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

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 focuses 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.

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

Venue on Friday
Seminargebäude der Universität zu Köln
Tagungsräum (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/#1100

Conference Language
English

Registration
office@dgo-online.org
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

4.45 pm Between Private Company Law and State Control over Enterprises. Development of Company Law in Post-Soviet Legal Systems
Law as a Means of Administration in Russia Through the Revolutionary Divide of 1905-1917
Tatiana Borisova, HSE, St. Petersburg

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

Dinner (on invitation only)

4.30 pm Coffee Break

Saturday, 10 November 2018
Hauptgebäude, Neuer Senatssaal (ground floor, building section 8)
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9.00 am Hungary 2010: Revolution? Counter-Revolution?
2010: A Constitutional Counter-Revolution
Gabor Halmai, European University Institute, Florence

Renata Ulitz, 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?
Stanislaw Biernat, Jagiellonian 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