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## Peregrination in Germany

*Bódog Somló at the Universities of Leipzig and Heidelberg (1896–1897)*

**Abstract.** The literature dealing with the life of Bódog Somló (1873–1920), one of the most outstanding authors of jurisprudence in Hungary in the last century, does not pay special attention to his study-tour in Germany. Somló spent the fall semester of academic year 1896/97 at the faculty of humanities of the Leipzig University, while the spring semester in the law school at the Heidelberg University. Somló's peregrinatio academica, which is equally remarkable for both historical and cultural aspects, can be reconstructed on the basis of his correspondence. He was influenced by the lectures and seminars of K. G. Lamprecht and W. Wundt in Leipzig, and later by O. Karlowa and E. E. Bekker in Heidelberg. Because of the preparations of his acceptance as a lecturer in 1899 at the University of Cluj, the grand tour in Germany had a great importance in Somló's life.

**Keywords:** Jurisprudence in Hungary, Bódog Somló, study-tour in Germany, peregrinatio academica, legal academies of Hungary, Hungarian Encyclopaedia of Law

Not long after graduation, Bódog Somló (1873–1920) spent two semesters of the academic year 1896/97 with a study trip in Germany, more precisely in Leipzig and Heidelberg. Considering that peregrination in itself is a noteworthy period of a scientifically prominent career with regard to the knowledge and experience acquired abroad, therefore, the role of the months spent abroad can not be overrated with regard to the delimited life-course of Bódog Somló. Nevertheless, it is peculiar that apart from the laconic mentioning of factual statements, this period has not aroused the attention of technical literature. At the same time, the view that the “outward life” of Bódog Somló in contrast with his “inward life” was quasi uneventful has stricken inexplicably deep roots.<sup>1</sup> On the contrary, we think that the history of the peregrination in Germany in itself supports the opposite of this opinion.

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<sup>1</sup> Nagy, E.: Erény és tudomány. Vázlat Somló Bódog gondolkodói pályájáról (Virtue and Science. A Sketch of the Career of Bódog Somló as a Thinker). *Világosság*, 12 (1981), 765. The writing on Bódog Somló in the volume Hell, J.–Lendvai, L. F.–Perecz, L. (eds): *Hungarian Philosophy in the 20<sup>th</sup> Century*. (“His outward life-course is uneventful, whereas his inward life is extraordinarily exuberant as his memoranda in manuscript justify.”) Budapest, 2000, 107. A similar opinion is formulated in the unpublished Ph.D. dissertation of László Seres, in which the chapter “Career–Conceptual Impacts” does not deal with the studies of Somló at all. Nevertheless, the author establishes “The life of Somló is an unvaried life-course.” See Seres, L.: *Somló Bódog (1873–1920) társadalom-és történetfilozófiai tanai* (Bódog Somló's Tenets in Social Philosophy and the Philosophy of History). h. n. 1971, 13. In: The Manuscript Archive of the Library of the Hungarian Scientific Academy, Reference no. D 5067.

For decades, the most abundant information on the studies in Germany was provided by a contemporaneous biography-résumé published by Csaba Varga. In the biography, which was retained in the compilation of the prodirector of the legal academy from the period of the unsuccessful job application to the episcopal legal academy of Pécs in 1898 by Bódog Somló, we can read the following concerning the peregrination: “Following his graduation, the Hungarian government sent him to Germany with a view to his further training in specialised branches of science, namely, in the philosophy of law and Roman law with a state grant of 800 Frs. for the academic year of 1896/97 and he spent the first semester at the university of Leipzig and the second one in Heidelberg.<sup>2</sup> In the meantime, Bódog Somló’s “humble appeal” of 10<sup>th</sup> July, 1898 to bishop Sámuel Hetey has come to light, in which he wrote the following about his studies in Germany: “At the university of Leipzig I studied humanities, the history of economics, constitutional law and social history, while at the university of Heidelberg I dealt with positive law.”<sup>3</sup>

## I.

### Plans and Preparations

The thought of the study trip abroad emerged in Bódog Somló at the end of his studies at university. It turns out from the letters of Iván Herepei, his classmate and friend in Cluj that they submitted their application for state grant jointly, or at least in agreement in 1895. During the summer, Herepei inquired about the status of the applications in the Ministry of Culture, where he was informed that “nothing had arrived there yet”, that is, the university may have not furthered the applications to the Ministry. As he wrote to Somló, he had little prospect for winning the competition and travelling, “although I would like it very much. (...) We would at least spend a year together.”<sup>4</sup> During the autumn, even these faint hopes were ruined. Again, we are quoting the letter of Herepei. “I daresay it grieves me that I should give up our nice plan to spend a year together abroad. What an illuminating year it would have been. Believe me, my boy, I considered going with You as important as whether I go or not. (...) I am thinking about not waiting for the reply of the Minister, but looking for a job.” If, however, they received “the vicious grant”, Somló can find a way for the postponement of the impending joining up the army.<sup>5</sup> The expectations of Herepei were fulfilled, namely they did not receive the grant. By reason of the cancellation of the study trip abroad, Bódog Somló put on the battledress to do his term of voluntary military service. During his service, he got around to finish his studies. Namely, in this period he acquired the doctoral degree in political science—he had been initiated to a doctor of law already in September, 1895—and simultaneously, the issue of the study trip abroad was settled, at that time without Iván Herepei. About all this, we learn from the letter of Ferenc Knörr, another

<sup>2</sup> Varga, Cs.: Somló Bódog esete a pécsi jogakadémiával (The Case of Bódog Somló with the Legal Academy of Pécs). *Jogtudományi Közöny*, 35 (1980) 8, 544. See further Zódi, Zs.: Erény és tudomány. Somló Bódog állam- és jogbölcséleti munkássága (Virtue and Science. Bódog Somló’s Work in Political Science and The Philosophy of Law). In: Loss, S.–Szabadjalvi, J. et al.: *Portrévázlatok a magyar jogbölcséleti gondolkodás történetéből* (Portrait Sketches from the History of Hungarian Thinking in the Philosophy of Law). Miskolc, 1995, 65.

