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Political Justice and Natural Law: Some Preliminary Thoughts on Aristotle's EN V

ABSTRACT

Aristotle's fifth book of the Nicomachean Ethics offers Aristotle's most complete treatment of justice. Besides being an invaluable source for understanding Aristotle's virtue ethics, this account of justice is believed to have considerable bearing on Aristotle's politics, especially his classification of constitutions, and his potential contribution to a doctrine of natural law. In this paper, I intend to tackle the problematic interpretation of political justice, and in doing so, I wish to engage both with Aristotle's original text and its different interpretative traditions in proposing a plausible method of assessment. The principal aim of this study is, thus, to sketch out a tenable procedure for interpreting Aristotle's idea of political justice and accommodating his potential contribution to the doctrine of natural law. I argue that Aristotle's political justice cannot be assessed without some preliminary discussion of the internal order of his Peri dikaiosisyne, that is, the fifth book of his Ethics, and without settling political justice's proper scope, namely, whether it is concerned with normative or virtue ethics. After an overview of the different interpretive traditions, I side with Thornton Lockwood and elaborate on his thesis, claiming that political justice is identical with justice simpliciter (haplos dikaion), and so, it is but an introduction to Aristotle's theory of agency. This limits, then, the scope of plausible interpretations, and, indeed, my principal aim is to challenge the Thomistic reading of Aristotle, operating on the basis of unchangeable moral principles.

Digitalisation of legislation, taking into account automation aspects

ABSTRACT

The presentation introduces the digitization of legislation in Hungary. The results of digitization in Parliament are presented, starting with the website launched in 1995, through PAIR, “e-futár”, and web applications, to the introduction of the Parliamentary Information System for Legislation, called ParLex, in 2017.

This will be followed by an overview of the new integrated legislation system called Integrált Jogalkotási Rendszer (IJR), which can be considered a horizontal and vertical extension of legislative digitisation. The overview of the IJR will be based mainly on the available legislation and literature on the subject, with an overview of the subsystems, modules, related specialist systems, and services of the IJR. The presentation typifies the IJR as a Legaltech tool and presents the characteristics of the system.

The presentation concludes with an assessment of the potential applications of artificial intelligence in legislation, as well as the use of generative AI tools in various fields, which is a hot topic these days.

Weaponizing Culture

ABSTRACT

On the ongoing journey to unveil the hidden underpinnings of global inequalities and injustices that favor the dominant system, the experience of oppression reveals itself to be far more intricate than it might first appear. It is argued that the reality of global inequality is partly sustained through the spontaneous consent of the oppressed, who inadvertently participate in their own subjugation.

This paper aims to illuminate a complex yet vital concept, broadening our understanding of global inequalities. Cultural hegemony and the idea of winning consent will be explored through the lens of the Center–Periphery model in an effort to extend our comprehension of global power relations and inequalities. Empirical examples will be employed to illustrate cultural hegemony and examine how certain peripheral cultures have resisted hegemonic colonial and neocolonial forces.

By situating Antonio Gramsci's concept of cultural hegemony alongside Joseph Nye's notion of soft power, the study demonstrates how dominance is maintained not only through coercion and material advantage but also through the subtle diffusion of values and ideologies. Education, religion, media, and knowledge production are analyzed as key civil institutions through which the center extends its influence, reshaping identities, silencing alternative narratives, and legitimizing inequality. Colonial schools, religious activity, media framing, and the marginalization of peripheral scientific contributions exemplify how such mechanisms have long been employed, effectively weaponizing culture to assert dominance.

Simultaneously, the study emphasizes that hegemony is never total. Resistance emerges through organic intellectuals, everyday acts of defiance, and the reconfiguration of cultural identities, which together contest dominant narratives and create space for counter-hegemonic discourse. By linking cultural hegemony to center–periphery dynamics, the study contributes to ongoing debates on globalization, inequality, and cultural autonomy, ultimately calling for greater awareness of the cultural mechanisms that shape our world.

International law in the domestic legal system – monism, dualism, or something else?

ABSTRACT

The presentation addresses the relationship between international and domestic law in the context of classical monist and dualist theories and their contemporary reinterpretations. Monism assumes a unified legal system and the direct application of international norms within the national legal system, regardless of formal implementation. Dualism, on the other hand, assumes the existence of two autonomous legal systems and requires translating international norms into domestic law through an act of transformation. The paper analyzes the philosophical and systemic foundations of these concepts using the work of Kelsen, Triepel, and Anzilotti. It also examines how states have approached this issue in light of changes in the normative architecture of contemporary international law. Particular attention is given to conflicts of laws, the relationship between constitutions and treaties, and constitutional pluralism. The presentation aims to demonstrate that contemporary legal systems are increasingly transcending the rigid, dichotomous division by adopting hybrid models that are functionally and pragmatically oriented.

