

Law and Revolution Disruption and Continuity of Legal Development in Central and Eastern Europe

The conference explores the question which historical developments in the 20th and 21st century can be seen as turning points for the legal development in Central and Eastern European states and if continuity exists beyond ostensible historical breaks. The first part of the conference focusses on the significance of the revolutions in 1917/18 and 1989-91 for the post-Soviet space. The second part discusses the current constitutional and judiciary development in Poland and Hungary. Over the course of this, the dichotomy of "socialist law" and rule of the law in a liberal state stemming from the transformation paradigm will be questioned. This may provide impulses for a conceptual realignment of regional legal studies focussing on Central and Eastern Europe.

Organiser and Contact

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Conference Leader

Prof. Dr. Caroline von Gall
Prof. Dr. Dr. h. c. Angelika Nußberger

Venue on Friday

Seminargebäude der Universität zu Köln
Tagungsraum (ground floor)
Universitätsstraße 37, 50923 Köln
<http://lageplan.uni-koeln.de/#!106>

Venue on Saturday

Hauptgebäude der Universität zu Köln
Neuer Senatssaal (ground floor, building section 8)
Albertus-Magnus-Platz, 50923 Köln
<http://lageplan.uni-koeln.de/#!100>

Conference Language

English

Registration

office@dgo-online.org

Law and Revolution: Disruption and Continuity of Legal Development in Central and Eastern Europe

International Conference of the German
Association for East European Studies,
Section for Legal Studies

9–10 November 2018
Cologne



DGO
▶ Deutsche Gesellschaft
für Osteuropakunde e.V.

Friday, 9 November 2018

Seminargebäude, Tagungsraum (ground floor)
Universitätsstraße 37, 50923 Köln

1.00 pm Welcome

Ulrich Preis, Dean, Law Faculty, University of Cologne
Gabriele Freitag, Executive Director, DGO, Berlin

1.15 pm Introduction

Caroline von Gall, University of Cologne

1.30 pm 1917: Russian legal discourse beyond the Revolution Law as a Means of Administration in Russia Through the Revolutionary Divide of 1905-1917

Tatiana Borisova, HSE, St. Petersburg

Legal Continuity in a Time of Revolutions (1905-1917)? Bogdan Kistjakovskij and Sergej Gessen on Socialist Regime Change and the Rule of Law

Alfred Sproede, University of Münster

Legacy of an Empire. Continuity in Pre-Revolutionary, Socialist and Post-Socialist Russian Law

Mikhail Antonov, HSE, St. Petersburg

Chair: Björn Ahl, University of Cologne

3.00 pm Coffee Break

3.30 pm Pravovoe gosudarstvo: 1991 as turning point „Discuss Your Own Constitution!": Soviet Dissident Writings on the 1977 USSR Constitution and Their Impact on the 1993 Russian Constitution

Kirill Koroteev, Senior Legal Counsel Memorial

Continuity and Change in Russian Criminal Law

Gleb Bogush, HSE Moscow

Chair: Maike Lehmann, University of Cologne

4.30 pm Coffee Break

4.45 pm Between Private Company Law and State Control over Enterprises. Development of Company Law in Post-Soviet Legal Systems

The Influence of Socialist Legal Thought on the Concept of Legal Person

Lado Chanturia, Judge, ECtHR, Strasbourg

From Soviet State Enterprises to Russian Unitary Enterprises

Eugenia Kurzynsky-Singer, Max Planck Institute,
Hamburg

State Capitalism in Action. State Owned Enterprises Incorporated as Private Law Companies

Hans-Joachim Schramm, University of Applied Sciences
Wismar

Chair: Burkhard Breig, Free University Berlin

6.15 pm Break

6.30 pm Panel Discussion

Human Rights as a Revolutionary Element in International Law. Visions in East and West

Angelika Nußberger, Vice President, ECtHR, Strasbourg
Lado Chanturia, Judge, ECtHR, Strasbourg
Maria Issaeva, Lawyer, Board Member ESIL, St. Petersburg

Dinner (on invitation only)

Saturday, 10 November 2018

Hauptgebäude, Neuer Senatssaal (ground floor, building section 8)
Albertus-Magnus-Platz, 50923 Köln

9.00 am Hungary 2010: Revolution? Counter-Revolution? 2010: A Constitutional Counter-Revolution

Gabor Halmai, European University Institute, Florence

Reinventing Hungary with Revolutionary Fervor: The Declaration of National Cooperation as a Readers' Guide to the Fundamental Law of 2011

Renata Uitz, Central European University, Budapest

Upcoming Judicial Reform in Hungary

Zoltan Fleck, Eötvös Loránd University, Budapest

Chair: Aneta Wiewiorowska-Domagalska, University of
Osnabrück

11.00 am Coffee Break

11.30 am Poland – We, the People: Judicial Independence and People's Sovereignty Breaking the Constitution in the Name of Moral Revolution?

Stanisław Biernat, Jagellonian University, Krakow

An Anti-Liberal Revolution. Legal Landscape of the Polish Right

Marta Bucholc, University of Bonn

A Legal Revolution in Poland? Legitimizing the Break of Continuity of the Legal Order

Frederyk Zoll, University of Osnabrück

Chair: Caroline von Gall, University of Cologne

1.30 pm End of Conference