



ARCHITECTURE, LAW, AND POWER: RELATIONSHIP BETWEEN LAW/POLITICS AND ARCHITECTURE

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ABSTRACT

My interdisciplinary approach brings together the expertise of lawyers, architects, and art historians to examine the representation of law, power, and culture. Using a descriptive method, my research also incorporates elements of legal and art history, exploring how legal architecture functions as a symbol of power and reflects the legal system's societal role. Public authority buildings, such as courts and prisons, serve as significant cultural artifacts, representing not only the institutions they housed but also broader meanings connected to authority and law. These buildings are an essential part of legal cultural history, revealing the relationship between law and architecture throughout different eras.

Legal architecture, a term coined by István Kajtár, is deeply intertwined with both law and culture. Law shapes social relations, while culture, as a nation-forming force, influences the way law is expressed in physical spaces. Architecture, in this context, reflects legal norms and institutional systems, serving as a concrete expression of human culture. Over time, legal and authoritative architecture must be continually reinterpreted to reflect changing societal values and the objectives of those in power. As highlighted in Zoltán Megyeri-Pálffi's theory, the period, authority, and purpose of a legal building, including its spatial arrangement and geographical placement, play a critical role in its significance.

In modern times, legal architecture has shifted focus from monumental representations of power to human-centred design, emphasizing functionality, acoustics, lighting, and integration into the urban environment. The technological revolution and digital administration present new challenges to legal architecture, raising the question of whether physical representations of authority will continue to be relevant in the future. The evolving relationship between technology and architecture prompts us to reconsider the role of physical structures in representing power and law.

KEYWORDS Law, power, culture, symbol, architecture

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1. Introduction

This study uses an interdisciplinary perspective. I focus on the fields of art history and legal history, but exclusively from the perspective of architecture. Legal architecture is a distinct category and fits into the cultural history of law and belongs to the representation of law in legal studies. I deal with historically significant manifestos that have diverse perspectives, such as symbolic, iconographic or functional meaning but they have one common point of view; manifests power (Kajtár, 2022, p. 21). I would like to demonstrate how legal architecture, as an interdisciplinary field, influences both architecture and law.

Initially István Kajtár found legal architecture expression out:

“[the] public legal architecture manifests power and aligns with the system of public law: in the field of legal history buildings have been constructed to demonstrate the activities of the legislation- the public administration – the judiciary- the local governments, as well as the state’s sovereignty and armed forces.” (Kajtár, 2002, p. 35)

According to Kajtár, the building itself is a symbol, but in addition symbols can also be found on it. *“This is the form through which it communicates a flag, a coat of arms, or a statue alike.” (Kajtár, 2020, p. 157)* In the context of the legal science, the architecture is a medium, but also a cultural milieu. Buildings have their own significance and on the other hand they represent distinctive meaning that transcends themselves. Additionally, they are related to the existence of power.

Alongside the cultural analysis of law, the legal cultural-historical examination of legislative buildings can also lead to important conclusions (Kajtár, 2002, pp. 35-44). I would like to summarize on the following points in detail.

The theory of the branch of powers [legislative, executive and judicial] is also significant from the perspective of legal architecture. According to István Megyeri-Pálffi, *“the branch of powers also establishes a specific building type for each branch of power: parliamentary buildings for the legislature, judicial buildings primarily for the judiciary, and government, local, and territorial administration buildings for the executive branch.” (Megyeri-Pálffi, 2021, pp. 13-14)* Megyeri’s theory is innovative because it asserts that the law has spatial requirements which means, that it is not only symbolizes the power structure but also holds importance in its placement and integration into the cityscape. In this context, a representational need arises, pertaining to the size and quality of the buildings. In this way, it becomes a bearer of meaning, exemplified by the independent judicial power of the judiciary. The problematics of the accessibility of the building are also part of legal architecture. The presentation of various themed signs, the prominent relief of the state emblem, and the display of the

attributes of the statue of Justitia express a message (Megyeri-Pálffi, 2021, p. 22). These need to be interpreted, because the building can be analysed not only independently but also as part of the cityscape and with its interior spaces, just like Megyeri said.

