

Laudation
on the occasion of bestowing the

JUSTITIA REGNORUM FUNDAMENTUM AWARD

on Lajos Vékás

The Justitia Regnorum Fundamentum Award was established to honor those who have achieved or contributed to the achievement of extraordinary, exemplary results in the field of protecting human and civil rights. Protecting fundamental rights, however, is not limited to the application of a hermetically separated set of rules; it can be successful only in a properly functioning legal system, in a democratic legal environment sensitive to the autonomy and dignity of individuals. Through bestowing this award on Lajos Vékás, the Commissioner for Fundamental Rights wishes to recognize the fact that his outstanding professional career, pursued in cultivating specific branches of the law, has also been serving the actual enforcement of fundamental rights, as well as the implementation of constitutional values and the objectives of the state recognized in the Fundamental Law of Hungary.

Professor Vékás needs no introduction to those even superficially acquainted with Hungarian legal science. It is well known that Lajos Vékás is not merely an established researcher of private law, in particular civil law, international private law, and international trade law, widely recognized all over Europe, he also has a long – and, hopefully, continuing – teaching practice in the field of civil law.

From his rich and varied working experience, from the aspects of this award, one may single out his widely, albeit still not properly recognized role in preparing the new Civil Code of Hungary. As Chair of the Main Codification Committee, he was, for a longer period, in charge of and responsible for the preparation of this legal opus, played a determining role in laying the theoretical foundation for and working out the concept of the new Civil Code. Although sometimes he himself is critical of the changes that were incorporated in its text whether reflecting lobby interests, or out of political considerations, or as a result of constraints originating from administrative consultations overwriting scientific and professional aspects, he may rightfully be proud of the Code as a whole.

There is a saying attributed to Bismarck: “to retain respect for sausages and laws, one must not watch them in the making.” As regards the new Civil Code, it is enough to say that Lajos Vékás is one of those who are responsible for the highest possible quality of this sausage. The new Civil Code is an important milestone in our democratic legal development, serving, as indicated at the beginning of this laudation, the protection and development of legal institutions that are instrumental also in enforcing fundamental rights. We are speaking of a legislative act consistently built on and further developing and enforcing, through specific provisions, the concept and values of self-determination, the freedom of enterprise, and the right to property. As far as personality rights are concerned, the new Civil Code contributes to the constitutional protection of human dignity and the wide range of rights deriving therefrom at a high level, rendering their violation sanctionable by means of private law. At the same time, the new Code, through its separate provisions on public figures, also serves the fundamental right to freely discuss public affairs, facilitates the enforcement of the freedom of expression and the freedom of the press. From the

aspect of the freedom to contract, a constitutional right consistently recognized by the case-law of the Constitutional Court as a constitutional right, it is of key importance that Hungarian citizens seeking to exercise this right may rely on a supplementary legal regulation that is dogmatically developed and reflects the latest practical needs, as well as the achievements of modern economic-technological development.

For the purposes of the ombudsman's activities, from the wide range of specific rules, it is worth mentioning the provisions on enforcing reparation of environmental damages, invoking liability for risk relative to activities polluting the environment, as well as provisions applicable when the rights of various communities, in particular national, ethnic, racial, and religious communities get infringed upon, and provisions on sanctions enforceable by any member of the community concerned.

