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THE BIRTH OF THE NEW HUNGARIAN PRISON ACT (CONDITIONS, REASONS, RESULTS)

1. Preceding Events

The new Hungarian Prison Code is often stigmatized with the claim that its creation was rushed and abrupt, since after the first ideas barely a year had passed until the new law was accepted. It can be stated with confidence that the contributions of professionals during the drafting process both on theoretical and practical grounds virtually eliminated all factors that might have reduced the overall quality and effectiveness of the act and allowed for the successful codification of an otherwise very complex material. It is crucial to note though, that contrary to previous practice, the foundations of the new act were laid down by prison service professionals, thus underpinning the goal of synthesizing practice and theory. The process of building from bottom to the top has proven effective as the difference between the previous codification attempts (2009) and the new one is discernible. Thoseinitiatives did not take the opinions of prison service professionals into account or if they did, they did so after their draft had been disseminated. The draft of 2009 contained a number of elaborate and beneficial elements which have been put to use during the codification process.

As the Program of National Cooperation emphasized the need for respectable, strong laws (Program of National Cooperation 2010.) various reasons exist due to which the activity and function of the Prison Service is now regulated by an act.

- The first and most apparent weakness was that the normative background was represented by a law decree (Law Decree 1979) (not conforming to the notions put declared by the change of regime, as it was issued by the Presidential Council of the Hungarian People's Republic.It should be noted though that the principal issue with the law-decree was not with the content, but with the form. As a matter of fact, its contents, especially when compared to the standards of the era, could easily be considered state of the art. As time went by, the law decree had become eroded and obsolete. The fact that the provisions of the Criminal Code and its rules of proceedings

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were regulated by law while the Prison Code was only regulated by a law decree was also problematic.

- The second reason was concerned directly with the application of law as the regulation itself wasmodified and amended frequently, which led to the fragmentation of the once uniform contents and the loss of previously unquestionable jurisprudential correspondences, thus increasing the difficulty of law application.

- The third issue with the previous regulation was that a number of its elements were unfinished, crude or entirely missing. The issue was addressed by the Act of 1993,[2] which pushed the regulation towards the European values. It is important to emphasize that even then there was a demand for a new and independent law. It was not realized though; only a novel (amendment) was introduced, whichintroduced provisions on the specification of a prisoner's legal status, the expansion of the judges' jurisdiction and the optional mitigation of execution rules.

- The dynamically changing legislative background posed another argument for the new legislation, as the Act of 2012 on Administrative Offences and the following Prison Code (2013) all carried with themselves inductive elements, as the administrative custody of juveniles and the option of detention as a punishment have become available.

- Technical reasons demanded new codification as well. According to the provisions of the law on legislative activity, (Act.1993) in the case of institutions whose operation is regulated by acts the legal warranties on their execution shall also be determined by acts. Previously, this obligation was unobserved, as the relevant norms were issued as decrees by the Ministry of Justice.

- Finally, there is a factor that – despite not among the domestic obligations – has a significant influence on national legislative activity, namely the aggregation of relevant international regulations and the obligation of adhering to them. The European Parliament's guidelines of 1998 unambigously express that the relevant legal background should be provided by law. The recommendations of the CPT and the plaintively topical verdicts (and their consequences) of the ECHR all have to be observed.

As these are the factors that served as a background for laying the foundations of the new act, they are taken note of in its preamble (introduction), which contains all the crucial principles that denote the importance, necessity and timeliness of its creation. The goals stated in it have dual meaning derived from the principal legislative authority, the National Assembly. The first is about the unquestionable importance of declaring the protection of fundamental human

[2] PALLO, J., The First Correctional Legislation and Codification Following the Regime Change in Hungary In: *Journal on European History of Law,* Vol. 9, Nr. 2, 2018, p. 176-180.

rights in general, and during the execution of punishments. The second important principle recognizes the priority of European and international law and states that the right to execute punishments is exclusively possessed by the state and is combined with the legitimate use of violence when necessary, all the while adhering to the aim of complete employment of prisoners the and self-sustenance of prisons