In this sense, according to Kajtár *“the buildings of power besides their functional characteristics, can also be examined as symbols of the functioning of a state.”* (Kajtár, 2001, p. 191) The representation of law and the building's characteristics can be orientation points too. Whoever holds power, whether *“a despot, a monarch, an absolute ruler or a dictator exercise their authority in an architectural space, which are their seat of power.”* (Megyeri-Pálffi, 2021, p. 12)

2. Conceptual thoughts about the connection between power and architecture

To examine the system of legal architecture, it is necessary to establish how it relates to power. Power has a complex nature. I use the concept of power in the Weberian sense, which is about *“the probability that one actor within a social relationship will be in a position to impose his own will despite of the other's resistance.”* (Takács, 2011, p. 135)

To express an adequate connection between law and architecture, my premise is that different eras regarded and manifested power differently. Accordingly, the nature of power has a different meaning: in one context, it is a characteristic of state public authority; in another, it is authority; and in yet another context, it is sovereignty (Takács, 2011, p. 132). The source of power raises many questions. According to Takács, power is primarily political in nature, whose fundamental element is to have a chance to make own decision (Takács, 2011, p. 136).

In the following, I will survey the art historical styles that have cultural-historical importance in the field of legal architecture and what kind of ways of power are found within them.

My work deals with only architecture, and I will not confront with the other area of fine arts. The art form of architecture has an instrument, which is the building, that on one hand can be a tool of legitimization with representing power and on the other hand it is an expression of the legal order. In addition to this, buildings can be an element that carries ideology but can be as a form of artistic visualisation. I search for the answer to this question; how does power use architecture to achieve its own targets in different artistic eras? I seek to establish a connection between the architecture of an urban and the representation of power. My method of examination is descriptive, incorporating elements of legal history and art history, but it does not exclude associative observations. The periodization is done by centuries according to the art history. I do not

mention their aesthetic quality and focus on the interpretive message of the respective era.

First, I would like to declare, that each period has an own special architecture, which not only has an artistic relevance, but also aligns with the social and legal realities. My presented items and examples are incidental but hopefully illustrate the dynamic between law and architecture.

In antiquity, the public squares had a significant political and commercial importance, thus at his time especially the Agora and the Forum Romanum represented power. The Agora was the gathering- and expression square of free man, it was a place for persuasion without violence. Essentially, it was the main square of Athens that was rounded by walled. Significant buildings were built in there such as the gymnasium for soldiers training. The altar of the twelve gods, stood the magistrate's seat and the bouleuterion for the council of five hundred were in the Agora as well (Cs. Tompos, 1976, pp. 14-15). The Forum Romanum was the site of legislation and commerce:

"The Forum Romanum was the very centre of ancient Rome. Throughout the lifespan of Roman civilisation, the Forum served as the focus of political, civic, and religious life. From magnificent temples and triumphal arches to the very seat of power in the Senate house, the Roman Forum encompassed every aspect of life for the Republic and wider Empire." (Johnson, 2021)

The dignity and authority expressed through the facade of Greek or Roman buildings (Kengyel, 2011, pp. 116-118).

In the depictions of the Middle Ages, the ultimate source of power is of divine origin. In the field of architecture, it serves as a tool of legitimization, and the most characteristic building is the church. Moreover, the coronation of rulers also has a symbolic message, as it took place there. The Middle Ages have a special building type which is the cathedral. This period is full of urban construction and wall building, so the city appears as an administrative unit, which means that the class of the bourgeoisie is as well. All these things considered, self-governance and urban development arise from these elements. As mentioned by Megyeri *"a typical medieval image is that the town hall is located in the main square of the city, the marketplace, where proclamations of judgments and other public events – including the market and festivals – took place in front of the urban community."* (Megyeri-Pálffi, 2020a, p. 561) In the city were large town hall as a symbol of freedom and expression of civic identity. Main square has a central role and is located at the heart of the city. The main characteristic architectural solutions are there the narrow alleys, the upward-expanding houses, the wooden building material. *"The cities' law enforcement and criminal*

justice systems increasingly defended against the aforementioned dangers.” (Mezey, 1991, p. 35).

At this period the Romanesque and Gothic styles are determinate the architecture. The former is about 11-12th centuries and the later to the 12th century. The grandeur of Gothic is about role of light, tower, knight's hall and the ceremonial hall appear for the royal representation (Herendi, 2003, p. 115).

The Renaissance is a new dimension from the perspective of power, because appears the secular architecture, that means in this period of the 15th century in Europe the construction of the first privately funded public building, an orphanage, urban townhouse, large and spacious places and entirely new town hall so renovated old ones updated to fit the spirit of the age. Libraries, school and theatres are also liked as an architectural innovation. Characteristics of the Renaissance include humanism, the depiction of human figures, and the use of deeper-toned allegories. From an architectural aspect the Renaissance follows the antique classic forms (Herendi, 2003, p. 124). *“The classical columns, arches, cornices, and relief carvings make the palaces and public buildings both graceful and dignified.” (Artner, 1968, p. 218)*