<sup>3</sup> The Episcopal Archive of Pécs. I/1/k. Acta Lycei. 2575/1898. (Budapest, 10<sup>th</sup> July, 1898).

<sup>4</sup> *The letter of Iván Herepei to Bódog Somló*. Zernest, 20<sup>th</sup> June, 1895. National Széchenyi Library, Manuscript Archive (hereinafter NSzL, MA).

<sup>5</sup> *The letter of Iván Herepei to Bódog Somló*. Zernest, 14<sup>th</sup> September, 1895. NSzL, MA.

classmate and close friend in Cluj doing military service in Brasov, who must have been informed about the favourable developments by Somló. “You are doing splendidly. How did the military react to your new doctoral degree? (...) I wish you all the best to the grant and your new degree.”<sup>6</sup> About the developments concerning the grant abroad we are informed from a letter of Gusztáv, Bódog Somló’s younger brother studying in Vienna, according to which his brother’s application was cordially supported by Mór Kiss, his professor in Cluj.<sup>7</sup> In a further letter, Gusztáv interpreted the joy of aunt Nelly, a relative in Vienna to his brother concerning his fine prospects “to travel to Berlin the next year”.<sup>8</sup>

As an objective of the study trip abroad the biographical summary stemming from the period of the application to Pécs in 1898 designated studying two areas of law, scilicet, Roman law and the philosophy of law, however, as it turns out from his autobiography, Somló dealt with more disciplines during the years of the peregrination. His orientation towards Roman law was probably down to the influence of Lajos Farkas, his professor in Cluj,<sup>9</sup> the support and advice of whom Somló referred to several times in his letters written from Germany to his parents. Concerning his plans related to the philosophy of law, he requested the advice of Gyula Pikler.<sup>10</sup> We do not know exactly, when and under what circumstances they met each other. However, it is certain that Somló’s attention was attracted to Gyula Pikler years before, in the spring of 1893 by a former classmate in Timisoara, Aladár Bartl, a student at the Faculty of Law in Budapest. “I missed you again very much at Gyula Pickler’s (sic) lecture, he speaks fully to our taste, therefore, when I have obtained his book, I will send it to you after the exam in line with my notes.” During his lectures, Pikler talks about “the justification of the regularities of nature, he refutes natural law and the justifiability of a final goal”. “The day before yesterday he explained Darwinism and generally, his knowledge is a prolific and his habit of mind is interesting.”<sup>11</sup> Maybe this enthusiastic account aroused the interest of Somló in the person and work of Pikler. At any rate, during the months before the trip to Germany Bódog Somló turned to Gyula Pikler for advice in a letter. Although, this letter has not been retained, the question of Somló can be inferred from the reply. “I am glad to fulfil your request,” reads the letter of Pikler in the middle of August, 1896, “but its best method would be a discussion by word of mouth, all the more so, that I must get informed about your studies so far and generally your whole personality.”<sup>12</sup> Although, since they cannot meet before two and a half months (at the time of writing the letter Pikler was staying in Trsztena in Árva county), he suggested the following concerning Somló’s objectives. First of all, he advised Somló “not to stick to Berlin”, instead with regard to teachers, he suggested Leipzig or an English university, depending on Somló’s “personality and views of life”. “I suggest Berlin in the least.” At the same time, he recommended reading some technical literature, first of all Herbert Spencer’s “First Principles of a New System of Philosophy” and “Principles of Psychology”, furthermore, his university textbooks to be published soon. And a further good advice: “Learn so much English that is necessary for reading scientific books.” In view of that, Pikler considered reading Spencer

<sup>6</sup> *The letter of Ferenc Knörr to Bódog Somló.* Brasov, 12<sup>th</sup> January, 1896. NSzL, MA.

<sup>7</sup> *The letter of Gusztáv Somló to Bódog Somló.* Vienna, 19<sup>th</sup> November, 1895. NSzL, MA.

<sup>8</sup> *The letter of Gusztáv Somló to Bódog Somló.* Vienna, 26<sup>th</sup> November, 1895. NSzL, MA.

<sup>9</sup> Lajos Farkas (1841–1921) was a professor of Roman law at the university of Cluj after 1872.

<sup>10</sup> Gyula Pikler (1864–1937) taught philosophy of law after 1891 at the university of Budapest (from 1896 he was a visiting professor, from 1903 a university professor).

<sup>11</sup> *The letter of Aladár Bartl to Bódog Somló.* Budapest, 20<sup>th</sup> March, 1893. NSzL, MA.

<sup>12</sup> *The letter of Gyula Pikler to Bódog Somló.* Trsztena, 15<sup>th</sup> August, 1896. NSzL, MA.

the most expedient.<sup>13</sup> Somló paid heed to Pikler's advice. He chose Leipzig instead of Berlin and read the recommended literature one after the other. In his diary, under the title "Notes and extracts in the philosophy of law", he made notes on the works of Georg Simmel, Rudolf Stammler and Ernst Grosse and on those recommended by Pikler.<sup>14</sup> Before his trip, on 14<sup>th</sup> September, 1896, he made notes on Spencer's work "Die Principien der Psychologie" and made an abstract of Pikler's "The Rules of the Origin and Development of Law and Their Reduction to Elementary Causes" at home, on 1<sup>st</sup> October, 1896. Nevertheless, he read Spencer's "Grundlagen der Philosophie" already in Leipzig on 8<sup>th</sup> November, 1896.<sup>15</sup> In the spirit of the more and more absorbing professional and human relationship, Pikler further provided Somló with his professional directions and advice for conduct.