2. Major Changes

What is apparent now is that the drafting processof the new act's concept was by no means an abrupt and spontaneous one as it includes all the crucial notions and aspects that facilitated the creation of a regulation that is up to date, even on an international scale. These are the following:

- The first notion is aimed at achieving a shift of paradigms in the philosophy of handling convicted people. Previously, the Prison Service had been using some sort of paternalistic approach which culminated in the field of pedagogy. This word had become widely used from 1957 when the pedagogical services were established using a Soviet scheme and the word „vospitatel". [3]This paternalistic approach meant that the only expectation from the convicts was to observe the rules of the prison and adhere to them without causing any unnecessary problems. This allowed for obedience based on pure conformity. Contrary to this approach, the Act's provisions demand a prisoner's cooperation in programs that may have a positive effect on their personality in order to initiate their „career in prison" (in a good sense). Accordingly, using the new terminology it can be stated that reintegrational activities are aimed at achieving a positive outcome for which the prisoner's cooperation and will to develop are crucial. The reintegrational activities organized by the Hungarian Prison Service are customized to fit the individual personal needs and are offered for each prisoner without prejudice. Furthermore, released prisoners receive support by the Probation Supervision Services (hereinafter: Services). Summing up the previous lines it can be stated that the assessment and evaluation of the prisoners' behaviour have been improved by receiving an unprecedented framework of conceptions in which simply adhering to the rules without active and voluntary effort is not sufficient anymore. [4]

- Creating the synthesis of theory and practice was a principal factor during the drafting of the conception. We analyzed and assessed decades of experience with the primary goal of disposing of obsolete methods and tools in order to substitute them with new, modern ones all the while keeping those which have proved effective. The endeavor of increasing the number of employed prisoners, implementing the tools of „treatment ideology", risk assessment and restorative justice was widely known. These pursuits

[3] FORGACS,J. Nevelés a represszió árnyékában: Eszmék és végrehajtás a szovjet és magyar börtönügy '50-es éveiben
In: *Börtönügyi Szemle*, 2017, p. 35-51., 17 p.

[4] FINKEY, F., The Principles and Reform Institutions of North-American Criminal Law. Budapest, 1911, p. 23.

have led to significant results, a number of them can even be regarded as professional breakthroughs on various fields.

- The third factor was determined by the perpetually investigated question of *„Which one is more important: theory or practice?"* Until now, tendency had shown that solution for professional issues was expected from theoretical experts. This has caused confusion on many occasions, so allow me to briefly return to the issues with the conceptions of 2005 and 2009. Back then, our endeavor was to meet our obligations in a way that we maintain professional pragmatism and retain control of our operations. In practice, this means that we constantly search for solutions that have already proved useful and valuable to implement them into legislation. This approach is by no means pointless. When Ferenc Finkey, one of the most influential Hungarian criminal lawyers returned from the Washington Prison Congress in 1911, he said the following: "*While here in Europe, the process drafting and introducing new regulations is always preceded by scientific battles of theories, in the United States experts first make things happen, then science interprets principles.*

Obviously, Mr. Finkey's words cannot and should not be intepreted literally and by the letter. However, „walking with our eyes open" and the intent of optimalizationare crucial to our profession. Consequently, the fundamental elements of the legislation's concepts were the shift in paradigms, synthesis of theory and practice and professional pragmatism.

3. Dominant Experiences

The current Prison Code consists of 438 sections, 6 parts and 33 chapters. As legislation has introduced a large number of innovations with varying depths, I would only like to point out the major ones and the resulting practical experience.

- Law enforcement legal relationship

The constitutional legal standing of persons undergoing execution of a prison sentence is altered significantly because of the new environment they are subjected to on the basis of the entitled authority's verdict. This peculiar status is a "legal relationship with the prison service", a terminology coined by the Prison Code in a relevant definition. Naturally, the legal relationship itself is a hierarchical one: the law enforcement authority responsible for the execution of prison sentence makes up one part, while the convicted person or persons detained on other grounds make up for the second.

Due to the nature of the legal relationship, the parties have specific rights and duties. Another characteristic is the fact that every right bestowed upon the prisoner or person detained on other grounds appears as a duty on the side of the authority responsible for the execution. In order to enforce adherence to the rules and make the prisoners fulfill their obligations, the authority may use and initiate any legally available measures and ramifications that may facilitate this endeavor.