What Has Cosmic Horror to Offer Law (or Deprive It from)? The Collapse of Natural Order in H. P. Lovecraft's Fiction

ABSTRACT

One of the most ancient and enduring issues in the history of legal philosophy is the relationship between law and morality. This can be explained with the fact that the birth of legal philosophy can be traced back to the emergence of philosophy in general. For this reason, for a large period in Western intellectual history, the philosophical analysis of law traditionally implied the assumption that fundamental moral principles and human-made legal rules are related, the former, with a validity beyond human volition, serving as a source of legitimacy for the latter, which are susceptible to change by temporary human will. Thus, one of the main pursuits of classic legal philosophy was to identify the eternal values supplying the foundations of positive law. My paper is an attempt at viewing the 'law and morality' question through the lens of the 'law and literature' approach. Interdisciplinary movements in legal scholarship like 'law and literature' or 'law and (popular) culture' offered insight into the various ways literature and other cultural products touch upon problems that are pertinent to how law works or how it is perceived in the popular imagination. From the principles of just distribution to retributive justice and the desire for vengeance to social inequalities, from the greatest literary classics to contemporary popular fiction, a plethora of interactions between fictitious stories and the world of law have been and are being explored to date. My paper focuses on weird fiction and cosmic horror, partly overlapping subgenres of horror fiction pioneered by H. P. Lovecraft (1890-1937). The central motif in cosmic horror is the insignificance of all kinds of human endeavour, and the meaningless world's indifference towards humanity; an affront to our perception of ourselves as being inherently worthy or possessing some kind of inherent value. My claim is that cosmic horror, by annihilating the teleology attributed to the world by many.

Democratic arguments for the justification of judicial review

ABSTRACT

The aim of this paper is to present and criticize recent arguments that justify the institution of judicial review (i.e., the assignment of the power of constitutional review of legislation to judges) in terms of the idea of democracy. In particular, the three arguments I present are inspired by John Rawls's view of the Supreme Court of the United States as an exemplar of public reason, that is, an exemplar of public discourse that offers justification of public policies and laws on the basis of a reasonable conception of political justice. Drawing on Rawls, Cristina Lafont argued that judicial review grants every citizen a fair chance to stage their constitutional concerns and create public contestation of a policy or statute. By exercising their right to legal contestation, citizens and civil society actors are able to initiate conversations with their fellow citizens and bring to public attention claims, concerns, needs, or interests that could otherwise have remained outside the limelight. Considered from this standpoint, judicial review does not negate but upholds political equality; it does not impede but enables citizens to see themselves as authors of the laws under which they live. Mattias Kumm has argued that judicial review, based as it is on the principle of proportionality, offers a structure to the idea of public reason and institutes a right to justification of laws in correspondence to the liberal-democratic principle that coercive acts should be conceivable as a collective judgment of reason about what good policy and justice require. According to Kumm, the judicial scrutiny of laws can be assimilated into a kind of Socratic contestation, and this may help address certain pathologies of modern democracies, such as thoughtlessness based on tradition, hyperbole and ideology, rent-seeking interests, and reasons relating to the good but not respecting the limits of public reason. My criticism of Lafont's and Kumm's arguments shall be centered around the following proposition: the approach of judicial review as an exemplar of public reasoning overestimates the ability of legal discourse to showcase fully the moral-political concerns or social interests that are implicated in controversies over constitutional issues. Or, inversely, these approaches underestimate the extent to which the reasoning of courts is dominated by legal technique (i.e., issues like justiciability, precedent and distinguishing, canons of interpretation, refinement and applicability of standards of review), to the detriment of direct, unshrouded discussion on the broader moral-political issues and on the social-political divisions that lie beneath certain interpretative controversies. The third argument I present is that of Alessandro Ferrara. This scholar has approached judicial review as a way of representing the long-interest of the people to be distinguished from the momentary preferences of transient majorities within the electorate – preferences which might be the result of populist impulses. My criticism of Ferrara's argument focuses on the tenability of his sharp distinction between the people, as bearers of the constituent power, and the electorate, being understood as the living segment of the people and as always susceptible to the corrosive effects of populism.