Thereby, Bódog Somló started his study trip in Germany with this spiritual send-off in the autumn of 1896. At the moment, we can inspect the story of the months spent abroad via the family correspondence conducted overwhelmingly in German and via the letters of friends and professional mentors. The correspondence outlines not only the course of university and the parallelly conducted private studies according to the guidelines of mentors, primarily of Pikler, but also the everyday life of the peregrination noteworthy from scientific and cultural historical aspects. The accounts written to the parents and his brother evoke even the trivial details of the campus and off-campus life with due precision: the participants, sites and habits of social life, his old and new friends, the stories of journeys and excursions, the relation to exercise and sports, the turns of the weather, the circumstances of accommodation and eating.

## II.

### **"I usually attend the lectures of Wundt and Lamprecht, sometimes others, as well..."**

#### *Somló in Leipzig*

Somló arrived in Leipzig at the end of October, 1896. He did not travel directly, since he stopped and spent days in Vienna, Prague and Dresden, partly to visit his relatives. At first he did not find Leipzig appealing, though after a while he changed his mind, because he did not like the buildings made mostly out of red brick with high pediment in Old German style.<sup>16</sup> Nevertheless, he accustomed himself to the university from the beginning. The university, at least the part I visited, i.e. the Albertinum is a brand new, splendidly furnished building.<sup>17</sup> Not much after his arrival, on 28<sup>th</sup> October, 1896, he matriculated at the

<sup>13</sup> *Ibid.* It seems that their earliest meeting took place directly before his trip to Germany. Cf. *The letter of Bódog Somló to his parents*. Leipzig, 30<sup>th</sup> October, 1896. National Széchenyi Library, Manuscript Archive.

<sup>14</sup> *Bódog Somló's diary (1896)*. NSzL, MA. Quart. Hung. 3038/1.

<sup>15</sup> See *ibid.* It is probable that he also made abstracts of the monographies of Spencer's "Einleitung in das Studium der Sociologie" and Pikler's "Bevezetés a jogbölcséletbe" (Introduction into the Philosophy of Law) before his trip.

<sup>16</sup> It is interesting that a later scholarship holder, Károly Szladits did not consider Leipzig a sightly town, either. As he put it in one of his letters exactly to Somló: "Leipzig totally lacks the concept of Beauty: neither the city, nor the landscape or the women are beautiful. What wouldn't I give for a Danube bank?" *The letter of Károly Szladits to Bódog Somló*. Leipzig, 19<sup>th</sup> April, 1902. NSzL, MA.

<sup>17</sup> *The letter of Bódog Somló to his parents*. Leipzig, 27<sup>th</sup> October, 1896. NSzL, MA. The building of the Albertinum, i.e. the Biblioteca Albertina mentioned in the letter was completed in 1891.

Humanities Faculty of the University of Leipzig, which was founded in the 15<sup>th</sup> century and reorganised in Lutheran spirit in 1542 by the Saxon duke, Maurice.<sup>18</sup> In the letter informing about his matriculation he related at length about his decision to apply to the history seminar of Karl Lamprecht.<sup>19</sup> As a professor highly respected also in Hungary he was one of those whom Pikler not only recommended, but to whom he also wrote a letter of reference.<sup>20</sup> As Somló informed his parents, the advantages of the seminar included that admitted students had an access to the premises of the seminar including the library from 9 a.m. to 9 p.m., furthermore, a separate writing-desk was due to everyone, and last but not least, signing up was also favourable, because thereby a great deal of the heating costs at home could be saved.<sup>21</sup>

Days had passed before the final time-table was composed. Against the payment of 60 Marks, Somló signed up for the following courses: Wilhelm Wundt–Philosophical encyclopaedia (4 classes per week); Lamprecht–German economic, social and constitutional history (3 classes per week); Introduction to the apprehension of contemporary politics and society (2 classes per week, one of which was held on Sunday afternoon). As it was expectable, besides the lectures, he also enrolled in the economic and constitutional history practice of the history seminar of Lamprecht (two classes on Sunday morning). Out of the total tuition fee, Lamprecht’s seminar cost 10 Marks in itself. Somló explained this with the fact that only 12 students were admitted to the seminar, which set very high requirements and facilitated the establishment of personal connections with the professor and the students, who had access to the premises of the seminar the whole day, as he referred to that in an earlier letter.<sup>22</sup> At the same time, he also met Lamprecht personally. The professor, as he wrote to his parents, “welcomed him very friendly”, informed him about his seminar and encouraged Somló to turn to him safely, if he needed anything. Furthermore, he offered to introduce him to the History Society, where he may find proper company mostly consisting of young people with PhDs.<sup>23</sup> Besides the lectures at the Humanities Faculty, he also attended the lectures of “famous” law professors, whose names he did not mention either at that time or later. He found that the lectures were generally of high standard, although it disturbed him that the professors laid much stress upon the approval of their audience.<sup>24</sup>

Already from this early period, a shift of emphasis is discernible from university classes towards private studies. During the second week of his stay in Leipzig, he reported that concerning his studies, he was following the instructions of Pikler and Farkas professors in every respect. He wrote accordingly, “I much more need private studies than attending lectures.”<sup>25</sup> At the same time, he considered the chosen lectures multiply motivating. “Wundt is the most prominent German philosopher of our days, who is completely worthy of his fame. His broad-minded lectures on the philosophical encyclopaedia create good basis for studies in the philosophy of law.”<sup>26</sup> Whereas, the lectures of Lamprecht are useful

<sup>18</sup> Szögi, L.: *Magyarországi diákok németországi egyetemeken és főiskolákon 1789–1919* (Hungarian Students at German Universities and Colleges). Budapest, 2001, 405.