The subjects of this legal relationship are the convict and person detained on other grounds, the authority responsible for the execution of sentences and the cooperating bodies and persons. Even though the legal standing of the convicts and persons detained on other grounds is characterized by their obligation to tolerate, their fundamental human rights cannot be harmed. However, it is important to note that the circumstances resulting from the peculiar

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situation and strict schedule under which the prisoners are submitted are not to be determined as legal violations. In order to protect this principle, a complex and highly organized control system of checks and balances is used coupled with the protection offered by the relevant provisions of the Prison Code.

The function of the law enforcement authority responsible for the execution of prison sentences is to execute them according to the provisions of the relevant legal regulations thus ensuring that the legal sanction imposed by the sentence and the aim of the punishment are realized. In order to facilitate the enforcement of this function a number of various special powers andentitlements are bestowed upon this authority which it can use whenever the relevant legal provisions allow it and in a way that is permitted.

The object of the legal relationship is the aggregation of the legal norms ensuring the execution of sanctions determined by the Prison Code. It is validated by those who apply the law.

The relationship is therefore established between the state (as the bearer of exclusive competence and jurisdiction regarding punishments and legal sanctions) and the private individual detained as per the provisions of the relevant law. It is a compulsory relationship bestowing rights and duties on both parties while ensuring adherence to them with the warranty brought about by the rule of law.

To sum up: the new regulation has disposed of an old weakness by precisely and adequately determining the concept of legal relationship. This is an important step as it makes a large number the vast legal material more exact and ensures that the structure of the convicted persons' legal states is now represented by a more accurate content and form.

- The purpose of the prison sentence

A distinctive attribute of the Prison Code is the fact that explanatory regulations are not limited to three sections, but are expanded to include basic conceptions in order to achieve terminological unity in a more detailed professional environment. The safe and secure application of the provisions requires that the subjects of the legal relationship (mainly the law appliers) attribute the same content and meaning to each of the terms and legal institutions.

The law determines a broad and complex concept regarding the aim of prison sentences, which underpins the sentiment of identifying the goals as a system of relations vastlyexceeding the standard projections of criminal law.

As a consequence, the goal of the prison sentence requires dual interpretation, as the lawmaker determines the goals for the execution of specific-length imprisonments and actual life sentences alike.

Specific-length imprisonments require a dual mode of action: while realizing the punishment the convict is subjected to after the verdict of the court, the prisoner also has to successfully reintegrate into society as a law-abiding citizen. Achieving the set goals in the case of specific-length imprisonments is only possible when the proper measures (called reintegrational activities) are employed. The emergence of this activity signifies the renewal of professional terminology and is expected to supplant the outdated term of pedagogy to which it is superior. The activity itself involves all the programmes and functions that facilitate the prisoners' successful reintegration into society and the minimalization or complete prevention of recidivism. For increased efficiency, external authorities and actors are allowed to participate in these programmes. The regulation lists programs which are crucially important from a civic aspect, and on which the Hungarian Prison Service is focused on, such as education (primary, secondary and in some cases tertiary), vocational training and

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employment (therapeutic). I have to emphasize that this three-part system includes a far broader array of elements which are not individually specified in the legislation. All this proves that reintegrational activity is a flexible effort operating according to the regulations and the pragmaticalfoundations it is based on. Obviously, reintegrational activities and professional methods are – according to the principle of personalization – adapted to the needs and personality of the convict in question.

The Fundamental Law also sets forth the alternative of life sentences without parole, a sanction detailed in the Criminal Code. The law determines the goals of life sentences in a highly complex and abstract manner. Accordingly, in such casesthe main purpose of the sanction is to execute the sentence in order to protect society. The number of prisoners who belong into this category amounts to around 50. It is important to note though that prisoners serving a life sentence without parole may not suffer discrimination in any way (accommodation, treatment, fundamental rights not affected by the punishment). Despite the fact that prisonersin category are the most threatening to society, it by no means should lead to any „extra" severities.

