

# **RESEARCHING THE HISTORY OF EUROPEAN PUBLIC LAW AND CONSTITUTIONAL LAW AT THE END OF THE 20TH CENTURY AND IN THE FIRST DECADE OF THE 21ST CENTURY: THE COOPERATION BETWEEN HUNGARIAN-FINNISH-ESTONIAN LEGAL SCIENTISTS**

**Peeter Järvelaid, Taavi Minnik**

## ***The Historical Background of Hungarian-Finnish-Estonian Cooperation***

If we take a look at the world map, it might seem that Estonia, Hungary and Finland are located far enough away from each other so as to exclude the opportunities for cooperation. But as our common history seems to prove, at different times it has been achievable. Hereby one should remember that on the wall of the main building of Tartu University is a plaque for Stephen Bathory, the former sovereign of these realms, bearing Hungarian blood. Historically our perception of cultural unity has greatly been based on a perception of linguistic affinities. From the cultural perspective, the self-definition of Finns, Hungarians and Estonians distinguishes themselves from the other nations. Already in the consciousness of our ancestors there was the understanding that our nations share something more than being neighbours or being a part of one or another empire at one time or another. This common feeling has been well described by Prof. Gabor Bereczki who after examining the research works of various Hungarian linguists came to the conclusion that Estonians and Finns, who are living somewhere far away, are culturally closer to Hungarians than the immediate neighbours. Therefore, the main role here has always been played by linguists, and the impact of their studies has been much wider. Most important has been attitude formation which later, with the new opportunities, has a pretty interesting history of any of the forms of cooperation. The jurisprudence is a fine example of that.

## ***Cooperation during the Interwar Period***

The beginning of university education dates back to the 17th century in all of the three countries (in Hungary the first university was established in 1635, in Finland 1640 and in Estonia 1632), but deeper scientific connections between Hungarian, Finnish and Estonian jurists began after the First World War. Of course we can't compare the length of the statehood of Hungary with Estonia and Finland, but it is obvious that after the First World War the three new republics shared quite similar problems. One should note that in the cooperation between these nations there has been a share of lucky coincidences, as the people who have natural premises to build a bridge between different nations step forward to the stage of history. After the First World

War, both in Estonia and in Finland, but also in Hungary, there were many people in a position of power who shared a strong feeling of kinship between the Finnic peoples. For instance, the first President of Estonia, Konstantin Päts (1874-1956), who had received a law education from Tartu University, was a prominent supporter of the Pan-Uralic movement, who as a politician sensed the great importance of the cooperation between the Finno-Ugric peoples. It is worth remembering that at this point cooperation was also very specific, as during the Estonian War of Independence (1918-1920) the acting prime minister who also was fulfilling the duties of the Minister of War, Konstantin Päts, was among those politicians who sought help from Finland, receiving volunteers and material help at the most critical moments in 1918/1919. But at the same time Finno-Ugric cooperation was a part of Konstantin Päts' political programme, because even before his deportation to the Soviet Union in 1940, he drew up his political testament, which was secretly sent to the Finnish Ambassador in Tallinn, where Päts dreamed about the common state of Finland and Estonia could reach a common state in the future, as the two countries are separated by a narrow gulf, but have close cultural ties. The authenticity of his political will has caused debates in academic circles,<sup>1</sup> but it is important to emphasize that as the leading political figure in his country he found the time and also the ambition to be the patron of the Finno-Ugric movement in Estonia (1925-1936 chairman of the Estonian-Finnish-Hungarian Union, Honorary Chairman from 1936). One should note that only his involvement would perhaps have not been sufficient, if this movement wouldn't have been backed by the strong cultural assumptions in Estonia. In the Finno-Ugric movement some very influential people from Hungary and Finland who ended up in Estonia also played important roles. When Estonia decided to restore Tartu University as an Estonian-language institution, which would serve the goals of Estonian culture, it initially encountered large problems. The university in Tartu had been established back in 1632 and since 1802 the university had functioned consistently till the outbreak of the First World War. Russian academic staff and students largely left to Russia, where they founded Voronezh University, the German occupation authorities supported the reopening of the University of Tartu, however, the reopened German language university didn't last long. Thus, in 1919, it had become quite obvious that the ambition to hold the Estonian language university needed at least initial help from the outside and high hopes were put on the scholars from different countries, who were to be expected to contribute to the upbringing of the Estonian speaking academic staff. Great help was provided by Finnish colleagues (especially in the humanities), but one of the most significant foreign professors was the Hungarian Istvan Csekey (1889-1963), whose role cannot be underestimated in the history of Estonian legal science as well in the Finno-Ugric cultural cooperation. I. Csekey's life is a good example of the Finno-Ugric cooperation. I. Csekey was elected