<sup>19</sup> Karl Gotthard Lamprecht (1856–1915) was professor of comparative world and cultural history at the University of Leipzig.

<sup>20</sup> *The letter of Bódog Somló to his parents*. Leipzig, 28<sup>th</sup> October, 1896. NSzL, MA.

<sup>21</sup> *Ibid.*

<sup>22</sup> *The letter of Bódog Somló to his parents*. Leipzig, 1<sup>st</sup> November, 1896. NSzL, MA.

<sup>23</sup> *Ibid.*

<sup>24</sup> *The letter of Bódog Somló to his parents*. Leipzig, 9<sup>th</sup> November, 1896. NSzL, MA.

<sup>25</sup> *Ibid.*

<sup>26</sup> *Ibid.*

only indirectly for him. “Namely, Lamprecht points out several discerning coherences and the interaction among economic, political and social facts provide very precious knowledge from the viewpoint of studies in the philosophy of law.”

The emphasis, however, shifted to studying at home and in the library. As he put it, this is the situation in case of all professions. If somebody wants to achieve results, he argued, after a time independent research and thinking must come to the fore. In view of that, he studied the literature of the philosophy of law according to the guidance of Pikler. He recorded his notes in his diary of 1896. Besides, in this period he was also interested in theoretical problems related to criminal law, such as the meaning of the sense of justice and its impact on criminal law.<sup>27</sup>

Apparently, Somló shared his doubts concerning the university studies in Leipzig with Pikler, who wrote surely by reason of this in November, 1896 that if “you had appeared earlier, I would have suggested Graz instead of Leipzig.”<sup>28</sup> Months later, in the first months of 1897, when it was still not decided, where Somló would continue his studies, Pikler repeatedly came up with the University of Graz. “Graz is the place of modern spirit. You will learn from Gumplovitz<sup>29</sup> and primarily from Hildebrand.<sup>30</sup> The town is healthy, lovely, its surroundings is beautiful, besides, living is cheap.”<sup>31</sup>

### III.

#### Via Britannia! – Via Britannia?

Somló started learning English during his stay in Leipzig. This was due not only to Pikler’s advice, but it was obviously related to Somló’s intention to continue his German study trip in England. As early as at the beginning of his stay in Leipzig, on 9<sup>th</sup> November, 1896, he informed his parents that for the sake of familiarisation with special literature, he was learning English, which he would soon acquire according to his hopes. Nevertheless, he could not decide, whether to start leaning alone or in Berlitz school within the framework of a language course.<sup>32</sup> Finally, he enrolled in a language course.

Apart from Somló, a “Fraulein” and a young “Hungarian doctor” belonged to the group, who pursued his studies in Leipzig like him.<sup>33</sup> We can first read in Somló’s letter to his brother about “the Hungarian doctor”, Béla Kreutzer (later Kenéz 1874–1946), his future fellow professor in Cluj. “Yesterday at noon a young doctor juris arrived here in Leipzig, who graduated in Budapest and deals with scientific issues like me and seems to be quite a sensible man. Maybe I will meet him frequently.”<sup>34</sup> The Kenéz letters included in the Somló bequest refer to the fact that after returning to Hungary, they maintained a close relationship for years.

<sup>27</sup> *The letter of Bódog Somló to his parents.* Leipzig, 9<sup>th</sup> November, 1896 and 14<sup>th</sup> January, 1897. NSzL, MA.

<sup>28</sup> *The letter of Gyula Pikler to Bódog Somló.* Budapest, 19<sup>th</sup> November, 1896. NSzL, MA.

<sup>29</sup> Ludwig Gumplowitz (1838–1909) was sociologist, professor of constitutional and administrative law at the University of Graz.

<sup>30</sup> Richard Hildebrand (1840–1918) was national economist, university professor, then vice chancellor of the University of Graz.

<sup>31</sup> *The letter of Gyula Pikler to Bódog Somló.* Budapest, 24<sup>th</sup> March, 1897. NSzL, MA.

<sup>32</sup> *The letter of Bódog Somló to his parents.* Leipzig, 9<sup>th</sup> November, 1896. NSzL, MA

<sup>33</sup> *The letter of Bódog Somló to his parents.* Leipzig, 26<sup>th</sup> November, 1896. NSzL, MA.

<sup>34</sup> *The letter of Bódog Somló to Gusztáv Somló.* Leipzig, 19<sup>th</sup> November, 1896. NSzL, MA.

Somló raised the idea of travelling to England in his letter of 20<sup>th</sup> November, 1896. “I haven’t inquired about the English relations. I would prefer spending the second semester there than in Germany.”<sup>35</sup> Besides learning the language, he naturally tried to find English relations. His letters manifest that he turned to British universities for information. During the weeks before his travel home for the holidays he wrote to his parents that he had received merely one answer letter from a professor in Edinburgh. He wrote that they would discuss the details at home by word of mouth. Of course, Somló searched for English relations in other directions, as well. Namely, the letter of Gyula Mandello, the Chief Secretary of the Hungarian Economic Society manifests that Somló requested Mandello’s and obviously others’ support for his prospective trip to England. “I’ve received your letter and as I stated verbally, I will be at your disposal, when you prepare to travel to England”, Mandello wrote on 30<sup>th</sup> March, 1897.<sup>36</sup> By that time, however, Somló had given up, or at least had postponed his plans concerning England. Nevertheless, Pikler must have known about his decision, since he acknowledged the negative announcement with the following remarks in his letter of 24<sup>th</sup> March, 1897: “I highly approve of your decision not to travel to England also with regard to your sickness.”<sup>37</sup> This letter is puzzling because of two reasons. What kind of sickness could Pikler refer to and what could the word “also” imply? Somló did not mention his contingent health problems in his extant letters, obviously, he did not wish to worry his parents, conversely, we can infer from the lines of Pikler that Somló had confidence in him in this respect, as well. The conclusion can be drawn from the word “also” that disregarding the sickness, Pikler did not approve of the trip to England, which he raised in an earlier letter half a year before, the realisation of which he made dependent on Somló’s personality and views of life.