The Abrogation of Law and the Triumph of Legislation

ABSTRACT

This paper aims to analyze the process of displacement and eventual abrogation of Law in favour of new artificial legal formulas characteristic of statist formal law, which we call? legislation.? Legislation unfolds as a mechanism of imputation or as a formal attribution with a condition of possibility, detached from the ordering concept of Law originally oriented toward the attainment of the common good. Rather, legislation is structured as a logical and self-referential mechanism presenting a twofold problem: first, it subjects the idea of legitimacy to the legal order, generating artificial and mutable legal ontologies; second, the only exit from the system is another configuration programmed by itself: Law as a performative representation that discretionarily assigns fabricated realities, operating as false legal ontologies that are entirely changeable. Moreover, by logical extension, this condition of possibility must necessarily rest upon the evanescence of the will, identified with freedom. The act is postponed, and in its place the potential triumphs. Within this structure, the will? like morality? plays a dual role: as the origin of every order or prescription, and as the final receptacle of the mandate, thus shaping a dynamic of power that is invariably personalist.

This paper argues the hypothesis that juridical Modernity, in its most entrenched form, has lost the compass of Law, vindicating the urgency of revitalizing Law from its ontological dimension, restoring it to its being and returning its substance. If statist legality scrutinizes existence by presuming itself moral through self-resolution and self-legitimation, Law must stand as the last bastion of freedom, with all its force and dynamism, seeking its legitimacy beyond the ever-changing social and political transformations.

Constitutionalizing the Right to Water

ABSTRACT

This presentation examines the right to water through the lens of jurisprudence and constitutional theory. Building on international and comparative jurisprudence, it argues that access to water transcends mere social policy and should be understood as a fundamental constitutional right. In particular, the presentation analyzes how the right to water functions as a precondition for the protection of human dignity and private and family life under the Greek Constitution, while also introducing the concept of “climate resilience of water” as a jurisprudential innovation. This concept captures the state’s responsibility to safeguard water resources not only for present but also for future generations, thus bridging individual rights with collective environmental obligations. The presentation situates this discussion within broader theoretical debates on the justification of constitutional rights, judicial review, and the interaction between domestic and international law. It ultimately argues that explicit constitutional recognition of the right to water could provide a stronger normative framework, clarifying both its ownership regime and principles of provision. In doing so, it contributes to the jurisprudential debate on how constitutions adapt to global challenges while redefining the scope of fundamental rights.

Foreseeability and the Principle of Legal Certainty – Theoretical Reflections

ABSTRACT

One of the most important elements of the principle of the rule of law is legal certainty, which includes a number of distinct yet interrelated requirements for the legal system. These requirements are primarily aimed at ensuring that individuals can understand legal regulation and foresee the legal consequences of their actions. In the case-law of the European Court of Human Rights, this is reflected in the concept of foreseeability, the content of which needs to be clarified. In my presentation, by analysing the ECtHR's criminal law decisions, I will seek to disclose the theoretical conception of legal certainty that emerges from the ECtHR's judgments.

At the Pinnacle of the Sanction System: Life Imprisonment in Light of the Objectives of Punishment

ABSTRACT

This study focuses on life imprisonment particularly life imprisonment without the possibility of parole and examines its substantive and penal enforcement objectives. The study analyzes the position of life imprisonment within the system of sanctions through the lens of current Hungarian criminal law and its commentaries, with special attention to the feasibility of achieving special prevention objectives. The paper highlights legislative anomalies and reveals that the objectives and practical execution of life imprisonment without the possibility of parole in several respects contradict the principles declared in the Criminal Code and the Punishment Enforcement Act. The analysis addresses the principle of proportionality and the requirement of legal certainty. The central hypothesis suggests that life imprisonment without the possibility of parole, in its current form, does not fully comply with the stated substantive and penal enforcement objectives, thereby raising the need for legislative revision. The study applies descriptive, comparative, and empirical methods, aiming to assess the coherence of the sanction system and the enforcement of rule-of-law principles.

From Future's Children to Children's Future: Pope Francis' Rhetoric in Laudato Si' And Laudate Deum

ABSTRACT

This paper compares Pope Francis' argumentation in Laudato Si' (2015) and Laudate Deum (2023), focusing on the conceptual transition from the broad category of 'future generations' to the more concrete emphasis on the rights of children and vulnerable people to their future. LS frames ecological responsibility in terms of stewardship and inheritance, echoing philosophical notions of intergenerational justice. In LD, Francis sharpens the argument by focusing on children as paradigmatic claimants. These reframing collapses temporal distance and reinforces the juridical language of rights. The shift also carries political consequences. While LS emphasized cultural conversion, LD demands urgent accountability, denouncing political inertia and systemic irresponsibility. The conclusion drawn is that Francis' reference to 'children' rather than 'future generations' represents a significant argumentative change, and one that is in line with the general tendency of contemporary legal and philosophical debates on justice, vulnerability, and environmental responsibility.

