square metres, 3 metres high and weighing 12 tonnes. The statue was made in Carrara, in the Paolo Triscornia di Fernando workshop, in bluish-white marble.<sup>17</sup> A very similar sculpture of Justitia had been made by Alajos Stróbl in 1882, but it was made of silver and was only 46cm high.<sup>18</sup> Stróbl's design was unanimously accepted by the committee and was 'present' at the inauguration of the building in 1896. During World War II, the bombing of the Curia building was avoided, but at the same time the dismantling of the judicial services began. During the Rákosi era, the statue was stripped of its throne, sword and crown and moved to the garden of the Károlyi Palace, next to the Faculty of Law and Political Science. Instead of its throne of yellow marble, the statue stood on a simple limestone pedestal. Since Carrara marble is not suitable for outdoor use, given the delicate nature of the material, the statue began to discolour and was moved to the Pest County Court building on Thököly Street and then to the Supreme Court building on Markó Street. The statue will be returned to the Palace of Justice in the near future during renovations.

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<sup>16</sup> BÓDINÉ BELIZNAI, Kinga: *A bíbor méltóság, a sárga árulás [The crimson dignity, the yellow betrayal]*. Budapest, 2014, Balassi Kiadó, p. 133.; SPINETO, Natale: *Szimbólumok az emberiség történetében [Symbols in the human history]*. Budapest, 2002, Officina '96 Kiadó, p. 49.

<sup>17</sup>The contract of Paolo Triscornia di Ferd., for 6000 forints, was dated 20 October, with a six-month period of work after the arrival of the main sample on 15 May 1895, to be ready for delivery on 1 January 1896. The sculpture was allowed to be made from two pieces of stone. His invoice was dated 28 March 1896.

<sup>18</sup> The work is still on display as part of the permanent exhibition of the Hungarian National Museum.

## **6. Palace of Justice from the communist era to the present day**

The Hungarian court system was fundamentally changed by Act XX of 1949, the Constitution of the Hungarian People's Republic. The establishment of the new constitution was an important step in the process of building a Soviet-style dictatorship in Hungary. Although it enshrined democratic ideals, in practice it completely disregarded these guarantees. As all power was concentrated in the hands of the state party, a reorganisation of the judicial system was initiated. Guarantees of judicial independence were removed, and judges were allowed to sit without a doctorate. The Constitution provided that judges were elected by the organs of state power and could be recalled if necessary. To this end, in 1949 the academies of criminal judges and public prosecutors were established, which could be completed in two years. Law graduates from law schools were also deprived of their doctorate (degree in law), making it difficult to distinguish between university and academy graduates. The constitution stated that judges were independent and subject only to the law, but this remained a declaration of principle. There were also organisational changes. The judiciary formally retained its separation from the executive, but the Ministry of Justice retained the principle of judicial control. The Party interfered in the work of the courts as in the life of any other body, and the State Protection Authority often intervened in the practice of the judiciary.

For the first time, the ban on the transfer and removal of judges was abolished (Act XXII of 1948), resulting in the loss of 1,100 judges in eight years. Those removed were politically 'unreliable'. The Curia was renamed the Supreme Court. Its president and judges were elected by the Parliament for 5 years. They could issue directives and decisions in principle which were binding on the courts. In October 1950, the High Courts, which had been in existence for less than a year, were abolished, so that the Supreme Court of Justice then ruled as the court of second instance in proceedings brought in the county courts. The building was not bombed during

World War II, but was in need of renovation between 1951 and 1953, when it was remodelled by the Central Directorate of Museums under the direction of the architect Elemér Csánk Csánk. After the renovation, the Supreme Court moved to a different location. During the move, the inscription 'Iustitia regnorum fundamentum' on the façade was removed, mainly for political reasons.<sup>19</sup> The building housed the Labour Movement Institute and its museum,<sup>20</sup> and from 1957 it was converted into the Hungarian National Gallery. Between January and April 1957, there were serious discussions at the highest levels of the management about where to locate the Hungarian National Gallery, which was to be created from the New Hungarian Picture Gallery of the Museum of Fine Arts, its collection of modern sculpture and medals, and its graphic art collection. Ernő Mihályfi, the Deputy Minister of National Education, was a strong supporter of the move to the Palace, and asked János Kádár for his support.