---

<sup>1</sup> vt. Grabbi, Hellar. Neli presidenti. Mälestuslikud esseed. Tartu: Ilmamaa, 2014, pp. 47-56, Grabbi, Hellar. Pätsi kiri Soome saadikule juulis 1940. – Tuna, 2005, nr.1, P. 58. Hellar Grabbi was the son of the Konstantin Päts's adjutant Colonel Grabbi, who claims that his mother personally had been delivering the last political will of Konstantin to the Finnish Embassy

with the support of Estonian law professors (J.Uluots, N.Maim, A.Piip) and he continued to work in Tartu University until 1931. I.Csekey's academic studies were devoted to describing the development of Estonia's statehood, which after being published in different languages were the first to introduce this issue abroad. After his return to Hungary in 1931, he became a law professor at the University of Szeged and later rector of the same university. As Tartu University celebrated its 300th anniversary in 1932, I.Csekey was awarded an honorary doctorate as gratitude for his work in Estonia. Besides him an honorary doctorate was granted to the acting rector of Tartu University, theologian Johan Kõpp and to the professor of legal history Jüri Uluots (1890-1945). One should note that J.Kõpp had been Uluots's religious education and Estonian language teacher in high school in Pärnu, helping him to find self-confidence to be an educated Estonian at a time when the school system before the First World War was still overwhelmingly in Russian. During 1920-1931 Istvan Csekey personally greatly contributed to the Estonian legal science. In addition, everybody who studied law at the University of Tartu at that time gained a positive contact with Hungary and Hungarians, as I. Csekey was known as an outstanding figure in the Finno-Ugric movement, who found many followers in Estonia and Finland. In order to better understand his legacy in Estonian legal science it should be pointed out that during his time in Estonia, Tartu University was the only educational institution to prepare lawyers for the small nation. Here one should remark that while I.Csekey was working in Tartu, the legal faculty was the most popular among the university entrants (in the 1920s more than 2,000 students were matriculated, from the second half of the 1930s there was already a limit set to the number of law students by the university). Therefore, it is important here to remember that, even though many of Csekey's students didn't become lawyers, they had a much wider impact on Estonian culture, which in turn gave a certain energy potential, which even the Soviet regime wasn't able to erase from the memory in 1941-1991 when Finno-Ugric cooperation was, if not fully prohibited, then suppressed to the language and literature level. Istvan Csekey wasn't forgotten in Estonia, but it must be pointed out that his life and work after 1945 remained unknown for a long time. When in the 1970s and 1980s the author of this article was trying to find out something about Csekey's fate from Tartu University, unfortunately they didn't know much about the later period of his life. For instance, as for example in the three-volume history of the Tartu University (published in 1982), Istvan Csekey is listed as a foreign professor working in Tartu from 1919 to 1931. But about his biography we cannot find anything more than just only few dry facts.<sup>2</sup>

---

<sup>2</sup> Tartu ülikooli ajalugu 1632-1982. Tallinn: Eesti Raamat, 1982, kd. 3 (1918-1982), P. 106.

