

PhD Programme

Elective courses (2021 Fall)

SOME CURRENT PROBLEMS OF THE HUNGARIAN CRIMINAL PROCEDURE

(doctoral programme – elective course)

Credit:	5	Contact hours (weekly - average - full-time students)	2	Semester:	Spring
Lecturer(s)	Prof. Dr. Zsanett Fantoly				
Institute/Department	Institute of Criminal Sciences				
3) Main objectives of the course					
<p>This course is aimed at preparing the students for their future studies in the field of criminal law of procedure. During the course the students get to know the fundamental rules of the Hungarian criminal procedural law, based on their previous knowledge. The course also enlightens the relationship of the Hungarian criminal procedural law to other country's criminal procedural law.</p>					
4) Content of the course					
<p>The principles and the subjects of the criminal procedure in the continental European countries The equality of arms in the criminal procedure in the accusatorial and in the inquisitorial criminal justice systems The law of evidence in criminal proceedings Human rights and coercive measures (stop and search, arrest, pre-trial detention) in the criminal procedures Covert policing and undercover investigations in Hungary The rules of the criminal investigation; the relationship of the prosecutor and the police in the Hungarian criminal procedure Plea bargaining in common law and continental European law jurisdictions The ordinary and extraordinary procedures, alternatives to prosecution in the Hungarian criminal jurisdiction Prosecutorial discretion in the [Hungarian] criminal procedure The system of the legal remedies and the appellate procedures in Hungary</p>					
5) Materials					
<p>Fantoly Zsanett: The current questions of the Hungarian law of criminal procedure. Lambert. 2016. Hautzinger Zoltán – Herke Csongor: The Hungarian Criminal Procedure Law. Pécs, 2006. Herke Csongor: The Modification of New Hungarian Criminal Procedure Law. www.jesz.ajk.elte 2002/4. Karsai Krisztina – Szomora Zsolt: Criminal Law in Hungary. Wolters Kluwer.</p>					
6) Evaluation for the credit	oral exam or compulsory written assignment				

Doctoral School of Law and Political Sciences (USz)

THEORY OF JUDICIAL INDEPENDENCE					
Credit:	5	Contact hours (weekly - average - full-time students)	2	Semester:	Fall
Lecturer(s)	Attila Badó				
Institute/Department	Institute of Comparative Law and Legal Theory				
3) Main objectives of the course					
To understand the different theories of judicial independence in a comparative perspective. Examine the manifestation of some of the most significant elements inherent to the fair trial concept in different legal systems.					
4) Content of the course					
A Comparative Analysis of the Judicial Power. Fair selection of judges in a Modern Democracy. Fairness in the Distribution of Cases and Judicial Independence. General problems of judicial selection in East Central European post-socialist countries. Political, Merit-based and Neopotic Elements in the Selection of Hungarian Judges. The Bangalore Principles of Judicial Conduct.					
5) Materials					
Attila Badó: Some Aspects of Impartiality In The Hungarian Judicial System. 2017. Editura Universitatii de Vest, Temesvár.					
6) Evaluation for the credit	Writing an essay, oral examination.				

Doctoral School of Law and Political Sciences (USz)

COMPARATIVE COMPETITION LAW AND POLICY					
Credit:	5	Contact hours (weekly - average - full-time students)	2	Semester:	Fall
Lecturer(s)	Prof. Dr. Csongor István Nagy				
Institute/Department	Department of Private International Law				
3) Main objectives of the course					
The course aims at providing the students with a broad overview of the economic, legal and public policy problems of contemporary competition law and policy and at equipping them with the basic conceptual tools that are necessary for analyzing competition matters. At the end of the course the participants will be capable of identifying the most important legal and economic issues in competition matters and analyse them from a comparative perspective.					
4) Content of the course					
The course covers the following topics: fundamental notions of competition law and policy, agreements restricting competition, abuse of dominant position/monopolization, merger control, enforcement of competition law, private enforcement, market liberalization (public services, universal service, significant market power, access to the infrastructure etc.).					
5) Materials					
Csongor István Nagy: Competition Law in Hungary (Kluwer, 2016)					
6) Evaluation for the credit	Written exam				

Doctoral School of Law and Political Sciences (USz)

