

JOURNAL ON EUROPEAN HISTORY OF LAW



VOL. 7 / 2016

NO. 1

Editorial staff JOURNAL ON EUROPEAN HISTORY OF LAW:

- JUDr. PhDr. Stanislav Balík
Attorney at Law, Prague, Czech Republic
Prof. Dr. Barna Mezey
Faculty of Law, Eötvös-Loránd-University Budapest, Hungary
Prof. JUDr. Jozef Bená, CSc.
Faculty of Law, Comenius University in Bratislava, Slovak Republic
Doc. JUDr. PhDr. Jiří Bílý, CSc.
Metropolit University Prague, Czech Republic
Dr. Piotr Fiedorczyk
Faculty of Law, University of Białystok, Poland
Alberto Iglesias Garzón, Ph.D.
Charles III University of Madrid, Spain
Prof. Dr.iur. Dr.phil. Thomas Gergen, MA
European University for Economics and Management, Luxembourg
Prof. Dr. Gábor Hamza
Faculty of Law, Eötvös-Loránd-University Budapest, Hungary
Prof. JUDr. Ignác Antonín Hrdina, Dr.Sc.
Faculty of Law, Westbohemia University, Plzeň, Czech Republic
JUDr. Vilém Knoll, Ph.D.
Faculty of Law, Westbohemia University, Plzeň, Czech Republic
Doc. dr. sc. Mirela Kresic
Faculty of Law, University of Zagreb, Croatia
Prof. zw. dr. hab. Adam Lityński
Faculty of Law, University of Silesia, Katowice, Poland
Doc. Dr. Olga Lysenko
Faculty of Law, Lomonosov Moscow State University, Russia
Tony Murphy
Department of Law & Criminology, Sheffield Hallam University, UK
ao. Univ. Prof. Dr.jur. Christian Neschwara
Faculty of Law, University of Vienna, Austria
Doc. Dr. Dmitry Poldnikov
Faculty of Law, National Research University, Higher School of Economics, Moscow, Russia
Doc. JUDr. Karel Schelle, CSc.
Faculty of Law, Masaryk University, Brno, Czech Republic
Dr. Gábor Schweitzer, Ph.D.
Institute for Legal Studies of the Hungarian Academy of Sciences, Hungary
Adw. Ewa Stawicka
Attorney at Law, Warsaw, Poland
Dr. Magdolna Szűcs, Ph.D.
Faculty of Law, University of Novi Sad, Serbia
JUDr. Bc. Jaromír Tauchen, Ph.D., LL.M.
Faculty of Law, Masaryk University, Brno, Czech Republic
Prof. Dr. Wulf Eckart Voß
Faculty of Law, University of Osnabrück, Germany

TABLE OF CONTENTS

Diemut Majer: Peter Saladin (1935–1997)	2
Christoph Schmetterer: Der strafrechtliche Schutz von Kaiser und Kaiserhaus in Österreich von 1848–1918	12
Astrid Lorenz: Parties and Rules. Constitution-making in the East German Länder after 1990	28
Andrew Watson: Victorian Jury Court Advocacy and Signs of Fundamental Change	36
Patrizia Resta: The Revenge of Soghomon Tehlirian	45
Javier Belda Iniesta: The Pleasure of Privacy: Confession and Inquisition as Means to Cause the Correction of Sinful Consciences around the IV Lateran Council	54
Rudransh Sharma: History of Legal Profession in India	60
János Jusztinger: Dogmatics of Criminal Law and the Roman Jurisprudence	73
József Benke: The Remembrance of 'Praetor Paulus' in Mid-Tudor England	79
Csaba Csverák: Development Span of the Hungarian Governmental Forms (in an International Comparison)	85
Iholya Katalin Koncz: Divorce and Undeserving of Permanent Alimony according to the Practices of the Hungarian Royal Curia	91
Iván Halász: The Development of Czechoslovak, Polish and Hungarian Foreign Affairs Administration between the Two World Wars (1918–1939)	96
Dávid Klemm: An Attempt to Establish the European Army: The Pleven Plan	105
Przemysław Dąbrowski: The Structure and Powers of the Councils of State in the Kingdom of Poland between 1815 and 1867	110
Maria Lewandowicz: On the Universalist Heritage in the Codification of Private Law in Poland and Switzerland in the 19th and 20th Century	115
Lenka Šmídová Malářová: „Causa legittimae absentiae“ in Legal Praxis of the Medieval Town Law in Moravia	125
František Emmert: The Expansion of so-called Reich Citizenship in the Czech Territories during the War Years and its Post-war Consequences	130
Johan Schweigl: The Fundamental Events within the Development of Central Banking in the Czech Lands	135
Miriam Laclavíková, Andrea Ološovská: Besondere Arbeitsbedingungen von Frauen im Hinblick auf den Schutz vom Wert der Mutterschaft auf dem Gebiet der Slowakei – Vergangenheit vs. Gegenwart	140
József Szalma: Einfluss der deutschen Willens- und Erklärungstheorie auf europäische zivilrechtliche Kodifikationen und Theorie über die Willensgeschäfte - mit besonderer Berücksichtigung des serbischen Privatrechts	146
Dunja Pastović: "Defect of Sex": Exclusion of Women from Jury Service in Istria 1873–1918	155
Arijana Kolak Bošnjak: The Flip Side of Freedom. The Attitude towards Pro-Hungarians in Banal Croatia in 1848/49	172
Engjell Likmeta: Some Reflections on the Delicts of the First Criminal Code of the Republic of Albania	178
Marina A. Baratora: The Evolution of Russian Housing Law during the 20th Century	186
Oleksandr Gavrylenko, Oksana Skryl: Legal Regulation of Civil Contracts in Ancient City-States of the Black Sea Northern Coast	190
READERS REACT	
Gedanken zum „Recht auf die Heimat“	201
BOOK REVIEWS	
Allerlei Rechtsgeschichten - von Hammurabi bis zum Code civil. Ein Blick auf die Schriftenreihe des Rechtshistorischen Museums Karlsruhe	204
Das ABGB im Spiegel der rechtshistorischen Literatur	207
Guy Burak: The Second Formation of Islamic Law. The Hanafi School in the Early Modern Ottoman Empire	210
Wilfried Hartman, Kenneth Pennington: The History of Byzantine and Eastern Canon Law to 1500	216
Julian Lubini: Die Verwaltungsgerichtbarkeit in den Ländern der SBZ/DDR 1945–1952	217
Gerhard Strejcek: Erlerntes Recht. Zur Ausbildung von Juristinnen und Juristen an der Wiener Universität 1365–2015	219
Guidelines for authors	220

JOURNAL ON EUROPEAN HISTORY OF LAW

© 2016 STS Science Centre Ltd.

All rights reserved. Neither this publication nor any part of it may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the prior permission of STS Science Centre Ltd.. Published semiannually by STS Science Centre Ltd. „Journal on European History of Law“ is a registered trademark of STS Science Centre Ltd.

Issued twice a year.

Printed in the EU.

ISSN 2042-6402