#### IV.

#### **“The lectures of Karlowa ... (Pandects) and Bekker ... (Institutions and the History of Roman law) are the most important for me” – Somló in Heidelberg**

After he had provisionally abandoned his plans concerning England, after the autumn semester he travelled home to Cluj via Dresden, Prague, Vienna and Budapest in February, 1897.<sup>38</sup> During the holiday at home the next semester was settled. Although, as we referred to that earlier, Gyula Pikler called Somló’s attention to the university of Graz, he finally decided in favour of Heidelberg. Pikler’s letter also informs us about Somló’s increasing interest in international law. “You have made a right choice for international law from both a scientific and a practical point of view. (...) I hope you remember in what direction I suggested its study.”<sup>39</sup>

Subsequently to the long winter holiday, Somló set off at the end of April so as to arrive in Heidelberg via Vienna and Munich. During the days following his arrival, on 5<sup>th</sup> of

<sup>35</sup> *The letter of Bódog Somló to his parents.* Leipzig, 20<sup>th</sup> November, 1896. NSzL, MA.

<sup>36</sup> *The letter of Gyula Mandello to Bódog Somló.* Bratislava, 30<sup>th</sup> March, 1897. NSzL, MA.

It is interesting to note that Somló did not form an extremely positive opinion about Mandello, since according to a later diary note, he called him a “conceited swindler”. *Bódog Somló’s diary.* A note of 14<sup>th</sup> December, 1898. NSzL, MA. Quart. Hung. 3038/1.

<sup>37</sup> *The letter of Gyula Pikler to Bódog Somló.* Budapest, 24<sup>th</sup> March, 1897. NSzL, MA.

<sup>38</sup> At the beginning of August, 1898, Somló spent some days in England. See his relevant notes in *Bódog Somló’s diary* of 1898. NSzL, MA. Quart. Hung. 3038/2.

<sup>39</sup> *The letter of Gyula Pikler to Bódog Somló.* Budapest, 24<sup>th</sup> March, 1897. NSzL, MA.

May, 1897 he matriculated at the Faculty of Law of Ruprecht-Karls University founded in 1386 and reorganised in 1652.<sup>40</sup> The town impressed him as “tiny”, but “smart”. When wandering about the town, one feels as if a magical hand threw one back from the 19<sup>th</sup> century into the distant past, he informed his parents. Nevertheless, he found the building of the university “gloomy”, but this did not influence his favourable opinion of Heidelberg.<sup>41</sup> “I have the time of my life here”, he wrote to his parents after a week and this did not change further on, either.<sup>42</sup> Later on, he also wrote that he was very satisfied with the major goal of his trip (the university) and with all the accessory circumstances (food, accommodation, town and company).<sup>43</sup>

In one of his early letters from Heidelberg he informed his parents about his “firm” intention to study private law further on. He gave an explanation for his novel interest in private law in a further letter. Private law is “more concrete”, which explains a greater interest in it in the world of law, than in the philosophy of law.<sup>44</sup> At that time it also occurred to him that he would habilitate in private law at the university of Cluj.<sup>45</sup>

Since he wrote this to his parents, we surely know that out of his university commitments at Heidelberg, he attended the lectures of Karlowa Privy Councillor<sup>46</sup> (Pandects) and of Bekker Privy Councillor<sup>47</sup> (Institutions and the History of Roman Law), as ones that were the most important for him. Both of them are very famous and sagacious lawyers, Somló wrote to his parents.<sup>48</sup> Apart from the lectures, with which he was all the time satisfied as opposed to those attended in Leipzig, he also signed up for the private law seminars of Karlowa and von Buhl.<sup>49</sup> After the university commitments, he pursued his studies at home, in the boarding house.

About his provisionally intensifying interest in Roman law and consequently, in private law, he informed his earlier professor, Lajos Farkas, who accepted this decision favourably. “I am very pleased that my guidance turned out to your satisfaction. I am convinced that you will not regret it later, either. (...) It is not harmful that you have changed the object of your studies, I also find it more expedient if you devote yourself to the study of private law, since that will be the most topical before long. You can establish from the curriculum of German universities that the new civil code overshadows everything else. (...) This is surely a decisive turning point as to the German civilistic science and I cannot predict what the new trend will be like without the ‘Quellen’.”<sup>50</sup>

Somló’s orientation towards private law could be in connection with his seeking ways and means, at least we can infer this from one of the letters of professor Pikler written in a resigned tone. “I am very sorry that I didn’t have the time earlier to inform you that despite

<sup>40</sup> Szögi: *op. cit.* 316.

<sup>41</sup> *The letter of Bódog Somló to his parents.* Heidelberg, 30<sup>th</sup> April, 1897. NSzL, MA.

<sup>42</sup> *The letter of Bódog Somló to his parents.* Heidelberg, 5<sup>th</sup> May, 1897. NSzL, MA.