LEGAL PROFESSION IN DIFFERENT LEGAL SYSTEMS					
Credit:	5	Contact hours (weekly - average - full-time students)	2	Semester:	Fall
Lecturer(s)		Zsolt Nagy			
Institute/Department		Department of Theory and Sociology of Law			
3) Main objectives of the course					
The aim of this course is to familiarize students with the relationship between the study of law and the legal culture and society in various countries. Practice in the law depends first of all on the institutions, culture and legal systems of a given culture. The form and manner of practice are determined by historical and cultural factors. Within the framework of the course the problem mentioned above will be taken under analysis through a comparison of similarities and differences among various countries.					
4) Content of the course					
<ol style="list-style-type: none"> 1. Sociological theories on education. 2. The aim and function of legal education. 3. The history of legal profession in the United States, England, Europe, and Hungary. 4. The major legal systems and related questions of the legal profession. 5. Legal profession in various states today (USA, GB, Germany, Hungary, Turkey, Russia, etc.) 6. The impact of attitudes of legal profession on the functioning of law. 7. The bisystemic or multisystemic law teaching and the practice of law. 8. The problems of multidisciplinary practice. 					
5) Materials					
<p>Lawrence M.Friedman: Some Thoughts on Comparative Legal Culture. In: David S. Clarke: Comparative and Private International Law: Essays in Honor of John Henry Merryman on His Seventieth Birthday. Duncker and Hublot. Berlin. 1990.49-57.</p> <p>Lawrence M.Friedman: The Concept of Legal Culture: A Reply. In: David Nelken: Comparing Legal Cultures. Dartmouth Publishing. Aldershot. 1997. 33-39.</p> <p>Alfredo Fuentes-Hernandez: Globalization and Legal Education in Latin America: Issues for Law and Development in the 21st Century. Penn State International Law Review. 2002. Fall. 39-49.</p> <p>Howard Abadinsky: Law and Justice. An Introduction to the American Legal System. Second Edition. Nelson-Hall Publishers. Chicago. 1990.</p> <p>Richard C.Abel: The Legal Profession in England and Wales. Basil Blackwell Publishers. Oxford. 1988.</p> <p>Deborah Schedemann: Do Best Practice in Legal Education Include an Obligation to the Legal Profession to Integrate Theory, Skills, and Doctrine in the Law School Curriculum? In: Pamela Lysaght, Amy E. Sloan, Bradley G. Clary: Erasing Lines. Integrating Law School Curriculum. Association of Legal Writing Directors. West. 2002. 127-129.</p> <p>Peter van der Berg: <i>Lawyers as Political Entrepreneurs? A Political Perspective on the Contribution of Lawyers to Legal Integration in Europe.</i> www.rechten.eldec.ub.rug.nl/FILES/root/Algemeen/Recht10/2005/entrepreneurs/Lawyer.pdf. 2014</p> <p>Roman TOMASIC,: <i>Globalization and the Transformation of Commercial and Legal Practice in the Asia Pacific: Opportunities and Challenges for Australian Commercial Lawyers and Their Clients.</i> 10. Corporate and Business Law Journal. 69. 1997</p> <p>Richard H. Sander and Williams E. Douglass: <i>Why are There So Many Lawyers?</i></p>					

Doctoral School of Law and Political Sciences (USz)

Perspectives on a Turbulent Market. Law and Social Inquiry. Vol. 14. Number 3. 1989.
Ramon Mullerat: *The Multidisciplinary Practice of Law in Europe*. 50. Journal of Legal Education. 481. 2000.
Nicholas Kasirer: *Bijuralism in Law's Empire and in Law's Cosmos*. 52. Journal of Legal Education. 29.
Richard Haigh: *Of Law, Lawyers, Globalisation and Millenia*. 4. Deakin Law Journal 93. 1997-2000.
John Griffith: *What is Legal Pluralism*. 24. Journal of Legal Pluralism. 1. 1-55. 1986.
Georges Gurvitch: *The Sociology of Law*. Philosophical Library and Alliance Book Corporation. New York. 1942.
Mary C. Daly: *The Structure of Legal Education and the Legal Profession, Multidisciplinary Practice, Competition, and Globalization*. 52. Journal of Legal Education. 480. 2000.

6) Evaluation for the credit

The students should have ability to compare the differences of legal systems and as a consequence they should compare the different legal educational systems. After the evaluation of their lesson's work (activity, presentations, etc.) the students have to write an essay about one of chosen legal educational system.