Previously there had been no provisions on the goals of life sentences without parole. This flaw was addressed by the Prison Code, as they now appear in the regulation as new elements. The purpose of the execution of a life sentence without parole verdict is a frequently debated fundamental question. The Prison Code, (acting upon the provisions of the Criminal Code) differentiates between specific-length sentences and life sentences without parole. We all know that the topic of life sentences is a controversial one, subjected to everyday debates not only from the Hungarian Constitutional Court, but the European Court of Human Rights (hereinafter: ECHR) as well. Without taking sides I would only like to point out that as long as the Fundamental Law and the Prison Code recognize tihs legal institution, the courts will continue utilizing it. In any case, the verdicts of the ECHR (e.g.: Kafkaris v. Cyprus) requireHungary to narrow the scope of the use of life sentences and make mitigation possible .For the Prison Service, this means that it has to continue executing these sanctions in the future. Whereas the principal goal in the case of prisoners subjected to specific-length sentences is to develop their personalities in a way that enables them to become law-abiding citizens and reintegrate into society after their realese, life sentences require safe and secure housing of a prisoner in order to protect society while structuring their activity in a way that harmonizes with the fundamental principle of human dignity.

- The system of structured principles

Principles have a determining role from all legal aspects, as they unambiguously determine the moral, ethical and professional standards according to which a regulation can fulfill its function legally. Taxonomically we talk about the principles of legal systems (e. g.: legitimacy) and legal fields (e. g.: normalizaton) which are of course connected. As the principles of legal fields are derived from the principles of legal systems, no discrepancy may exist between them. They mostly appear already designated and appraised, but they may also be supplemented with principles derived from the concept of the regulation which not originally referred to in law.

The largest and perhaps most important field of prison service law is the system of regulations on executing prison sentences. The priority of this field is emphasized by the presence of specific professional principles related to this legal institution. These are fundamental jurisprudential and professional values that contain all the provisions relevant to execution and support the work of law appliers (as a standard) and lawmakers (as the determiners of a

regulation's development). Recognizing the importance of these principles, the law lists them in a separate section as seen below.

- Summoning Activities

If we ask people on the street about what comes to their mind when we talk about prisons, they will likely refer to the increasing rate of overcrowding and the restitutions the Prison Service has to pay because of it. Reducing the severity of overcrowding is of utmost importance. If we draw up an inventory of the tools we can employ in order to achieve this goal, we can see that while some of these involve methods that are available to external bodies as they require legislative and lawmaking decisions (e.g.: alternative sanctions) some others can facilitate the optimization of professional regulations in order to achieve this goal. The Hungarian Prison Service Headquarters' task of sending summoning notifications to begin custody (hereinafter: notification) has been created with the previously quoted pragmatical principles in mind. This enables the prison service to directly influence the schedule of tasks related to executing prison sentences, thus increasing efficiency. This may not seem like an obvious success to an outsider, but let me also mention that the summoned convicts reportfor admission at the institutionspecified by the notification. The direct benefit of this approach is the that theconvicts' contacts may be established within as little as two days of the admission and employing them becomes possible within a week. Should the convict be admitted based on the notification draft issued by a court, the following administration would lead to a delay of up to a month. It is without a doubt thatprisoner employment and contact are two vital elements of successful reintegration.

- Reintegrational Custody

Another method suggested by the Prison Service to reduce overcrowding is the institution of reintegrational custody which theoretically means that – based on his or her behaviour – a prisoner's sentence may be reduced and at the same time better treatment may be offered. This has added another tool into the array of options of the progressive structure of executions, which is – basically – a special form of house arrest. Combining the two factors has – although with difficulties – led to the inclusion of the norm system in the Prison Code. The new legal institution was introduced on 1 April 2015, the first application took place on 8 May.