<sup>43</sup> *The letter of Bódog Somló to his parents.* Heidelberg, 7<sup>th</sup> May, 1897. NSzL, MA.

<sup>44</sup> *The letter of Bódog Somló to his parents.* Heidelberg, 11<sup>th</sup> May, 1897. NSzL, MA.

<sup>45</sup> *The letter of Bódog Somló to his parents.* Heidelberg, 12<sup>th</sup> June, 1897. NSzL, MA.

<sup>46</sup> Otto Karlowa (1836–1904) was professor of Roman law and procedural law in Heidelberg after 1872.

<sup>47</sup> Ernst Emmanuel Bekker (1827–1916) was professor of Roman law in Heidelberg after 1874.

<sup>48</sup> *The letter of Bódog Somló to his parents.* Heidelberg, 7<sup>th</sup> May, 1897.

<sup>49</sup> Heinrich von Buhl (1848–1907) was professor of Roman law and private law in Heidelberg after 1886.

<sup>50</sup> *The letter of Lajos Farkas to Bódog Somló.* Cluj, 6<sup>th</sup> June, 1897. NSzL, MA.



the news you wrote to me I am fully congenial and concerned about your ambitions further on, about the seriousness and eagerness of which I am firmly convinced. Of course, I am interested in what you are going to devote yourself to: philosophy or constitutional policy or comparative constitutional law. Because I think you intend to go in for either of them. As for me, it would be instructive if next time you pointed out what ‘the wavering of your scientific belief’ consists in, I wish you informed me about that, maybe I am slightly entitled to know that.”<sup>51</sup> The phrase “the news you wrote to me” may have referred to the news about the provisional loss of importance of the general direction of the philosophy of law. At the same time, Somló does not seem to have fully confessed his inclination to private law, otherwise Pikler would have obviously disregarded guessing what the scientific direction Somló took this time was. Beyond that Pikler made Somló openly avow “the wavering of his scientific belief”. We can find the possible causes of the vacillation in one of Pikler’s next letters. “The doubts concerning whether there are laws and if yes, of what nature, and whether there is a science we deal with are the most inessential from the viewpoint of pursuing a science. The objective cannot be a firm entity systematically and ultimately posited within the completed system of knowledge, but it can be to know more than we knew before. Let me repeat that international law is theoretically the treasury of the rules of the philosophy of law and practically the legal science of the future.”<sup>52</sup>

Nevertheless, Somló was maximally satisfied with Heidelberg, as he put it in one of his last letters, “I will always remember staying here with pleasure.”<sup>53</sup>

## V.

### (Blighted) Career Prospects

The literature reviewing the life-course has highlighted the failures of Bódog Somló related to job search. It is widely known that he did not get a job that fulfilled his abilities and ambitions throughout years. His early attempts at the episcopal legal academy in Pécs and at the royal legal academy in Bratislava ended in failure.<sup>54</sup> It is not accidental that one of the main topics of the letters written during the study trip abroad concerned the job search. However, it is less widely known that before the study trip in Germany he had applied for a job to the Calvinist legal academy in Sighet. As soon as he arrived in Leipzig, he informed his parents in his letter of 30<sup>th</sup> October, 1896 about the developments. He had consulted Pikler about the possible finding a job in Sighet before his study trip. According to his mentor, the position in Sighet would not be useless at all until he acquired the qualification of honorary lecturer. After two weeks, he could still write that he had not received an answer from Sighet.<sup>55</sup> After another week, he received a note from the curator of the legal academy,

<sup>51</sup> *The letter of Gyula Pikler to Bódog Somló*. Budapest, 21<sup>st</sup> May, 1897. NSzL, MA.

<sup>52</sup> *The letter of Gyula Pikler to Bódog Somló*. Budapest, 22<sup>nd</sup> June, 1897. NSzL, MA.

<sup>53</sup> *The letter of Bódog Somló to his parents*. Leipzig, 10<sup>th</sup> July, 1897. NSzL, MA.

<sup>54</sup> Somló first learnt about the expectable failure in Bratislava from the letter of Pikler, who intervened on his behalf at Gyula Wlassics, the Minister of Culture: “I talked to Wlassics in the most cordial manner. He said my reference was of consequence, he inquired about you and if you were Catholic. Nevertheless, judging from the two ways as he replied my request, namely whether to take you into account for the position in Bratislava and whether to consider you in other cases and generally, I am inclined to think that you have hardly any hope to get the position in Bratislava.” *The letter of Gyula Pikler to Bódog Somló*. 12<sup>th</sup> October (1898). NSzL, MA.

<sup>55</sup> *The letter of Bódog Somló to his parents*. Leipzig, 13<sup>th</sup> November, 1896. NSzL, MA.

which made it clear that he could take up the position if he was Protestant. But not in another case.<sup>56</sup> Soon he received a further letter from the curator of the legal academy, the details of which he transplanted word for word into the letter sent to his parents in Hungarian. This made it unambiguous that since he was a Roman Catholic, according to the rules of the Calvinist convent, he could not take up the position disregarding the intentions of the legal academy. "... despite being enlightened, tolerant and broad-minded, we need to adapt to the rules of our convent...", wrote the curator.<sup>57</sup> It might have occurred to Somló for the first time that in case he does not have another choice, he will take up a position in the capital, at the legal department of Hungarian Railways, the employer of his father.<sup>58</sup>

The issue of religion rose to the surface in other context, as well. Upon the submission of his application to the legal academy in Pécs, Bódog Somló paid a ceremonial visit to the church principal of the legal academy, bishop Sámuel Hettyey. According to his diary, we know that the bishop was rather bewildered when he heard that Somló had pursued studies in the Protestant Heidelberg. "I visited Sámuel Hettyey (sic) in Nádas. He is a right-minded Hungarian man. He expressed his horror at hearing that I had studied in Heidelberg, where I must have been saturated with Protestant spirit."<sup>59</sup> It could well be the case that such bewilderment by the bishop had a role in the failure of the application.