Baroque architecture attracts attention and dominate its environment. *“However, it completely transforms the form of the ancestors. It aims to exceed the creation of them, thus those style has special style mark, like powerful, grand scales, extended buildings and it overwhelms with ornamentation.” (Artner, 1968, p. 319)* In addition it is full of ornamentation, grandeur, splendour and characterized by use of expensive, golden materials. *“The decoration is often subordinated to an allegory: for example, the War Room at Versailles.” (Herendi, 2003, p. 5)* The main buildings in this period – 17-18th century- the church and palace, but huge, rich royal and aristocratic palaces are characteristic too:

“The Baroque architect thinks in large units, extending the design to the building's surroundings as well. It has a spacious area in front of and around the church and palace to maximize the building's impact. [...] During this time, it appeared the kilometre-long boulevards that branch out from and ornate square and lead to the centres.” (Artner, 1968, p. 320-321)

The unique feature is the symmetry, the use of geometric shapes, and a new model symbolizing the ideal of a unified state. *“Just as in politics, in architecture too, France under the Sun King served as an example throughout Europe.” (Herendi, 2003, p. 5)* The northern wing of the Palace of Versailles was the king's apartment; for example, the bedroom was the setting where audiences took place. (Herendi, 2003, p. 10) Consequently, the novum is the garden, in which not only its construction, but planting of plants are in an exact geometric order (Herendi, 2003, p. 5). *“In the same way that in the absolutism, where the ruler has*

the absolute power over the others, expressed by the palaces, so does the French garden the same over the natural environment. With its regularity and the geometric transformation of plants, the French garden is also like a city.” (Herendi, 2003, p. 57) For instance, *“the Schönbrunn Palace, that has a typical Austrian Baroque style creates a solemn, majestic impression.”* (Herendi, 2003, p. 18) *“In most cases, the still-standing palaces, gardens, townhouses and urban palaces are still usable today. Some of them (Buda Castle, Vác, Székesfehérvár, Eger, Győr, Sopron) define the cityscape.”* (Herendi, 2003, p. 23)

The Classicism’s essence is its noble simplicity quiet grandeur and often involving the imitation of Roman triumphal arches. *“Special characteristic is the precise, rational composition, the well-calculated lively movements and the mythological figures.”* (Herendi, 2003, pp. 62-66.) It conveys dignity, authority and it is associated with the 18th and 19th centuries. It represents the rule of law and the decline of church prominence. The national symbol and the nation-state emerge during this period. As reported by Megyeri, *“The age of large public buildings was brought by the rise of the bourgeoisie and explosive industrialization.”* (Megyeri-Pálffi, 2020a, p. 563) Characteristic buildings of this era are the parliament, the courthouse, and structures referring to national history, all while incorporating classical antique forms, too. In accordance with Megyeri, in the bourgeois 19th century, the political representation of urban power is determinate (grand halls, grand staircases, ceremonial facades), in the 20th century, the exterior of town halls are transformed, because they look alike office buildings, where functionality is primary and not representativeness (Megyeri-Pálffi, 2020a, p. 564). In modern administrative buildings are in that style here, in Hungary, where the customer area is given significant emphasis and a customer-oriented approach, such as government service window. *“They demand the creation of bright, transparent, mechanized solutions and, not least, comfortable spaces.”* (Megyeri-Pálffi, 2020a, pp. 564-565)

In the era of historicist eclecticism, the system of parliamentarism solidifies, the role of the parliament increases, and tradition and national consciousness emerge. It is about from the first half of the 19th century to the early 20th century. In this period appears the problem of integrating new buildings into the urban landscape. There are several styles in this time, thus because of the simultaneity of different architectural styles - for example, during the construction of Vienna’s official-government district in the 1880s. Near to the neoclassical parliament, a town hall with Gothic elements was built (Theophil Hansen), and the Burgtheater exhibits Renaissance features. Nietzsche referred to this as the *“masquerade ball of styles.”* (Pataki, 2002, p. 7)

“In general churches were built in Gothic form, theatres borrowed Renaissance and Baroque motifs, the palaces of legislation with Renaissance and Classicism

(the Gothic-style London Parliament and the Budapest Parliament, which mixes Baroque spatial structure with Gothic details, are exceptions that reinforce the rule)." (Pataki, 2002, p. 8)