## *The “restart” of the cooperation at the end of the 20th century and at the beginning of the 21st century*

### **Cooperation between Hungarian and Estonian jurists**

The Golden Age of cooperation between Hungarian and Estonian jurists ended in 1931, when Istvan Csekey left Estonia for his homeland. The 1930s paved the way for a new generation, who might have developed close ties with their Hungarian colleagues. Estonian jurists were showing interest towards Hungary and Hungarian culture before the outbreak of the Second World War. For instance, the first female lecturer in the history of Tartu University, Vera Poska-Grünthal,<sup>3</sup> wife of the vice president of the Estonian Supreme Court and fellow lecturer of the Tartu University Timotheus Grünthal. One might call Vera Poska-Grünthal a truly “international woman” because she had the honour to be among the founding members of the International Federation of Women Lawyers (IFWL). She was one of many Estonian jurists whose hopeful future prospects were broken by enforced exile during the Second World War. One of the most important scientific connections with Hungarian jurists was created at the end of the 1930s and during the Second World War, which probably determined the destiny of the “greatest star” of Estonian legal science. Estonia has had only one notable philosopher of law at the international level and the fact that he was looking for opportunities for self-realization with the help of his older Hungarian colleague, Julius Moor, was not just a mere coincidence. Ilmar Tammelo (1917-1982) later became a recognized legal philosopher, and if we look at his extensive scientific contacts, one might say that he was also able to find many contacts and cooperation opportunities from Finland (he also became a member of the Academy of Finland).

As after the Second World War all the official contacts between jurists were held under the tight control and supervision of Moscow,<sup>4</sup> the direct contacts between Estonian and Hungarian scientists basically perished. Changed historical conditions in the early 1990s gave new opportunities for direct cooperation between Hungarian and Estonian jurists. In 1993 Estonian jurists had the opportunity to participate in a conference in Budapest, later the conference materials were published.<sup>5</sup> One must also note that the Hungarian legal scholars attempted to find contacts in order to study

---

<sup>3</sup> Vera Poska-Grünthal was the daughter of the outstanding Estonian jurist Jaan Poska (1866-1920). Jaan Poska was the first Minister of Foreign Affairs of Estonia

<sup>4</sup> Here a prominent role could have been played by the former Professor of Tartu University, Vladimir Grabar (Hrabar; 1865-1956) who, until 1893, was a citizen of Austria-Hungary and had many personal ties with Hungary. His father had been a lawyer and his brother, the famous artist Igor E. Hrabar (Grabar), had also studied law in the University of Saint Petersburg (where he also had received his doctoral degree). See: Järvelaid, Peeter. Vaimude tund Eesti õigusteaduses jätkub. – Akadeemia, 1992, nr. 11, pp. 2413-2417. (Retsensioon: Vladimir Grabar. The history of international law in Russia 1647-1917: a bio-bibliographical study. Oxford, 1990, 760 p.

<sup>5</sup> Järvelaid, Peeter. On the correlation of the legislative and executive power in the Republik of Estonia 1918-1940. – Theorie und Institutionsystem der Gewaltentrennung in Europe. Budapest, 1993, p. 139-148. (Studies on public administration and law, 4).

the works of Ilmar Tammelo.<sup>6</sup> This cooperation turned out to be fruitful and resulted in many different publications in different article collections published by Austrian colleagues.<sup>7</sup>

### ***Cooperation between Finnish-Estonian jurists***

The roots of the cooperation between Estonian and Finnish jurists date back to the period of national awakening in the 19th century, but in fact the visit of Finnish President Urho Kaleva Kekkonen in 1964 brought a new “awakening”, as shipping traffic was established between Finland and Estonia, which in turn gave Finnish jurists a better opportunity to visit Estonia. But as access to foreigners was limited to the university town of Tartu due to large military installations on the one hand, and on the other hand the fact that the leaders of the legal faculty in Tartu were afraid of ties with “capitalist countries” because they weren’t certain that after Khrushchev’s thaw there would not follow a period when the taps would be tightened again. Therefore, until 1990 the ties established between Estonian and Finnish jurists were mostly based on private initiative and largely depended on interest or lack of interest on the Finnish side. Professor Hannu Tapani Klami became one of the first Finnish legal scholars, who came to the Tartu University in 1988, shortly before the borders were opened.<sup>8</sup>