During the months in Heidelberg, his new friend, Viktor Jászi also suggested a position to Somló. He suggested the Calvinist legal academy in Kecskemét to his friend, where there was a vacancy after the retirement of Benő Csilléry. "Recently, I received a letter from Tegze. He wrote that Csilléry had retired on 1<sup>st</sup> July and the vacancy may be advertised these days. Call an acquaintance at home and ask him to observe the Gazette with attention and to send you the advertisement. As I've heard, the selection will be effected by the church, but this should not refrain you from the submission of an application, in the worst case you will not be selected, but you can never know what kind of conjectures turn up...",

<sup>56</sup> *The letter of Bódog Somló to his parents*. Leipzig, 20<sup>th</sup> November, 1896. NSzL, MA.

<sup>57</sup> *The letter of Bódog Somló to his parents*. Leipzig, 26<sup>th</sup> November, 1896. NSzL, MA.

Bódog Somló was born as an Israelite under the name Félix Fleischer. He Hungarianised his surname and first name in 1891 under no. BM. 73866-91 [see Márton Szent-Iványi, *Századunk névváltoztatásai 1800–1893*. (Changes of names in our century 1800–1893), Budapest, 1895, 201.], but for the time being we do not know when he converted to the Roman Catholic religion. In the report of the grammar school in Timisoara of 1890/91, that is, in the year of the final examinations, he appeared as Bódog Fleischer, an Israelite. One of his schoolmates in Zilina, Sándor (later Ernő) Szeghy asked him in one of his letters of 1890, whether the news according to which he had converted to Catholicism and had become a "seminarist" was true. (*Sándor Szeghy's letter to Bódog Somló*. Lucsivna, 30<sup>th</sup> July, 1890. NSzL, MA.) In his reply, Somló firmly refuted the rumour. "As to your news from Zilina, there isn't a grain of truth in it, and I can't imagine what its grounds could be. The saying goes that there is some truth in every news, but this can't be applied in this case." (*The letter of Bódog Fleischer to a not known recipient*. Nové Zámky, 16<sup>th</sup> August, 1890. The National Széchenyi Library could not identify the recipient of the letter, Sándor Szeghy, who appears as "Not known" in the catalogue.) Later, the godfather of Bódog Somló could be Hügel, a parson, at least the letter, which he received from the parson with the greeting "My Dear Godson", refers to that. See *The letter of Hügel to Bódog Somló*. Szentpéter, 27<sup>th</sup> August, 1899. NSzL, MA.

<sup>58</sup> As it is known, Somló worked as an assistant draftsman at the metropolitan directorate of Hungarian Railways for years until his successful application to the legal academy in Oradea.

<sup>59</sup> *Bódog Somló's diary*. A note of 22<sup>nd</sup> April, 1898. NSzL, MA. Quart. Hung. 3038/1. Quoted by Varga, Cs.: Somló Bódog esete a pécsi jogakadémiával (The Case of Bódog Somló with the Legal Academy of Pécs). *Jogtudományi Közlöny*, 35 (1980) 8, 543.

as Professor Jászi wrote.<sup>60</sup> We do not know whether Somló took action to apply to Kecskemét after his failure in Sighet, but after he had committed himself to Hungarian Railways by that time, this seems improbable.

## VI.

### The Preparations towards Habilitation

Besides his studies and his job search, Somló had to pay attention to the preparation for his future qualification for the office of a lecturer at a university by enriching his literary workmanship. The period of his peregrination secured adequate circumstances for the work. In 1899, when he submitted his application for the qualification of an honorary lecturer at the university of Cluj, he supported his expertise with three treatises and two book reviews.<sup>61</sup> His first treatise, “The Parliamentary System in Hungarian Law” was published before his trip, in 1896, whereas, his second and third treatises, scilicet, “Regularity in Sociology” and “The Basic Principles of the Philosophy of International Law” were published in 1898. He published the book reviews about the monographies of Ernst Neukamp and Gyula Pikler in *Jogtudományi Közlöny* in 1897.<sup>62</sup> Upon the express request of Pikler, he wrote the book review about Neukamp’s “Einleitung in die Entwicklungsgeschichte der Rechts” at the end of his stay in Leipzig.<sup>63</sup> He undertook the critique of the work of Pikler, “The Origin and Development of Law” during the Heidelberg period.<sup>64</sup> It is very likely that he collected material in Germany for his work “The Basic Principles of the Philosophy of International Law”<sup>65</sup> published on 71 printed pages in July, 1898. His treatise with more modest range, “Regularity in Sociology” was published on 23 pages after the lecture before the Hungarian Economist Society on 7<sup>th</sup> December, 1898.<sup>66</sup> Judging from these, it seems that his studies abroad and staying abroad in itself encouraged the scientific work of Somló, despite the momentary professional vacillation. It was also during his study trip in Germany that he signed on to be a consultant for the Hungarian Encyclopaedia of Law edited by Dezső Márkus. He was commissioned to write various entries primarily related to the philosophy of law (e.g. “philosophical science”, “human rights”, “marriage”, “natural law”).<sup>67</sup> Of course, these entries were completed and published after his return to Hungary. Later, apparently Gyula Mandello requested Somló to contribute to the “Encyclopaedia of Economics: a Repository of Economic Knowledge” edited by Gyula Mandello and Sándor

<sup>60</sup> *The letter of Viktor Jászi to Bódog Somló*. Strasbourg, 13<sup>th</sup> July, 1897. NSzL, MA. Gyula Tegze (Thegze, Teggze) and Benő Csilléry were professors of the legal academy in Kecskemét.