The expression of the branch of power is increasingly significant, further strengthening national identity and its symbols. During this period, the Westminster in London, the Reichstag in Berlin, the Hungarian Parliament Building (Steindl Imre 1881-1902), and the United States Capitol in Washington, D.C. were constructed. Here, in Hungary in this era marks the monumental architecture of the nation-state, with the construction of St. Stephen's Basilica, Heroes' Square, and the redevelopment of parts of the Buda Castle District (Matthias Church, Fisherman's Bastion, Archive, Ministry of Finance). The materiality of the Hungarian Parliament Building is also expressive, as it was built mainly using Hungarian construction materials by Hungarian craftsmen. Numerous references to Hungarian history can be found, such as the dome's height of 96 meters, commemorating the Hungarian conquest of the Carpathian Basin, the statues of Hungarian kings in the dome hall, and the exhibited frescoes. *"In the Hungarian Parliament Building, various architectural styles and motifs are blended: its floor plan is Baroque, the facade decoration evokes Gothic elements, and the ceiling decorations carry Renaissance features."* (Országház-kalauz, n.d.)

The 1830s is the era of Hungarian history, which is identified as the birth of national culture. The essence of it is in the respect for tradition and not the originality. The educational intent is visible and a desire to restore national consciousness, with a formal toolkit that places the expression of an idea, which is obviously a political category (Révész & Bakos, 2005, pp. 7-9). The Enlightenment brought the realization that in the comprehensible images are the educational power of art (Révész & Bakos, 2005, p. 52).

The modern architecture is related to the shaping of environment and organic architecture, which represent a close unity of the building and its inhabitants, considering the living conditions of the population. Practically in this era the correct selection of usage, functionality and the exact architectural form with serving these purposes is a fundamental attribute (Pataki, 2002, p. 119).

The buildings of the justice are a special category on the field of legal architecture, because on one hand they are involved by court buildings, and on the other hand they include the penal institution or the prosecutor's office. *"Most of our current Hungarian court buildings operate in structures that were established a hundred to one hundred and twenty years ago, maintaining their original purpose."* (Megyeri-Pálffy, 2020b, 177)

The location of penal institution is in a real connection with the prevailing legal philosophy. Retributive power constructs prisons, that symbolize strength and security, causing suffering to the criminal and isolating them from the society. However, from the 18th-19th centuries, the emphasis on human rights marked the end of mutilating, corporal and degrading sanctions and leading to new prison architectural solutions, such as the Ospizio di San Michele Casa di correzione or the vicomte Vilain genti Maison de force (reformatories for juvenile offenders). This gave birth to the star system, symbolizing power and representativeness (Mezey, 2011, pp. 333-335).

From the second half of the 19th century, buildings were centrally located, which were built free from all sides. With the increasing number of cases, the good accessibility and the geographical features are a point, during this period, lower courts worked in town halls, higher courts in chancelleries, royal courts in the ruler's palace. The separation of the judiciary from the administration had the consequence, that it was necessary to build prison near to the courts (Kengyel, 2011, pp. 103-104).

For smaller courts jails were built, while prisons were constructed with criminal courts, tribunals, prosecutor's office in a special common building unity.² The court-prosecutor's office-prison complex led to the consequence, that was formed the legal quarters and appeared authorities and offices supporting the operation of the judiciary. The correct choice of geographical location could result aesthetic experience and dignified purposes too, such as a courthouse erected on an elevated site. It can also be symbolic what kind of other buildings were constructed near the court, because with proper design, they can further enhance the character of the court. According to Miklós Kengyel, *"light, and the tone and colour it creates, are extremely strong sources of human emotions. In their environment, the spatial-mass forms always prominently display the emotional factors, such as light and lighting characteristics, resulting in cheerful, joyful, solemn, depressing, or oppressive appearances."* (Kengyel, 2011, pp. 104-105)

In 20th-century courthouse buildings, there is a clear effort to re-establish a connection with the environment returning to the early days, when judges rendered their decisions under oak trees in the open air (Kengyel, 2011, p. 109). Since the second half of the 20th century, the humanization of justice has been the main purpose (Kengyel, 2011, p. 112), which can be created with the correct choice of different architectural styles. For instance, in France with the Palais de Justice and the neoclassicism (Kengyel, 2011, pp. 116-118). In England the Gothic was revived with the Royal Courts of Justice and it can also be seen in the

² In Hungary it is a difference between jail and prison, thus a person convicted of a minor offense is sent to jail, but for a more serious crime is sent to prison.

town halls of Munich and Vienna. *“The protruding central sections of the buildings, topped with high gables, as well as the variously sized arched windows and the massive, unbroken roofs, all express the will of power.”* (Kengyel, 2011, pp. 120-121) In the view of Wilfried Koch, the selection of architectural style has *“an associative significance: for instance Romanesque for justice, Gothic for town halls and schools, Classical for administration and parliaments.”* (Kengyel, 2011, p. 122) Kengyel complements these statements by noting that from the half of the 19th century, Neo-Baroque began to dominate. Its symmetrical facades and domes *“were capable of ruling over their surroundings.”* (Kengyel, 2011, p. 122) From the last decades of the 19th century, eclecticism became dominant with that the purity of style were eliminated. It is a new problem: how to integrate the new building into the existing streetscape (Kengyel, 2011, pp. 126-127).