However, the presumptions for restoring the cooperation between Finnish and Estonian jurists definitely existed as many professors from the older generation who had taken part in the Finno-Ugric movement (and some of them even still remembered the old Estonian student songs) were still working in the legal faculties of the Finnish universities. Estonian jurists started to receive active help from Finland. Finnish colleagues invited Estonians to Finland and often visited Estonia themselves. As people from Northern Estonia had been watching Finnish television for several decades before Estonia re-established its independence, the knowledge of the Finnish language was in fact very good among Northern Estonian jurists. This also allowed Estonian students to begin their law studies in the Finnish universities with various fellowships. Basically the language problem, which is still inherent in the teaching of foreign students, didn’t exist in this case. English language courses in the Finnish universities at that time were still rather rare. In the 1990s Finns were making large investments in order to bring up a new generation of researchers and lecturers in training to raise the quality of teaching. The cooperation project of Finnish and Estonian jurists resulted in the Finnish-Estonian legal dictionary and a number of important educational materials and textbooks, which undoubtedly played a

---

<sup>6</sup> Järvelaid, Peeter. Prof. Ilmar Tammelo (1917-1982) varaste tööde uustrükk Ungaris. (Kritik zu Prof. Kliimanns noramivistischer Unterscheidung des Privat- und des Öffentliches Rechts. – Aus Nachlass von Julis Moor. Budapest, 1995, lk. 63-148. (Philosophiae iuris). – Universitas Tartuensis, 1996, 2. veebruar, P. 4.

<sup>7</sup> Peeter Järvelaid. Das Frühwerk Ilmar Tammelos : der Weg zum Wissenschaftler. - Auf dem Weg zur Idee der Gerechtigkeit : Gedenkschrift für Ilmar Tammelo. Wien, Berlin, 2009. (Austria : Forschung und Wissenschaft : Rechtswissenschaft ; 3).

<sup>8</sup> Järvelaid, Peeter; Sootak, Jaan. Huvi on olemas, vaja oleks arendada isiklikke teaduskontakte. Intervjuu prof. Hannu Tapani Klamiga. – Nõukogude Õigus, 1988, nr. 3, pp. 209-212.

significant role in integrating the teaching of Estonian lawyers with contemporary Western European educational standards. There had also been a couple of linking points in the legal history of both countries, Finnish jurists had until 1917 received their education from the Imperial Alexander University of Finland (named after the emperor), as Estonian jurists had received their education from Tartu University, which at that time was also among the imperial universities. Secondly, during the Soviet Era in Estonia, at least in Tartu University to prepare lawyers (the period of study was five years at that time) there was an attempt to provide an education independently from the current politics by maintaining some of the old traditions. But the textbook projects began as the result of very good cooperation between the two countries legal historians. Thanks to the hard work of professor Heikki Ylikangas<sup>9</sup> two influential textbooks were translated to Estonian from Finnish – his own textbook *Miksi oikeus muuttuu osana? (Why does the law change?)*<sup>10</sup> and “*Suomen oikeushistorian pääpiirteet*” (*The main features of the Finnish legal history*),<sup>11</sup> which was jointly written by different Finnish authors. What was the main importance of that? At least some of the subjects in the *curriculum* became easily comparable from now on. At this point it provided some confidence that during the process of restructuring the Estonian legal science was moving in the right direction. After the textbook project, Finnish colleagues offered assistance for the renewing process of Estonian legislation, but as honest neighbours, they warned Estonians, that the Finnish legal system is unique and because of its history perhaps suitable only for Finland, and because of the different historical traditions might not be “innovative” for their southern neighbour. Until now, it’s not entirely clear why Germany began to “take care” of the Estonian legislative system, while Finns were helping to carry out the judiciary reforms during the modernization processes of the Estonian legal system, which gave many other interesting effects. Finnish jurists had for a long time been keeping a very conservative line and until the Estonian reforms conservative attitudes towards their own justice system had been dominant in Finland. The innovation of the 21st century behind the Finnish legal system (including the new Finnish Constitution) was to some extent influenced by the experience of their Estonian neighbours, which with its reforms from the Finnish point of view had played the role of the catalyst. In the 21st century, Finland has developed an educational system for doctoral students, which involves all the legal faculties in Finland and provides the opportunity to take in jurists from abroad. But if one is looking for the positive effects of how Finns came to this marvellous system, at least a small part was played by the cooperation of the Finnish-Estonian jurists (especially