Those who opposed the allocation of the building succeeded in getting the part of the former Palace of Justice used for the Labour Movement Museum to be shared and the Committee for the Placement of Public Buildings finally passed a resolution to this effect. The newly appointed director of the gallery, Gábor Pogány, and the director general of the Museum of Fine Arts, Andor Pigler, appealed against the decision and wrote to Kállai in support of the decision, arguing that the collections could not have been housed and displayed in such a small space. In the final and compromise decision, the Public Buildings Committee allocated the northern part of the building and the central part around the central hall to the National Gallery, with the southern wings of the building remaining in the use of the Institute of Party History.<sup>21</sup> Thus, during this period, three facilities were simultaneously replaced and operated side by side. Shortly after the opening of the Hungarian National Gallery, on 30 December 1959, the Economic Committee of the Council of Ministers decided

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<sup>19</sup> During the ongoing renovations, the inscription will be put back on the building.

<sup>20</sup> An exhibition of various gifts sent to Mátyás Rákosi was held here in March 1952 on the occasion of his 60<sup>th</sup> birthday.

<sup>21</sup> MNL OL XVIII-6-g-KGy-154-1957.

that the museum would move to the Danube wings of the building following the restoration of the former Royal Palace in Buda. The technical hand-over of these parts of the building took place in 1974, which allowed the relocation of the collection in the building on Kossuth Lajos Square to begin.

Thanks to a decision of the Council of Ministers in 1973, the Ethnographic Museum started moving into the building in 1974,<sup>22</sup> while the Institute of Party History of the MSZMP was housed in the southern part of the building from 1957 to 1989. The Institute of Political History,<sup>23</sup> the successor of the Institute of Party History, has been located here from 1998 until today.<sup>24</sup> The Museum of Ethnography started its relocation in 2017, until then the building hosted numerous exhibitions. The first floor hall is also the largest and most spacious meeting room in the wing, which was used by the Hungarian National Gallery and the Museum of Ethnography, preserving its original form and decoration.

## **7. Conclusions**

The topic I have explored, while wide-ranging, raises a very important question: is the presence of art necessary in a nation's largest prison building? I have to agree with the designer, "That the palace should have room for art is beyond doubt." Since the ancient Greeks, art has been present in people's lives, an element of our existence, like air, creeping imperceptibly into our everyday lives. This is the very essence of art. Its ability to break up the monotony of life and saturate the lifeless with emotion. They are able to highlight and fill space. It mediates between the artist and the viewer. The Palace of

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<sup>22</sup> The museum moved into the part of the building used by the National Gallery.

<sup>23</sup> The Institute for the History of Politics is a highly public research centre operating outside the state system. It is primarily engaged in research on modern and contemporary history and social theory, and operates a public archive and library. It also hosts scientific and cultural events, conferences, lectures, film clubs and exhibitions.

<sup>24</sup> Moving out was not easy, as the building was given to the institute free of charge by the MSZP after the regime change. After a lengthy procedure, in 2018 the Curia ruled that the Land Registry had to cancel the right of use registered decades earlier in favour of the Institute of Political History. The Hungarian state then filed an eviction lawsuit, which the Institute of Political History failed to execute by the deadline.

Justice is the building of the Curia, the highest court of the judicial system. There was a felt need for a building that could adequately represent and symbolise the judiciary as the main mediator of law and the common good. The architectural style has a light mysticism, a sublime, sacred quality, just like a basilica or a church. That was the point. On entering the building, the visitor is greeted by vast spaces, monumental works of art that captivate. This is why it was able to function as a museum for so long, as the atmosphere perfectly complemented the various exhibitions. Babits' quote is apt, since the building is a mixture of art and (legal) science: „Science and art cannot be defined at the same time, because they are great things: there is no definition that can exhaust them. But here is one side of them: they are the most precious repositories of our knowledge of the world, art is the precious collection of feelings and emotions, science is the precious collection of the concepts that have been deposited from them. From the fresh weaves of life we press splendid wines and useful vinegars: we carry them to these immeasurable, obscure cellars.”<sup>25</sup>

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<sup>25</sup> BABITS, Mihály: Tudomány és művészet [Science and art]. *Nyugat [West]*, No. 24., 1912, p. 953.