Performing reintegrational custody requires high-tech solutions, because the convict is equipped with a remote surveillance device which is part of a highly complex system. What is important is that in the future, the device can be used during external employment, hospitalization, or when prisoners visit sick relatives or attend funerals. Beyond the practical benefits I find it important to mention that by using this device, a new, modern approach and practice will appear in the everyday activities of the Prison System which will conform to the expectations of the 21th century. This atypical house arrest includes all the benefits of probation, plus it facilitates the development of the prisoners' social and domestic relations, improves their employment outlook and has a positive effect on their quality of life.[5]

As probation also makes earlier release possible, it is necessary to elaborate their differences and resemblances. Part of the answer is the fact that while probation is an institution of

[5] RUZSONYI, P., (2014): Kriminálpedagógia és az új Bv. Kódex. In Deák Ferenc – Pallo József (szerk.) Börtönügyi kaleidoszkóp: Ünnepi kötet dr. Lőrincz József 70. születésnapja tiszteletére. Büntetés-végrehajtási Szervezet Tudományos Tanácsa, Budapest, p. 179-194

criminal justice during which the court may decide to reduce the sentence based on the behaviour of the prisoner, reintegrational custody is a tool which is purely and exclusively employed by the Prison Service. Effectively, the prisoner is serving his or her sentence outside of prisons in a way that the legal relationship stays intact. Beyond legal classifications, the two institutions differ in their aims, their time of enactment and the measures that follow after leaving the prison.

- Probation Supervision (hereinafter: Supervision)

No special knowledge is required to see that the reintegrational activities performed within the prisons will not be successful if – after his or her release - the prisoner receives no acceptance or support which would help him or her to overcome the difficulties of the first and most difficult period of freedom. This is why the function of the affiliated probation supervisors is really important. The efficiency of this activity is proved by the indicators according to which the number of released prisoners employed by the community and starting vocational training has increased to 1159 in 2018. Furthermore, another 1297 persons have managed to gain employment, creating the idea of what I call labour market reintegration. This obviously has a positive effect on reducing the frequency of recidivisms, allowing the Prison Service to contribute to crime prevention activities. This pattern fits completely into the macrosocial scope of efforts we make. To sum up, it can be stated that the professional scope of reintegrational activities has been expanded by including probation officers in the direct operations of the Prison Service, thereby increasing the efficiency of our work.

- Risk Analysis and Management System

The lack of an effective device that would provide data regarding the frequency of recividivsms, the number of repeated offences and the related risks had become apparent before the new law came into effect. What posed another problem was that no data was available on the prisoners' willingness to change (and to reintegrate).
The Risk Analysis and Management System was created with these issues in mind, in the hopes of addressing them. The System follows the prisoners' „career" from admission until release, providing adequate information on his or her prospective behaviour during and after incarceration. Basically, the System itself is a professional work process that consists of getting to know the prisoners, analyzing and assessing related information, adequate differentiation, classification and personalized decisions, all of which are based on a continuously operating monitoring system.
The System is built up of three major parts, based on three interdependent pillars: risk assessment and predictive measurement tools, reintegrational programs aimed at reducing the risk factors during and after imprisonment and progressive regime rules.

a) The goal of the risk assessment procedure is to indicate, filter out and reduce dangerous behaviour facilitating the proper, personalized classification of each prisoner. What is worth noting is the extensive work of the probation supervisors whose focus is directed towards measuring the risk of recidivism. During the process the prisoners will be classified as low, medium or high-risk inmates. In practice, we exercise due flexibility regarding these questions which means that it is not only the results of the predictive measurement tools that we take into account, but also the feedback from each of the fields and any previously recorded data regarding the prisoner. The will to synthesize theory and practice becomes apparent here as well. We put special emphasis on risks posed by suicidal tendencies, escapes, all types of

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aggressive behaviour, the use of psychoactive substances and vulnerability (age, sexual orientation, high status occupied in the prison hierarchy).

b) Reintegrational activities consist of programs addressed to reduce the risk factors provided by the predictive measurement tools. Currently it includes trainings addressed to reduce drug abuse, develop assertivity and self-control. The pool of participants principally consists of medium or high-risk prisoners. Experience shows that participating prisoners are willing to start working in these groups but maintaining their interest is more difficult. (Pallo 2016b)