---

<sup>9</sup> Järvelaid, Peeter. Professor Heikki Ylikangas – 60. – Ajalooline Ajakiri, 1997, nr. 4, pp. 55-56.

<sup>10</sup> Ylikangas, Heikki. Miks õigus muutub? Seadus ja õigus ajaloolise arengu osana. Tartu: Fontes Iuris, 1993; Järvelaid, Peeter. Õiguse muutumine Eestis. - Miks õigus muutub? Seadus ja õigus ajaloolise arengu osana. Tartu: Fontes Iuris, 1993, pp. 219-236; Järvelaid, Peeter. The changing law in Estonia. – Estnische Strafrechtsreform: Quellen und Perspektiven. Tartu, 1996, p. 33-36.

<sup>11</sup> Järvelaid, Peeter; Erelt, Jaan. Suomen oikeushistorian pääpiirteet. Sukuvallasta moderniin oikeuteen. Toim. Pia Letto-Vanamo. Jyväskylä: Gaudeamus, 1991, 315 lk. – Eesti Jurist, 1992, nr. 3-4, lk. 223-224.

the cooperation between legal historians) which, besides cooperation between lecturers, also included the joint preparation program (the particularly intense period was 1992-1997) student (incl. doctoral students). Today, we can find many positive outcomes of this program, in the form of colleagues developed from this project, for instance the professor of comparative legal history of the Helsinki University, Heikki Pihlajamäki, and in Estonia there are many jurists and legal historians who received positive impulses for their further development. The joint conferences of the Baltic legal historians, organized by professor Hans Hattenhauer, basically became the cornerstone for cooperation between the legal historians in the Baltic Sea region in 1997, mostly thanks to the Finnish-Estonian cooperation (Pia Letto Vanamo - Peter Järveldaid). At this point, the normal cooperation was complicated by the poor material situation of the Estonian side and the inability of Germans to overcome their financial bureaucracy. The only sponsor, the foundation of the Nordic Council of Ministers, wasn't willing to cover the costs of the German colleagues. From a historical perspective it's good to know that cooperation between the Finnish-Estonian legal historians became a "seed" for the cooperation of the legal historians in the entire Baltic Sea region as whole. One should note that in changing times (and with changing leaders) cooperation might not be persistent in the longer term. Any kind of good cooperation definitely requires a great "dose" of charisma of its leading figures. Finnish-Estonian legal historians' cooperation most certainly left a positive mark in the form of mutual publications<sup>12</sup> and also in the emergence of some new research directions in Finland. Cooperation with Estonia gave the opportunity to begin to research the history of the Royal Court of Tartu (Hovrätt, the highest judicial body in Sweden), the results of which one day hopefully will see the light as the monograph by Heikki Pihlajamäki. This period also saw intensive mutual introduction of literature in both countries as well as in third countries.<sup>13</sup>

