

CONTENTS

Preface	9
BASICS	15
‘Rechtsstaatlichkeit’ and ‘Rule of Law’: Divergent Paths of a Correlated Ideal (1993)	16
1. ‘RECHTSSTAATLICHKEIT’ AND ‘RULE OF LAW’ 1.1. <i>Rechtsstaatlichkeit</i> 1.2. <i>Rule of Law</i> 2. RECHTSSTAATLICHKEIT AND RULE OF LAW AS VARIATIONS 2.1. <i>Rechtsstaatlichkeit and the European Continental Conception of Law</i> (2.1.1. Logical Pattern [a] <i>Axiomatism</i> b) <i>Logical Submission</i> (b.a) <i>Logical determination</i> / (b.b) <i>Normative Definition of a Legal Frame</i>] 2.1.2. Consequences as to the Structure and Ontology of Law [a] <i>Legal Force as the Final Criterion</i> b) <i>Science- and Language-philosophical Reconsideration</i> (b.a) <i>Law as an Ontology of Concepts and Texts</i> / (b.b) <i>The Role of Logic</i>] 2.1.3. Summary) 2.2. <i>Rule of Law and the Anglo-American Conception of Law</i> 3. THE ROLE OF CONCEPTUAL GENERALITY 3.1 <i>The Paradigm of What the Concept Is</i> 3.1.1. The Tradition of Rome 3.1.2. The Duality of the Humans’ Conceptual World 3.1.3 ‘Concept of Order’ in the Law? 3.1.4. Different Approaches to Law? An Eventual Commonality of Law?)	
OUTLOOKS	33
Hyperrationality Standing for Anarchy in America (A Case Study on the Pattern of the Judicial Mind) (2002)	34
1. THE BACKGROUND 1.1. Transformations in Law and Legal Mentality 1.2. Changes in the Juristic Ethos 2. THE AMERICAN SCENE 2.1. Legislation through Processualization 2.2. Hyper-rationalism 2.3. Example of a Genuine Query: The Lost Property 2.4. Verbal Magic 2.5. Jurispathy 2.6. Self-interest of the Legal Profession? 3. CONCLUSION 3.1. Postmodern Primitivization 3.2. The Final Query	
In Want of New Balances in Transition: Lithuania Searching for Its Own Path (2004) . . .	50
1. TRANSITOLOGY QUESTIONED 2. LITHUANIA 2.1. Ideal: Law and Balance 2.2. Ideal: Rights Counterbalanced by Duties 2.3. Anything Except Democracy in Outcome 2.4. Legal Personalism as a Response 3. A CALL FOR LOCAL EXPERIENCE ASSESSED	
Global Changes and Challenges to Law: Immutability and Mutability in Law (2013)	61
1. Introduction 2. Challenges in Need of a Direct Response 3. New Dimensions of Law 4. Changes in Law 5. New Paradigm in Understanding Social Order	
TRANSITION	71
Rule of Law: Imperfectly Realized, or Perfected without Realization? (2000)	72
1. Declarations 2. Question marks	
Rule of Law – At the Crossroads of Challenges (2002)	79
1. Law: Values & Techniques 2. Human-centeredness and Practical Orientation 3. Theological and Anthropological Foundations 4. An Irreplaceably Own Task 5. Recapitulation 6. A Final Remark in Comparison	