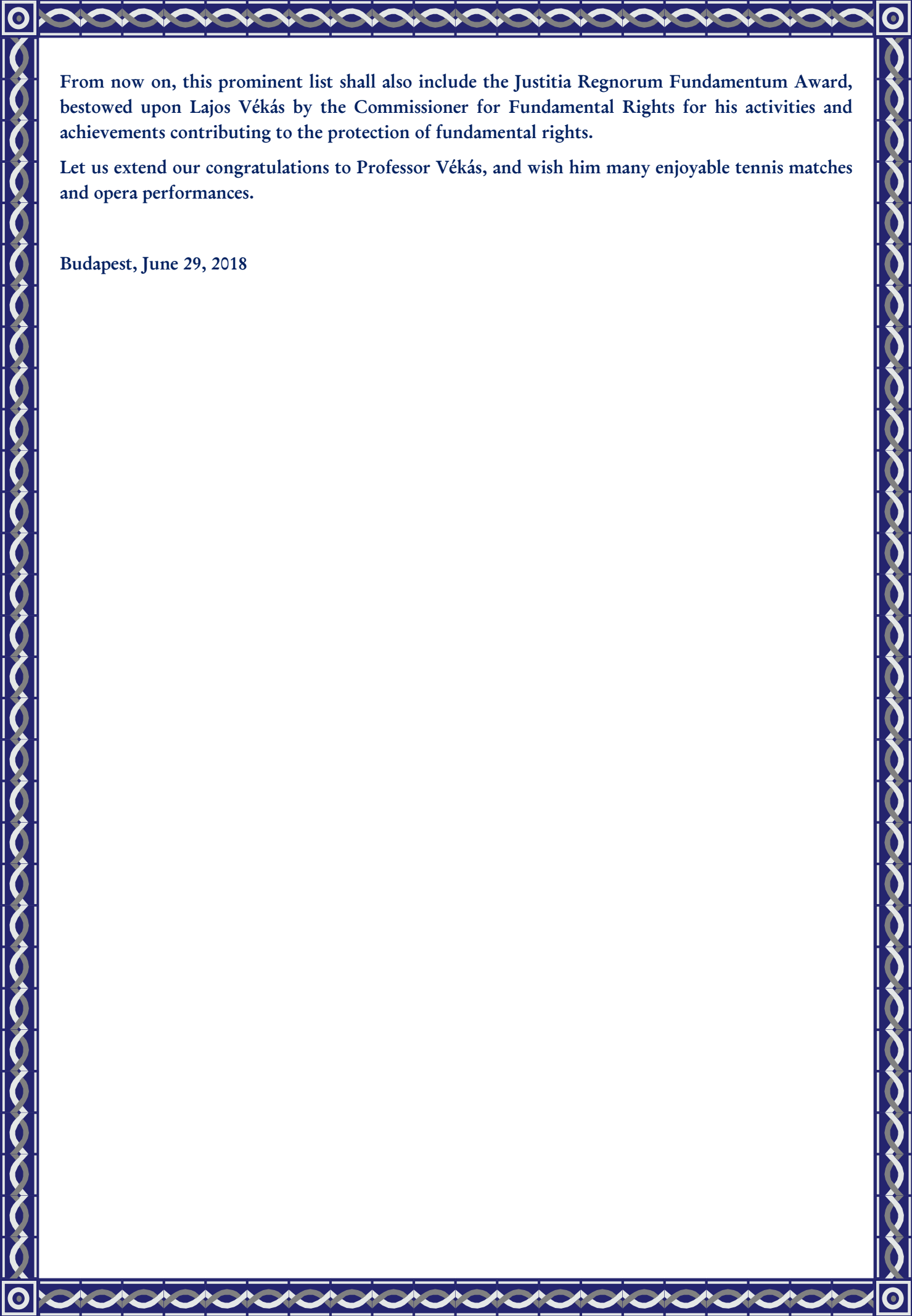
The above notwithstanding, it would not be right to limit the presentation of the activities of Lajos Vékás to the description of his contribution to the new Civil Code. Within the frameworks of this laudation, we cannot attempt to give a detailed list of all of his achievements and the plaudits he has received; we can give no more than a general overview thereof.

He has a doctorate in law and political sciences; he is an academic and an established practitioner of Hungarian legal writing. In addition to the recognition of the Hungarian academic community, his works have received significant international notice and made their impact on contemporary legal practice. His private law solutions and legal interpretations are often referred to in legislative and judiciary practice and, in some cases, reproduced verbatim in higher court rulings.

He has commented, among others, on the texts of the previous and the new Civil Code, the Vienna Convention on Contracts for the International Sale of Goods, reviewed the development of the system of contracts; he is an often cited author who has published, in addition to almost every field of private law, also on conflict-of-law and international sales issues.

He is an important actor of Hungarian and international academic life, member of many scientific associations. Since 1995, he is a full member and, since 2014, Vice President of the Hungarian Academy of Sciences. He is a member of several international law associations. He is a university professor, carrying on the traditions of time-honored professional workshops. Since 1984, he is a professor at the Private Law Department of the Faculty of Law and Political Sciences of Eötvös Loránd University; he also held the position of the Head of the Department for decades. He was the President of ELTE between 1990 and 1993 and held the post of Vice President on several occasions. Between 1992 and 1997, he was the Founding President of Collegium Budapest. In 1986 and 1987, he was a visiting professor at the University of Heidelberg; he is the honorary doctor of numerous foreign universities. He is the author of the generally recognized and used textbook on Hungarian inheritance law, and recently, the author of a university textbook on the general issues of contract law. Since 1979, he is an active arbitrator of the Permanent Court of Arbitration operating under the Hungarian Chamber of Commerce and Industry and its legal predecessor.

He is the laureate of several awards and prizes. These recognitions include but are not limited to the Commander's Cross (2000), and the Commander's Cross with Star (2008) of the Order of Merit of the Republic of Hungary. He is an Academy of Science and Széchenyi award winner researcher, and the laureate of the Deák Ferenc, Szent-Györgyi Albert, Szilárd Leó, and Prima Prizes. He has also been awarded various prizes established by the Minister of Justice, the Hungarian Bar Association, and the Eötvös Loránd University.



From now on, this prominent list shall also include the Justitia Regnorum Fundamentum Award, bestowed upon Lajos Vékás by the Commissioner for Fundamental Rights for his activities and achievements contributing to the protection of fundamental rights.

Let us extend our congratulations to Professor Vékás, and wish him many enjoyable tennis matches and opera performances.

Budapest, June 29, 2018