Doctoral School of Law and Political Sciences (USz)

LEGAL INFORMATICS					
Credit:	5	Contact hours (weekly - average - full-time students)	2	Semester:	Fall
Lecturer(s)	Prof. Dr. Katona Tamás Dr. Kovács Péter				
Institute/Department	Department of Statistics and Demography				
3) Main objectives of the course					
The main goal of the course is to explore and analyse the actual challenges and trends and the effects of them in the field of legal informatics, to show IT tools, which can support research activities.					
4) Content of the course					
Informational Basic Rights Self-Determination in the E-world Challenges and Trends of Data Protection Cloud technology: issues and applications Challenges of E-Business, E-Commerce, Fintech, Digital Finance Artificial Intelligence and Law Legal databases, expert systems, alternate data and information sources IT Solutions for Law: Issues, Trends and Solutions, the digital lawyer concept Data and Information Visualization: Trends and Solutions. Preparing quick Reports with Excel PIVOT Researches on Legal Informatics					
5) Materials					
Articles, e-materials					
6) Evaluation for the credit	Carry out and present a paper, in which a challenge of legal informatics is discussed.				

Doctoral School of Law and Political Sciences (USz)

MODELS OF DEMOCRACY					
Credit:	5	Contact hours (weekly - average - full-time students)	2	Semester:	Fall
Lecturer(s)	Dr. habil. Edit Soós				
Institute/Department	Department of Political Science				
3) Main objectives of the course					
The aim of the course is to provide the major theories of democracy from classical Greece to the present, along with a critical discussion of what democracy should mean today.					
4) Content of the course					
What is Democracy?; Classical democracy: Athena; The development of liberal democracy: for and against the state power and sovereignty; Direct democracy and the politics; Competitive elitism and the technocratic vision; Pluralism, Corporate capitalism and the state; Law, liberty and democracy; What should democracy mean today?; What underlying conditions favour democracy?; What political institutions does large-scale democracy require?; The rise of illiberal democracy					
5) Materials					
David Held: Models of Democracy, 3rd Edition, Stanford University Press, 2006. Fareed Rafiq Zakaria: The Rise of Illiberal democracy. Foreign Affairs, November/December 1997. Available at: https://msuweb.montclair.edu/~lebelp/FZakariaIlliberalDemocracy1997.pdf					
6) Evaluation for the credit	examination				

Doctoral School of Law and Political Sciences (USz)

CITIZENSHIP AND IMMIGRATION LAW: A COMPARATIVE HISTORICAL ANALYSIS					
Credit:	5	Contact hours (weekly - average - full-time students)	2	Semester: Autumn	Fall
Lecturer(s)		Dr. Norbert Varga			
Institute/Department		Department of Hungarian Legal History			
3) Main objectives of the course					
Analyse and compare the regulation of citizenship and immigration law in Europe, examine the historical background of the formation of citizenship. Students will analyse the primer and secondary sources of the main subject of this course.					
4) Content of the course					
Formation of the national states in Europe in the 19 th century Definition of citizenship Basic models of the citizenship in Europe Immigration and citizenship Obtaining and losing citizenship Regulation of the French citizenship law Regulation of the German citizenship law Regulation of the English citizenship Citizenship in Austria and Hungary International treaties in the citizenship law					
5) Materials					
Massimo La Torre (ed.): European Citizenship: An Institutional Challenge. 1998					
6) Evaluation for the credit		Final written exam			

COPYRIGHT LAW OF THE EUROPEAN UNION

(doctoral programme - elective course)

Credit:	5	Contact hours (weekly - average - full-time students)	2	Semester:	Spring
Lecturer(s)	Dr. habil. Péter Mezei				
Institute/Department	Institute of Comparative Law and Legal Theory				
3) Main objectives of the course					
The aim of the course is to provide a fundamental insight into the doctrine and practice of the copyright regime of the European Union. As a part of that participants of the course can get familiarized with the leading sources of law, concepts, and case law of the EU, and the relevant methodological approaches that a graduate student might apply in writing a doctoral thesis.					
4) Content of the course					
I. The development of international and European copyright law; basic features of EU copyright law					
II. Sources and case law of EU copyright law					
a) Software Directive;					
b) Rental, Lending and Related Rights Directive;					
c) Satellite and Cable Directive;					
d) Term Directive;					
e) Database Directive;					
f) InfoSoc Directive;					
g) Resale Royalty Right Directive;					
h) Orphan Works Directive;					
i) CRM Directive;					
III. Law enforcement in the EU					
a) Enforcement Directive;					
b) E-commerce and copyright law;					
c) jurisdiction + applicable law.					
IV. Digital Single Market Strategy					
5) Materials					
Justine Pila & Paul Torremans: <i>European Intellectual Property Law</i> , Oxford University Press, Oxford, 2016: p. 243-360.					
Catherine Seville: <i>EU Intellectual Property Law and Policy</i> , Second Edition, Elgar European Law, Edward Elgar, Cheltenham, 2016: p. 7-101.					
Anette Kur & Thomas Dreier: <i>European Intellectual Property Law</i> , Text, Cases & Materials, Edward Elgar, Cheltenham, 2013: p. 241-322.					
Michel M. Walter & Silke von Lewinski: <i>European Copyright Law</i> , A Commentary, Oxford University Press, Oxford, 2010					
6) Evaluation for the credit	A max. 10 pages long home assignment on a topic that is closely related to the subject of the course.				