### ***The cooperation between Hungarian and Estonian legal historians***

The cooperation between Hungarian and Estonian legal historians began in the early 1990s, as well as on other occasions from the personal contacts between the legal historians of both countries. The beginning could be dated back to 1991, when the then rector of Kiel University (Christian-Albrechts-Universität zu Kiel) Professor Hans Hattenhauer started a project, which was planned to help the legal historians from

---

<sup>12</sup> Järveldaid, Peeter. Virolaisen juristikunnan sukujuurien tutkimisesta. – Genos: Suomen sukututkimusseuran aikakauskirja – Tidskrift utgiven av Genealogiska Samfundet i Finland, 1994, vol. 65, pp. 100-103; Järveldaid, Peeter. Estland i slutet av 1900-talet – på väg mot en ny rättskultur. – Tidskrift utgiven av Juridiska föreningen i Finland, 1997, nr. 5, pp. 323-339; Järveldaid, Peeter. Viron oikeusjärjestys kolmannen vuosituhannen kynnyksellä. – Oikeus, 2000, nr. 2, pp. 292-295; Järveldaid, Peeter. Oikeuskanslerin institutio Virossa – historia ja nykypäivää. – Lakimies, 2001, nr. 4, pp. 726-734.

<sup>13</sup> Järveldaid, Peeter. Besprechungen: Heikki Pihlajamäki. Evidence, crime and the legal profession. The emergence of free evaluation of the evidence in the Finnish nineteenth-century procedure. Lund, 1997. – Ius commune: Zeitschrift für Europäische Rechtsgeschichte, 1999, nr. 26, pp. 462-466; Järveldaid, Peeter. Soomes ilmus ülevaade protsessiõiguse ajaloost. – Ajalooline Ajakiri, 1998, nr. 3, pp. 111-114.

Eastern Europe<sup>14</sup> to open the gates of the Western European “treasuries” of legal science, which due to the twists of history had been closed to them for more than half century. So it happened that in the autumn term 1991 in Hattenhauer’s office met legal historians from three countries (Hungary, Estonia and Slovakia), who together had received fellowships to do research work in Kiel University. Together with Josef Klimko<sup>15</sup> from Bratislava, Slovakia, Estonian Peeter Järvelaid from Tartu and Hungarian Mezey Barna from Budapest became colleagues and friends during their time in Kiel. One should remark that between two legal historians who had completely different research topics in Germany could begin mutual cooperation only thanks to the “seed” which more than 60 years before was planted by Professor Csekey. Fortunately there did still exist a historical continuity, because Peeter Järvelaid had received his knowledge about the work of Csekey from Professor Leo Leesment (1902-1986),<sup>16</sup> who had been able to listen the lectures of the Hungarian professor in his time as a student and postgraduate and had the honour to know him personally. The Conference of the German Legal Historians (*Deutsche Rechtshistorikertag*) became the development factor for the cooperation between legal historians from Estonia, Hungary and Finland, as a regular meeting place,<sup>17</sup> where especially Hungarian historians had been traditionally active participants. Sadly, the support of Estonians and Finns wasn’t sufficient so the Hungarian colleagues were not able to keep alive the cooperation between Central European legal historians, where they were planning to involve besides Austrians legal historians from the neighbouring countries, but from Finland and Estonia as well. Undoubtedly the cooperation initiated by the Hungarians had positive outcomes.<sup>18</sup> For instance on 18-21 September 2003 in Tallinn the first meeting of Estonian and Hungarian legal historians was held, which was supported by the Hungarian Embassy and the Hungarian Cultural Institute.<sup>19</sup> The meeting was entitled “The statehood of Finno-Ugric nations”, which in future could help to involve other Finno-Ugric nations.<sup>20</sup> The first conference in 2003 continued the earlier research topics, which had reached to the comparative studies. Therefore the conference subtopic – the development patterns in Estonia and Hungary from the second half of the 19th century to the beginning of the 20th century – seemed to have a great future in case of mutual

---

<sup>14</sup> He was at the same time improving the preparation process of the legal historians in the universities of Eastern Germany

<sup>15</sup> One must remark that dr Klimko was very interested in politics, so it was no wonder that he soon started his diplomatic career, representing Slovakia in many countries as an ambassador (incl. in Austria). In 2007 he was elected as rector of the Bratislava Law School.

