

The dissertation intends to describe the position and role of the Presidential Council and Parliament in the structure of the state from 1949.

The economic, social and political reorganization of Hungary – the creation of a Stalinist state – was completed in late 1949 and early 1950.

The constitution that entered into force on August 20, 1949 proclaimed Hungary a people's republic.

The 1949 constitution eliminated the office of President of the Republic and replaced it with the Presidential Council, a kind of collective presidency that had no public law tradition in Hungary.

The new constitution followed its predecessor in naming Parliament as the supreme body of state power even though it met only twice a year for a few days and unanimously passed all of the legislation put before it without debate or discussion.

Parliament, for all practical purposes, lost its lawmaking function while important regulations were being made into law with legislative decrees and low-level edicts based on party resolutions.

The importance of the legislature and the authority of the law diminished as a result of the fact that, contrary to the requirements of the rule of law, multilevel regulation came to predominate in the socialist legal system.

The executive was able to assert its will with legislative decrees. The Presidential Council could issue legislative decrees when exercising its power to act in place of Parliament.

Legislative decrees simplified lawmaking at the highest level by making it unnecessary to wait for Parliament to meet in session and by avoiding the need for open debate.

There began to be fewer laws than legislative decrees.

While an average of 50 laws a year were passed between 1900 and 1949, there were only four or five new laws a year after 1950.

The Presidential Council, which functioned as a proxy for Parliament, was elected from among the members of Parliament at its initial session.

On the one hand, the Presidential Council was carrying out Parliament's duties while, on the other hand, it was exercising executive power within the scope of its own authority.

The Presidential Council was given hardly any independent powers when the scope of its authority was initially determined, but its power to act in place of Parliament was almost unlimited.

The Presidential Council's reporting obligation reflected its subordination to Parliament.

It was accountable to Parliament alone for its activities, and it had to report only to Parliament, which had the right to remove any of its members at any time.

The Presidential Council functioned as the supreme governing and regulatory body in government when Parliament was not in session. The Council's

decisions did not require presidential or ministerial endorsement in order to be enforced. The Presidential Council bore sole responsibility for its decisions. The Presidential Council was exercising executive powers when it issued the method for carrying out state duties and the standards for determining its organizational forms, when it acted in Parliament's place in choosing the composition of the government and when it made treaties, appointed and dismissed ambassadors of the Hungarian People's Republic, and appointed high-level state employees and high-ranking military officers. The individual members of the government and the entire government itself were accountable to the Presidential Council.