c) Our efforts to introduce progressive regime rules were enhanced by our dedication and the need to provide an answer to a controversial question of criminal law. Looking back on the previous codification attempts it is apparent that during each occasion, suggestions regarding altering the traditional regimes of prisons (strict, medium and light regimes) into something more flexible were frequent claiming that the system makes the legal background static.[6] The resulting difficulties were directly experienced by the prison service. In every case, the question was settled quickly: the regimes remain unchanged as there is no intention from the lawmakers to change it. However, they tried to moderate the rigidity resulting from the regime categories by introducing various legal institutions (change of regime category, release on parole) or using the progressive elements of the Prison Code (mitigation of sentence rules, transitional groups). In spite of all this, the Prison Code further manages to increase the flexibility and permeability of the regime categories which is realized by the differences provided by them (visitation lengths, phone calls, deposit money). It is often claimed that by using progressive regime rules, the earlier tool of mitigating the sentence rules is rendered obsolete. I think that the answer is not to be sought after from what influence and effect they have during execution, but from the fact that mitigation falls into the jurisdiction of the judge. Considering that the judge is independent from the execution of the sentence, it is mainly due to guarantees that mitigation is still utilized. Further alteration may increase the harmony between the rules of the progressive system and this legal institution. The elements of this alteration have to be created by practice, for which a pragmatical point of view is of utmost importance.

It would obviously be beyond the scope of this study to further elaborate on the detailed rules of the System, so I will only provide a brief summary of the results so far:

[6] Béla Bartók (1881-1945), the famous Hungarian composer said the following a bout the „rubato", expressive and rhythmic freedom: *Like a thick trunk of tree standing in the storm, its can opyleaning leftand right, but the trunk stands so lidly with its root sreaching deep into the ground." Inourcase, this means that legal requirements related to progressive regime system optimalize the a vailable options, and bydoing so they do not violate the provisions on regimes*

- We have adapted a method with the purpose of facilitating the achievement of reintegrational aims while at the same time remaining a complex and close-knit, yet adequately flexible system.

- It offers definite, professional and differentiated standards regarding the threat level of a prisoner and provides fundamental standards adhering to the principles of personalized execution.

- The re-classification of risk factors is directly related to the reintegrational willingness of the convicted person, thus measuring it accordingly (with the tools provided by the System) will provide detailed information about the personality of the prisoner which will contribute to the decision-making processes in the future. By decision-making I relate to the verdicts of the judge responsible for the prison system, which often make leaving the institution or a determined short-term absence possible. A well-established decision can minimalize the risk of recidivisms during absence, so I can state that during this process, the prison system (ands its specific tools) is contributing to the general crime-prevention efforts.

- Mediation Activity

As a result of criminal philosophy's recent efforts, tools that facilitate mediation are now present on the field of criminal policy as well. Following their appearance a few years ago, realizing the ideology and concept of restorative justice during the execution of a prison sentence is now possible. The mediation procedure has been created with these fundamentals in mind, which is principally a tool that facilitates the solving of disciplinary procedures in alternative ways.

The mediation procedure allows for the termination of disciplinary procedures or the disciplinary punishment itself if the prisoner is willing to participate in it. Based on our experiences so far, we consider that by taking responsibility for their actions, the prisoners can contribute to the formation of a safe, secure and orderly prison environment that allows for personal comfort. Taking into account the fact that in the process parties directly try to solve the issues deriving from the conflict between them, there is an increased chance that the problem will indeed become resolved, especially when compared to disciplinary procedures as they only provide formal asanction while not being an actual solution. Another argument conforming the importance of mediation is its potential to break the "code of honor" among the prisoners. All the mediation activities that had been conducted were effective in making the prisoners realize their personal responsibilities while adhering to the contents of the compromise. A pre-requisite for the efficiency of mediation is the voluntary and willing participation of the prisoners. Dogmatically, now we have modern tool in prison regulation which will be useful in the future of reintegration. The main pillars of this endeavour are responsibility, self-respect and – fitting into the notion of the prison law – the obligation of cooperation.

4. Closing Thoughts and the Future of Hungarian Corrections

The main purpose of this essay was to elaborate on the details and changes that prove there has indeed been a change of an era in the Hungarian prison system. I hope that I was successful in this endeavour, even if I may have been a bit subjective at times.