<sup>16</sup> Järvelaid, Peeter. *Baltische Rechtswissenschaftsgeschichte : zwei grenzüberschreitende Rechtshistoriker Friedrich von Bunge und Leo Leesment* . Juridiskā zinātne = Law. Riga, 2006. (Latvijas Universitātes raksti ; 703). pp. 99-138

<sup>17</sup> Järvelaid, Peeter. Õigusajaloolaste kongress Austrias. – *Juridica*, 1996, nr. 9, tagakaanel.

<sup>18</sup> Järvelaid, Peeter. Kesk-Euroopa õigusajaloolaste kokkusaamisel Ungaris. – *Eesti Jurist*, 1992, nr. 6, lk. 160-164.

<sup>19</sup> The Estonian-Hungarian legal historian’s conference was organized by the head of the Hungarian Institute Dr Urmas Bereczki, Prof. Peeter Järvelaid from the Nord Academy and the Learned Estonian Society. The conference was held in the building of the Estonian Academy of Sciences (Kohtu 6)

<sup>20</sup> In the context of Finno-Ugric statehood we could only speak about the Estonians, Finns and Hungarians. But other Finno-Ugric nations would deserve scientific study as well.

research cooperation. In 2003, Dr Andras Bereczki<sup>21</sup> presented a paper on the reflections of national politics of Finland and Estonia in Hungary during the interwar period, which might offer opportunities for (comparative) in-depth-studies. Also the topics concerning national minorities remain topical, regardless from the chosen aspects (comparative, historical or concerning the present time). At this background, Dr. Bereczki's example – who interestingly approached his topic through the works of Istvan Csekey (The minority policies of Estonia in the interwar period in the lifework of Istvan Csekey). The comparative studies of Estonian, Finnish and Hungarian statehood ought to be a topic which should inspire different generations of our legal historians in the future. One should not be frightened by the cooperation of Baltic historians, which resulted in the joint history textbook, which didn't satisfy the authors, but undoubtedly provided Estonian historians with the experience of making their national history understandable outside of their own culture space. From the grounds of present experience, we should begin with the public law (already in 2003 we were trying to find common ground with Professor Gabor Mathe<sup>22</sup> "The institutional development of democracy in Hungary"), there is also much potential in comparative studies of the private law before the year 1864 (cooperation with professor Maria Homoki-Nagy "The codification of the Hungarian private law in the 19th century"), also historical comparison in the field of 19th century penal law might give interesting results (Barna Mezey "The trends in the development in Hungarian penal law, in the 18th-19th century").<sup>23</sup> Very prospective could become comparison in the procedural law and court system, beginning from the comparison with the Russian Empire from 1864 and with Estonia after 1889. Playing an important role in this field on the Estonian side as an active partner in cooperation has been the archivist of the Supreme Court, Toomas Anepaio (The development of the procedural law in Estonia, in 19th-20th century). Clearly in the near future the study of the development of the constitutions, including the historical and comparative studies (incl. the end of the 20th century and 21st century) will become topical. In 2003, this topic was approached through the person of Istvan Csekey and his studies of the Estonian Constitution (Professor Jozsef Ruzsoly "Istvan Csekey and Hungarian Constitution" and Professor Peeter Järvelaid "Istvan Csekey in the legal culture of Estonia"). Therefore we might say that the advancement of the cooperation between the Estonian, Finnish and Hungarian legal historians so far could be continued in the

---

<sup>21</sup> Current Honorary Consul General of Estonia in Budapest and the lecturer of Estonian language in the Budapest University

<sup>22</sup> Professor Mathe was at that time also the head of the Hungarian Lawyers Association and working as the professor of legal history in different Hungarian Universities