CHALLENGES OF THE STATE IN THE 21ST CENTURY

(doctoral programme - elective course)

Credit:	5	Contact hours (weekly - average - full-time students)	2	Semester:	Spring
Lecturer	Norbert MERKOVITY, PhD				
Institute/Department	Department of Political Science				
3) Main objectives of the course					
<p>The course analyses the discourses of social sciences, especially political sciences discourses of governance, parliamentarism, and political campaigns (political trends) regarding challenges of the 21st century state. Political trends are primarily analysed from the side of “politics” through political communication research while trends of governmental issues are analysed from the “policy” side through research on e-democracy, e-government, and e-public administration.</p> <p>The students will also learn about theory and practice of “new” (21st century’s) political communication and attention-based politics that will enable them to frame the relationship between the political system and the citizens, and to conduct further research on the subject.</p>					
4) Content of the course					
<p>The course examines, but is not limited to the following topics:</p> <ol style="list-style-type: none"> 1. Information society and the state 2. The appearances of the ‘state’ and the ‘government’ in new public spheres: the changes in political public sphere in the 21st century 3. The answers of eDemocracy, eGovernance, and ePublic Administration on ‘new’ public sphere: Digital Era Governance, Transformational Governance 4. Social Networking Sites and new parties, new movements: parliamentary representatives and parties; attitudes in the information environment 5. Radicalisation and populism on information networks: the critics of European radicalisation and populism on state 6. Changes in political campaigns from the Millennium years 7. Answers of (European) governments on the changes of political and cultural public sphere 8. Challenges of parliaments’ publicity 9. Policy research in political communication 10. Present and future of attention-based politics 					
5) Materials					
<p>Aalberg, Toril, Esser, Frank, Reinemann, Carsten, Strömbäck, Jesper & de Vreese, Claes (szerk.) (2017): Populist Political Communication in Europe. New York: Routledge. (ISBN: 978-113-8654-79-2)</p> <p>Allcott, Hunt & Gentzkow, Matthew (2017): Social Media and Fake News in the 2016 Election. Journal of Economic Perspectives, Vol. 31, No. 2, 211–236.</p> <p>Altheide, David L. (1989): The Culture of Electronic Communication. Cultural Dynamics,</p>					

2(1), 62–78.

Blumler, Jay G. (2016): *The Fourth Age of Political Communication*. *Politiques de communication*, Vol. 4, No. 1(6), 19–30.

Borras, John (2012). *The OASIS Transformational Government Framework*. *European Journal of ePractice*, 2012, (15), 26–51.

Chadwick, Andrew (2006): *Internet Politics: states, citizens, and new communication technologies*. Oxford: Oxford University Press. (ISBN: 978-019-517-773-2)

Dunleavy, Patrick, & Margetts, Helen (2010). ‘The second wave of digital era governance’, paper presented at American Political Science Association Conference, 4 September 2010, Washington.

Dunleavy, Patrick, Margetts, Helen, Bastow, S., & Tinkler, J. (2006). *Digital Era Governance: IT Corporations, the State and E-Government*. Oxford: Oxford University Press. (ISBN: 978-019-9547-00-5)

Froio, Caterina, Bevan, Shaun & Jennings, Will (2016): *Party Mandates and the Politics of Attention: Party Platforms, Public Priorities and the Policy Agenda in Britain*. *Party Politics*, Online First: 2016. január 20. Doi: 10.1177/1354068815625228.

Gibson, Rachel & Ward, Stephen (2009): *Parties in the digital age: A review article*. *Representation*, 45(1), 87–100.

