

CSABA VARGA

TRANSITION TO RULE OF LAW

On the Democratic Transformation in Hungary

Budapest

1995

TABLE OF CONTENTS

Preface.....	7
On Vitality in the Region.....	10
NO-LAW.....	19
On Stalinism.....	21
Past and Present.....	23
Attempts at Reform from Within: La separation des pouvoirs.....	28
What Is Needed to Have Law?.....	38
Marxism in Service.....	62
TRANSITION.....	69
The <i>sui generis</i> Nature of the Challenge.....	71
Trumbling Steps of the New Constitutional State.....	78
SKIRMISHES AND THE GAME'S RULE.....	91
Crime, Not Civil Disobedience.....	93
Fragility of the Constitutional Establishment.....	97
Troubles Surrounding the Functions of Law.....	103
Indivisibility of the Law and Rule of Law.....	107
Civil Disobedience: Pattern With No Standard?.....	111
COMING TO TERMS WITH THE PAST.....	119
On Setting Standards.....	121
Do We Have the Right to Judge the Past?.....	129
The Dilemma of Enforcing the Law.....	136
Failure on Account of Constitutional Considerations?.....	144
RULE OF LAW.....	156
Varieties of Law and Rule of Law.....	158
Bibliography.....	175
Index of Names.....	183
Index of Normative Materials.....	186
Index.....	187