Furthermore, I am sure that as a result of judicature's general reform coupled with the Criminal Code and (soon to be introduced) Criminal Proceedings Code a unified and close-knit criminal structure will be established which facilitates the adherence to the goals of legal policy and also suits international expectations. If we look past the direct professional benefits of the codification, we can see that it also has the indirect effect of initiating a brainstorm in the Hungarian prison policy and legislation which we have not experienced for a long time. I could say that the Hungarian prison system is currently undergoing an inverted *„Sturm und Drang*" period. Following the wish, now we experience a storm enriched with creative power.[7]

The Prison Code is not perfect, so it should not be considered as something coming from an entity with divine power. No law is perfect. We know of course that there are people with doubts misgivings, even among our colleagues. I hope that their opinion will change (or at least soften) as soon as the results become apparent. Far more reassuring is the fact that the majorities of lawmakers havefavourable experiences and understand the principal message of the regulation – an enormously important outcome.

Even after a year of use it is apparent that the regulation boasts great potential and energy, and transforming this into kinetic power seems like an achievable goal. For us who apply the regulation on a daily basis, it seems like that beyond mere words and legal formulae there is something more elevated – philosophical – among its lines. The goals of the future will be to continue optimalizingthe regulation and making the Hungarian Prison System's publicity proportionate to the importance of its function. The Prison System provides a service to a whole community in order to reintegrate and reform prisoners and make them capable of living a law-abiding life. This is a merit on its own right.

Finally, if I would want to summarize the essentials and principal results of last year, I would say that now we have a lot more high quality answers than open questions and a greater harmony than disharmony. As a direct consequence, the interpretation of the Prison Code remained unchallenged and unquestioned last year.

The fact that I can end my essay with these lines proves that the current regulations have launched the Hungarian Prison System on a modern, up-to-date trajectory boasting an array of promising results and outcomes.
The Hungarian correctional field is in its renaissance phase today. The Prison Code (and the resulting professional guidelines and standards) eliminates the remnants of the Stalinist penal policy:[8] the lack of experts and legal sources of the sixties, the resocialization-related shortages of the seventies, the discrepancies and pessimism of the eighties and nineties and in

[7] PALLO,J, *A büntetőpolitika és a börtönügy kodifikációs tanulságai (1945-2013*) In: Jámbor, Orsolya Ilona; Lénárt, Máté Gábor; Tarján, G. Gábor (szerk.) A rendőrakadémiától az egyetemig, Rendészettörténeti tanulmányok, Budapest, Rendőrség Tudományos Tanácsa, 2019, pp. 300-355.
[8] DOMOKOS, A., A büntetőpolitika változásai Magyarországon Budapest,Károli Gáspár Református Egyetem Állam- és Jogtudományi Kar ,2008, p. 141

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many regards returns to the multi-component, regulated and well-founded system of interactions of the 19th century.
Despite the above, there certainly are several areas in which further development should be sought. A completely novel addition could be the establishment of a second generation of those alternative sanctions which are supported by the European penal philosophy. Some of these are:

- Stating criminal responsibility without an actual sanction;
- Queuing: admitting a person when a prison is capable of doing so, which would eliminate overcrowding,
- A combination of suspended sentence and probation supervision;
- Semi-imprisonment, during which prisoners are incarcerated during weekends or may leave it during certain periods.

The Hungarian correctional field has undergone a dynamic change in the last couple of decades, the basis of which was the gradual implementation of European norms. Today, we can state that legally, we are not lagging behind anymore.
The future will involve further modernization with the final aim of successfully reintegrating prisoners, which is the common task of the European and Hungarian systems.

Finally, the most important message of the Hungarian codification: the prison law does not dominate, but to serve to the people.[9]

Abstract
As the Prison Code (Act .2013) came into effect on1 January 2015, it is now possible to evaluate its accomplishments. Some might say that this brief timespan is simply insufficient for obtaining the practical experience required to make universal claims or point out trends. As one year in the life of an act is indeed a short period, thisstatement is by no means beyond reason. Nevertheless, the novelty and the importance of the changes introduced by the Prison Code still allowfor a brief summary. The author provides an overview of the theoroticaland ethical foundations of prison law.
Keywords: *hungarian codification, prison law, dominant experiensis, new legal institutions, vision*

[9] PALLO,J A magyar börtönügy kodifikációs csomópontjai , Budapest, Dialóg Campus , 2019, p. 1-182.