The Impact of Alternative Dispute Resolution on The Dichotomy of Form and Substance in Law

ABSTRACT

This paper investigates whether alternative dispute resolution (ADR) mechanisms have a transformative impact on the dichotomy between the form and substance of law. ADR is widely recognized for enabling faster and potentially more sustainable conflict resolution by relying on negotiation and mutual concessions rather than strict adherence to legal norms and procedurals. Accordingly, it has been argued that ADR softens the formal character of modern law while strengthening its substantive dimension. This study challenges that assumption, using the practice of mandatory mediation in Turkey as a case study. It begins by addressing the hierarchical dichotomy between legal form and substance, with particular attention to how form—characterized by certainty, predictability, conceptual clarity, and systematicity—is often privileged over substance, which includes the law’s purposes, values, principles, and empirical context. Subsequently, the paper examines whether and how ADR mechanisms alter this formalist hierarchy. Drawing on critical perspective, it discusses concepts such as informal justice, delegalization, and informalism, which are often invoked in the literature to suggest that ADR contributes to a broader anti-formalist turn in legal systems. This includes diverting certain types of disputes from the formal judiciary, empowering local and traditional authorities, and enhancing party autonomy. However, some scholars argue that such mechanisms may instead serve a relegitimizing (instead of delegalization) function for the formal legal order. In line with the latter view, this paper argues that ADR—specifically mandatory mediation in Turkey—does not, in practice, diminish the formal character of law. On the contrary, it generates new forms of formality by imposing procedural prerequisites before access to court. The mandatory mediation process incorporates numerous formal rules typically associated with civil procedure. Thus, rather than empowering the substantive aspects of law—its purposes, values, and principles—mediation in this context reinforces formality through new procedural layers. Ultimately, this study concludes that mediation, as currently institutionalized, fails to deliver the substantive legal transformation it is often presumed to offer.

A brief comparison of legal and political constitutionality

ABSTRACT

The emerging constitutional court put an obstacle to the policy-making of democracy, and at the same time pushed the political system towards duplication, building the power mechanisms of the juristocracy alongside democracy, as Béla Pokol emphasized. The basic idea of the need to establish a constitutional court led to the recognition that the provision of cassation power also means interference in democratic processes. The study undertakes a short, sketchy presentation from the role of the "Das Gericht als negativer Gesetzgeber" to the intervention close to the positive situation."

The symbolism of the messianic imperialism of the Spanish Habsburg monarchs

ABSTRACT

The Medieval history of the Iberian Peninsula was marked by the Reconquista, the 16th and 17th centuries were marked by the construction of the Spanish Empire, the process of the evangelization of the New World, the struggle against the Ottomans, France and the Protestant Powers. The Spanish Habsburg monarchs inherited and continued the messianic visions of the Catholic Monarchs Isabel of Castile and Ferdinand of Aragon in the Early Modern period. The evangelization of the New World was a messianic mandate given by Pope Alexander VI to the Spanish Crown, the Habsburg rulers considered their kingdoms and subjects not only as countries and nations but as instruments for a higher purpose, to serve God, the Catholic Church, to propagate and to defend the Catholic Faith as well. Among the symbols of their visions, we can find the use of the motto Plus Ultra and the Pillars of Hercules in their royal coat of arms, the use of the titles 'King of Jerusalem' or the 'Catholic Majesty'. They used the Cross of Burgundy, the Cross of Saint Andrew as their imperial flags, not the coat of arms of their countries. The Spanish monarchs were the grand masters of the Spanish Orders of Santiago, Calatrava, Montesa, Alcántara and the Burgundian Order of the Golden Fleece. Their messianic visions were described by themselves in their own testaments and laws.

Legal Culture: main theories and key issues

ABSTRACT

The terminology of legal culture has been widely used in the common language as well as in the jurisprudence in the last decades without the actual meaning being defined. This lecture tries to present the essence of some basic theories in connection with legal culture. It tries to summarize and review the key findings of the published literature on this topic. Consequently, this presentation aims to provide a theoretical overview. The starting point is Lawrence M. Friedman, who first introduced the modern concept of legal culture in his 1975 book. It will provide a brief summary of Friedman's ideas alongside a systematic critique by Roger Cotterrell, who developed his own conceptual approach, too. This is followed by presentation of the widespread use of the concept of legal culture. Although the term is popular, users always define it slightly differently and attribute their own meaning to it. However, the common thread is that the use of this concept emphasises the study of law as a social phenomenon. From a philosophical point of view, it is possible to recognise that cultural relativism and culturalism can raise theoretical and methodological problems. However, the conclusion is that careful and well-founded use of this concept in research has more advantages than disadvantages. This finding is reinforced by an illustration of its application in the fields of the legal sociology and comparative legal studies. The conclusion of the majority of the reviewed literature is: when applied correctly, legal culture is an effective tool for analysing law. At an analytical level, legal culture can be used to deconstructs the complex social phenomenon of law into components that can be effectively examined, either theoretically or empirically, through the appropriate conceptualisation and operationalisation.