Kelly, Peter (2016): *The Self as Enterprise: Foucault and the Spirit of 21st Century Capitalism*. Milton Park: Routledge. (ISBN: 978-140-9473-57-2)

Merkovity Norbert (2017): *Introduction to attention-based politics*. *Przegląd Politologiczny*, Vol. 2017, No. 4, 61–73. DOI: <https://doi.org/10.14746/pp.2017.22.4.5>

Merkovity Norbert, Imre, Robert & Owen, Stephen (2015): *Homogenizing Social Media: Affect/Effect and Globalization of Media and the Public Sphere*. In Biernaczka-Ligięza, Ilona (szerk.): *Media and Globalization Different Cultures, Societies, Political Systems*. Lublin: Maria Curies Skłodowska University Press, 57–69. (ISBN: 978-837-7847-01-5)

Mudde, Cas (2013): *„Three Decades of Populist Radical Right Parties in Western Europe: So What?”* *European Journal of Political Research* Vol. 52, No. 1, 1–19.

Mudde, Cas & Kaltwasser, Cristobal Rovira (szerk.): *Populism in Europe and the Americas: Threat or Corrective for Democracy?* New York: Cambridge University Press. (ISBN: 978-110-7023-85-7)

Scullion Richard et al (2013). *The Media, Political Participation and Empowerment*. London: Routledge. (ISBN: 978-041-5633-49-9)

6) Evaluation for the credit

Students will prove their knowledge through oral presentation on literature and submitted paper. To complete the course it is recommended for the students to complete a course-relevant analysis related to their research topic during the semester.

INTERNATIONAL ELEMENTS IN PUBLIC ADMINISTRATION

Credits:	5	Teaching hours (average per week)	2	Semester:	Autumn
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Lecturers	Erzsébet CSATLÓS
Lecturer (contact)	Erzsébet CSATLÓS

3) Focus and objectives

The course deals with areas within the operation of public administration and the authority procedures that involve foreign elements. A couple of highlighted areas of law are discussed in detail to broaden the PhD Students' horizons to deepen their knowledge and to find matching issues of their researches and the topic of the course.

4) Topics

- I. Effect and influence of international law and EU law on Public Administration
- II. Procedural guarantees in the authority procedure in case of a foreign client with special regards to the Hungarian legal practice
- III. Legal assistance and the different types of cooperation of authorities
- IV. Foreign public documents in authority procedures: cooperation systems and practices
- V. Public administration abroad: foreign service and the consular cooperation of States especially EU Member States
- VI. Global administration, global administrative law

5) Resource materials used in the course

- Apostille Handbook: A Handbook on the Practical Operation of the Apostille Convention. HCCH, The Hague, 2013
- Cassese, Sabino (szerk.): Global Administrative Law: Cases and Materials. University of Rome «La Sapienza» Public Law Institute, Rome, 2006.
- Csatlós Erzsébet: Consular Cooperation of EU Member States in a Fundamental Rights Approach
Csatlós Erzsébet: Marmara Journal of European Studies 26 (2018) 2 p. 1-23.
- Csatlós Erzsébet: Perspectives of the Cooperation of National Administrative Authorities in the EU. Jogelméleti Szemle, 2016/3. p. 45-55.
- Csatlós Erzsébet: Public Administrative Law in a Globalized Concept: Legal Nature of the Collaboration of the EU and the Basel Committee. *Journal of International Economic Law*, Volume 22, Issue 2, June 2019. p. 229–245.
- Csatlós, Erzsébet: The European Competition Network in the European Administrative System: Theoretical Concerns. Yearbook of Antitrust and Regulatory Studies (YARS), Vol. 18. no. 11. 2018. p. 53-74.
- Krisch, Nico and Kingsbury, Benedict: Introduction: Global Governance and Global Administrative Law in the International Legal Order, *EJIL* Vol. 17. No. 1, (2006) 1–13.
- von Bogdandy, Armin – Wolfrum, Rüdiger - von Bernstorff, Jochen - Dann, Philipp – Goldmann, Matthias (eds.): The Exercise of Public Authority by International Institutions. *Advancing International Institutional Law*. Springer, Heidelberg, 2010.

6) Course grading	five-grade rating for an essay of an approved topic in the intersection of individual research field and the topic of the course
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7) Prerequisites	co-requisites: <i>Comparative law</i> (first semester studies)
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