<sup>23</sup> Unfortunately dr Georg Ambach (1952-2006) („Kriminaalõiguse kodifikatsioon Eestis 20. sajandil.“) is now deceased, but his study was also published in Hungary. See: Ambach, Georg. Die strafrechtliche Entwicklung der Republik Estland in der ersten Seite des zwanzigen Jahrhunderts. Budapest : [Eötvös Loránd Universität], 2005. - 17 p. (Rechtsgeschichtliche Vorträge, 34.).

same way, investing more resources to our cooperation<sup>24</sup> and involving our students, who will succeed us in the future.

### ***The Institutional Presumption for the cooperation between the Hungarian, Estonian and Finnish jurists***

In 2013 the visit of the Rector of the Eötvös Loránd University, Barna Mezey to Estonia, took place where he visited Tallinn University in order to discuss the opportunities for closer cooperation between Estonian and Hungarian scientists. Within the framework of the present cooperation, the cooperation between Hungarian, Estonian and Finnish jurists was discussed. In Eötvös Loránd University in Budapest, in the Faculty of Law in Helsinki and in Tallinn University Law School are the chairs of comparative law, which in the future could become the basis for the cooperation network. It would involve the exchange of students and lecturers (incl. so-called Ringvorlesung – the series of lectures by different speakers held commonly in Helsinki, Budapest and Tallinn), establishment of virtual access to the libraries of the partner universities, but also the mutual help to replenish the libraries with the newest literature on the law of the Finno-Ugric nations. Among other things would be the replenishment of the libraries posteriorly with the literature published in each mother tongue. This problem didn't exist in the inter-war period. Should the new generations be poorer than their predecessors? Now is the appropriate moment when for instance Tallinn University would be ready to take in a highly qualified colleague from Finland or Hungary (on the assumption that the subject would be comparable and in English). If we would be able to create in Tallinn the conditions that here would be working simultaneously Hungarian and Finnish lecturers, we might be sure that this would have a positive effect on the staffing of the chair.

### ***Possible Future Scenarios***

There are many scenarios that could happen in the future. The most positive would be if we could reach to solutions which would work as tripartite cooperation. The second scenario would be that the cooperation would proceed within the present frameworks, led by persons, who have a long experience and who could involve their Finno-Ugric colleagues as the third side. The year 2014 will mark 125 years from the birth of Istvan Csekey (1889-1963) and with this occasion it would be great to link the publication of a respective anthology. For this the groundwork has been done both in Estonia and Hungary,<sup>25</sup> but it still lacks the final decision on its publication. In the conference of 2008 and the meeting of 2013 the preliminary structure of the commemorative book of Istvan Csekey was outlined. Because he had big personal merits in establishment of Finno-Ugric cooperation, the book should be based on the main stages of his life. Hungarian colleagues could focus on the early (childhood, university studies and work as a lawyer before being elected to become professor of

---

<sup>24</sup> Hungarian-Finnish-Estonian cooperation has been underfunded because, at the political level, the Finno-Ugric movement is perhaps even considered to be old-fashioned.

<sup>25</sup> In Hungary the life of I. Csekey has been studied by Jozsef Ruzsoly (University of Szeged), as well by Dr. Andras Bereczki in Budapest–

Tartu University) and later stages of his life (his work in Szeged as professor and rector, and also his Pecs period). These parts would include the overview of the Hungarian history (incl. legal history and about the universities, where he worked and studied), which would cover the chapters connected with his personality and be orientated to him as a person. Professor Peeter Järvelaid is currently finishing the overview of his life in Estonia and a similar overview about Tartu University and its faculty of law. As his work wasn't limited with legal science, but involved also history, literature and the Finno-Ugric movement, we have the overview of his role in reflecting the minority policies of Estonia and Finland during the interwar period in Hungary by Dr Andras Bereczki and here we could add more overviews, taking in new authors from Estonia, Finland and Hungary.