

# ABSTRACTS

## ESSAYS

A team of constitutional scholars (ten Hungarians and an American) wrote an amicus brief for the Venice Commission on the new Hungarian constitutional order, with a special focus on the Transitional Provisions of the Fundamental Law, as well as the major cardinal laws. The advisory body of the Council of Europe in its opinions on the various Hungarian laws very much relied on the amicus brief published here in Hungarian.

Gábor Juhász analyzes the protection of social and economic rights under Hungary's new Fundamental Law, comparing with the the previous Constitution, the European Social Charter, and the Charter of Fundamental Rights of the European Union. The author concludes that the earlier formulation of these rights needed revision, but the Fundamental Law failed to live up to the expectations in several respects.

## INTERVIEW

Princeton University professor Kim Lane Scheppele answers the questions of Gábor Halmai on the state of Hungarian constitutionalism.

## FORUM

In this column Henriett Dinók, Balázs Majtényi, György Majtényi, and János Zolnay discuss the Hungarian Roma Strategy. Most of the criticism concerns the lack of coherence with the EU Framework Strategy, as well as the incompatibility of the Roma strategy with other recently adopted legal and political measures, thus leaving the impression of a sheer declaration, devoid of any chance of realization.

## DOCUMENTS AND COMMENTARIES

In his commentary, Tamás Szigeti analyzes a recent Constitutional Court decision regarding freedom of the press and media. The author argues that the new communitarian conception of these fundamental rights radically differs from earlier jurisprudence of the Constitutional Court. As a result of applying this new conception, the Court's competence in defending these fundamental rights is notably curbed.

Another analysis, by Balázs M. Tóth, examines a criminal procedure-related decision of the Constitutional Court that was issued late last year. The author fundamentally agrees with the majority opinion, but also points out that the reasoning that upheld the new rule on the right to complaint while dismissing the claim that one single calendar day is insufficient for entering into force for the contested rules is mistaken in the light of the Court's practice. The author also argues that the Constitutional Court should have taken into consideration the relevant practice of the Supreme Court.

## AFTER DECISION

In this column summaries of some of the recent judgments of the Hungarian Constitutional Court and the European Court of Human Rights, and a decision by the US Supreme Court and the French Constitutional Council are presented.