Transition Marshaled by Constitutional Court Dicta under the Cover of Rule of Law (A Case study of Hungary) (2006)	100
1. Transitions in the Age of Globalization 2. Constitutional Assessment: The Hungarian Way 3. Example: Human Dignity in Isolation and Sterility 4. Public Law Privatized with the State Targeted as the Common Enemy 5. A Future without Past 6. Legality with Justice Silenced: Crimes Unpunished 7. Rule of Constitutional Court Dicta, not of Law 8. A Self-image in Reverse	
The Revolution of 1956 in the Judgment of Ethics and Law (Or the Responding Ability of Law as a Post-totalitarian Dilemma) (2006)	132
1. Law and Socio-ethical Foundations 2. The Sine Qua Non of an Ethical Minimum in Law 3. 1956s Drama in Hungary 4. The Law Silenced Afterward	
'Fight for Law' (Lessons from our Constitutional Debates) (2011)	142
1. 'Twenty Years of Freedom in Central Europe' 2. Globalism? Cosmopolitanism? 3. Do we Need New Law? Do we Need a New Constitution? 4. Has our 'Transition to Rule of Law' so far Proved to be a Dead End? 5. So what is the Concept of Law that is so Persistently Inculcated in Us?	
Bordering Issues I: CIVIL DISOBEDIENCE	157
The Challenge by the Taxi Blockade (1991).	158
1. What is Law? 2. What is the Law's Message for a Given Situation? 3. Law and its <i>tertium non datur</i> 4. Legal Assessments are to be Heard	
Indivisibility of the Law and Rule of Law (1991)	162
Civil Disobedience: Pattern with no Standard? (1991).	166
1. The Background 2. The Task 3. Civil Disobedience (3.1. Analysis 3.2. Summation) 4. Concluding Remarks	
Crossroads of Civil Obedience and Disobedience (A Moment of Constitutional Impotence in Hungary) (2007).	174
1. Civil Disobedience 2. Civil Obedience	
Bordering Issues II: COMING TO TERMS WITH THE PAST	183
On Setting Standards (Or the Dilemma in General) (1990)	184
1. Intellectual Climate and Arguments in Favor 2. Strategic Ends and Considerations of Principles 3. A Legal Solution?	
The Right to Judge the Past (Or the Dilemma in Legal Particulars) (1990)	192
1. Law is Law 2. Law is Continued 3. Rule of Law as a New Base 4. Rule of Law in Exceptional Situations 5. The Case of a State Non-abiding by its Law 6. The Variety of Paths and Ways in Law	
'Radical Evil' on Trial (On the Historical Setting, Political Aspects and Legal Conditions of Transitional Justice Facing the Crimes of Dictatorial Regimes) (2002)	200
1. THE QUEST 2. HISTORICAL BACKGROUND 3. NORMATIVE DIMENSIONS (3.1 Political Aspects 3.2 Moral Aspects 3.3 Legal Aspects) 4. THE TURN OF IDEAS 5. CONCLUSION	
Why Having Failed in Facing with the Past? (2003)	213
Coming to Terms with the Past under the Rule of Law (2009).	221
1. When a Criminal Past is over 2. "Radical Evil on Trial" 3. Attempts at Resolution in Hungary 4. Constitutional Counterrevolution 5. Perspectives?	

Retroactivity in Law (1999)	239
1. Preliminaries 2. Neutrality of Legal Techniques	
Bordering Issues III: HUMAN RIGHTS	245
The Problematics of Human Rights (2013)	246
1. Historical Outline of Human Rights 2. The Foundation of Human Rights 3. The Nature of Human Rights 4. The Universality and/or Particularity of Human Rights 5. Conclusion	
PUZZLES AND THEORIES	265
Rule of Law, or the Dilemma of an Ethos: To be Gardened or Mechanized? (2007)	266
1. Models of Post-dictatorship Transition: US Patterns and Understanding of the Rule of Law 2. Rule of Law: Universal vs. Particular 3. Risk of Transfers and Impositions 4. Circus Trainer and Gardener Approaches to Target Laws 5. From Nihilism to Fetishism in Constitutionalism Reviewed: German and Hungarian, Post-WWII and Post-communism Types	
Transition in Hungary, Or What to Learn for Future Transformations? (2014)	282
1. Introduction: On the Call for Early Pre-planning 2. The Assumption 3. Post-WWII and Post-communist Models 4. The Hungarian Case of System Transformation (No pattern to follow / Models in conflict and flux / Lack of balanced planning / Multi-party democracy with opposition: risks with stability evaporating / Prevalence of juristic considerations / Self-interest dressed as Western help / Discontinuity with the past rejected: it is more established than ever / Dividedness with media power / Academia/universitas unchallenged: Moscow vassalism changed into global universalism) 5. Conclusion 6. Policy during the Process	
Ideal or Idol? Traps in Understanding the Rule of Law (2015)	300
1. The Mainstream US and EU Models 2. The Genuine Message of the Rule of Law 3. Moves under the Aegis of the Rule of Law 4. The Genuine Issue: Who is to Master Whom 5. Limited Commensurability of Legal Regimes	
Rule of Law, Rechtsstaatlichkeit, État de Droit – Contesting and Contested (2021)	317
1. Post-WWII Rebirth and Transformation into a Catchword 2. Limitlessness in Today's Use 3. Roots and Development in Various Legal Cultures 4. The Genuine Content of their Referencing	
Bibliography	349
Index	393
Index of Sources of Law	398
Index of Names	400