<sup>61</sup> The report of Dr. Rezső Werner, retired university professor in the subject of the habilitation dissertation of Dr. Bódog Somló.

<sup>62</sup> *Jogtudományi Közlöny*, nos. 10 and 22 of 1897.

<sup>63</sup> *The letter of Gyula Pikler to Bódog Somló*. Budapest, 15<sup>th</sup> February, 1897 (Date of postmark). NSzL, MA.

<sup>64</sup> *The letter of Gyula Pikler to Bódog Somló*. Budapest, 22<sup>nd</sup> June, 1897 and Trsztena, 29<sup>th</sup> July, 1897. NSzL, MA.

<sup>65</sup> The note in his diary of 12<sup>th</sup> July, 1898 informs about the publication of the volume. NSzL, MA. Quart. Hung. 3038/1.

<sup>66</sup> *Bódog Somló’s diary*. Note of 9<sup>th</sup> December, 1898. NSzL, MA. Quart. Hung. 3038/1.

<sup>67</sup> *The letter of Bódog Somló to his parents*. Heidelberg, 29<sup>th</sup> May, 1897 and Heidelberg, 24<sup>th</sup> June, 1897. NSzL, MA.

Halász to be published in three volumes between 1898 and 1901. Somló prepared two entries (“Society” and “Property”) for the encyclopaedia.

## VII.

### The Scenes and Participants of Social Life

Of course, Somló did not spend the months in Germany exclusively with the examination of scientific problems. He made friends and acquaintances, he went out, took part in excursions and usually did exercises. However, the beginning turned out to be wearisome for Somló. Namely, the early letters from Leipzig introduce a lonely, unsociable young man devoted to his studies, who does not socialise with anyone: neither at university, nor anywhere else. The reason for this, he wrote to his parents, “naturally hides in myself”. And he continued: “I live an unsociable life like a solitary man of means.”<sup>68</sup>

Later, as I referred to that, in Leipzig he made friends with Béla Kreutzer (Kenéz), the future professor of the science of statistics and he hosted his friends from Cluj, Ferenc Knörr and Bálint Kolosváry, the future professor of private law. It was rather in Heidelberg that he made acquaintance with foreign scholarship holders. “The company is quite good and interesting, the representatives of the most varied nations are present”, he informed his parents during the first week.<sup>69</sup> At the same time, he made friends with Viktor Jászi, the professor of public law of the Calvinist legal academy in Kecskemét (1868–1915), the brother of Oszkár Jászi, who later had an important role in the life of Somló.<sup>70</sup> “I enjoy the company of the young professor of the legal academy in Kecskemét, who also undertook the study trip as the beneficiary of a state grant. His name is Viktor Jászi and he is a kind and educated man.”<sup>71</sup> Nevertheless, it turns out from the schedule of Somló that he socialised mostly with his flatmates in the boarding house in the evening. The company in the boarding house was made up by varied, American, English, Bulgarian, Japanese, Russian and Hungarian students. The chief, as Somló put it, the “Capo” of their friendly circle was a German general, who had travelled widely and was commissioned by the government to lead the archeological work in the region of Heidelberg. He raved about the “Capo”, who had travelled widely and visited Hungary, as well, since he had seen more parts of Hungary, than Somló himself had.<sup>72</sup> Ladies also belonged to the company. Two determined ladies arrived at the University of Heidelberg from Eastern-Siberia: one of them studied national economy, the other one literary history. The friendly circle also included an amusing member, Mr. Browne, “a typical and extremely comical English” philologist, who often made his flatmates laugh.<sup>73</sup>

The study trip in Germany was first and foremost important for Bódog Somló from the viewpoint of scientific orientation. Although, he endeavoured to follow the directions of his mentors, primarily of Gyula Pikler, he was in search of the disciplines close to his interest with open spirituality. Though he was not completely satisfied with his studies at least in the case of Leipzig, he could spend precious months in the vicinity of noted professors of

<sup>68</sup> *The letter of Bódog Somló to his parents.* Leipzig, 9<sup>th</sup> November, 1896. NSzL, MA.

<sup>69</sup> *The letter of Bódog Somló to his parents.* Heidelberg, 5<sup>th</sup> May, 1897. NSzL, MA.

<sup>70</sup> Litván Gy.: *Egy magyar tudós tragikus pályája a század elején* [The Tragic Career of a Hungarian Scientist at the Beginning of the Century (Bódog Somló)]. *Valóság*, 16 (1973) 8, 34.

<sup>71</sup> *The letter of Bódog Somló to his parents.* Heidelberg, 7<sup>th</sup> May, 1897. NSzL, MA.

<sup>72</sup> *The letter of Bódog Somló to his parents.* Heidelberg, 12<sup>th</sup> June, 1897. NSzL, MA.

<sup>73</sup> *The letter of Bódog Somló to his parents.* Heidelberg, 7<sup>th</sup> May, 1897. NSzL, MA.

famous universities. Nevertheless, it seems that he adequately made the best of the infrastructure, that is, the seminars and the libraries, of the universities he visited. The period spent in Germany was of crucial importance from the viewpoint of the preparations for habilitation as his publications justify. Furthermore, the peregrination was of high significance from the viewpoint of personal returns as to the life-course, since besides making foreign acquaintances, he owed the friendship of Béla Kenéz and Viktor Jászi to this study trip.

Finally, we hope that becoming acquainted with the detailed history of the German study trip promotes the more complete knowledge of “the outward life-course” of Bódog Somló considered uneventful.