As I have already mentioned, not only the building has a message, but its design and environment too. Three forms of sculptural creations can be classified in court building: firstly, the freestanding sculptures, secondly the reliefs and thirdly the stuccos. The design usually is the depiction of Iustitia, law, Moses, owl and lion (such as the expression of strength) in moreover the specific motifs are peace, war, freedom and law.³

The stucco is a popular element of the architecture of the Classicism and Neoclassicism. Mostly appears in the staircases, ceremonial halls and courtrooms of buildings and decorated with white or gold paint. Decorative paintings can be found in these buildings in Egyptian, Roman and Pompeian styles in Eger, Győr, Gyula and Szeged. The famous fresco in Gyula and the figurative secco at the Eger Courthouse are visualized state theory, jurisprudence and even natural sciences. The furnishings, furniture, and coat of arms representations also carry symbolic messages (Dercsényi, 1993, pp. 46-48).

In Takács's opinion court buildings have functional, legitimate and aesthetic significance. They are functional, because they are the space, where the justice is realized. Legitimate, because authority is necessary for enforcement of decision. Finally, they are aesthetic because of the environment and emotions.

Here, in Hungary since the turn of the millennium courts have functioned similarly, but there is a need for modernization. This includes environmentally friendly developments, improvement of comfort levels, the incorporation of audiovisual elements and the other technical advancements. Gergely Lezsovits and Piroska Varga emphasize the thesis that cooperation among participants in judicial procedures can increase if the design of courtrooms considers factors such as air quality, airflow, thermal conditions, acoustic characteristics, lighting,

³ For example, in the building of Budapest Bar Association. The owl symbolizes wisdom, and it can be found in Budapest, Kaposvár, Cegléd, Gyula, Győr and Dombóvár. The sculpture of Moses can be found in the court of Siklós and Mosonmagyaróvár.

colours, and spatial proportions. Human-centred design, which prioritizes the needs of people, can result in better and calmer communication, thereby making the administration of justice more efficient (Lezsovits & Varga, 2020, p. 331). The message of the law and its procedural aspects have essentially remained unchanged, so the oral, direct, and public trial still has its spatial requirements and functionality (Megyeri-Pálffi, 2020b, 184).

In totalitarian regimes appear a new element the need for emotional manipulation and mobilization. The buildings remain monumental, but there is no aim to seek artistic value. For instance, Hitler banned the display Expressionist, Cubist and Constructivist creations, because he thought modern art is degenerate. Similarly, Stalin believed that abstract forms were unable to communication and representation. The buildings gave a message like authority and using the solutions of Roman traditions. Demonstrating power, strength and glory. I would like to mention the Zeppelin Tribune, because from the perspective of this work has a significance. The Tribune was an important place in the Nazi regime, which was destroyed as a symbol the change in ideology:

“The fascist and communist dictatorships’ visions of classicism, heroism, and people-centred art, forcibly intervened in the arts and sought to centrally control it, resulting in similar solutions. They tried to suppress any effort that did not align with their directed thinking from the outset. They intended to use art to propagate their system, which they proclaimed as unsurpassable and eternal. Architecture was deemed the most suitable medium for this purpose.” (Pataki, 2002, p. 141)

Nowadays in the 21st century in most of the country it is not a despot or tyrant, but global financial capital is represented. There is almost a competition for the tallest skyscrapers, High tech architecture appears with steel, glass being the favoured materials.

The novum of the modern era is clearly the technological explosion and the emergence of informational power. Although the design of smart buildings is still in progress or waiting on the drawing board for implementation, some countries already have primitive buildings where coordination, data collection, and analysis are central elements.

3. Conclusion

It is not far-fetched to say that soon, intelligent buildings will be constructed because of generative design, and the realization of 3D-printed buildings is not out of the question either. These buildings will prioritize sustainability, climate awareness, and intelligence (smart), as well as the smart city concept, where data collection and analysis will be taken for granted.

This raises the issue of multiple regulatory texts, for example, among the principles of GDPR, purpose limitation, and data minimization are already unsustainable due to the enormous amount of data and storage capacity, as unprecedented data usage and data accumulation occur in a very short time. The cornerstone of smart city developments is complexity and efficiency, where all devices communicate with each other, and everything is considered data. The new industrial revolution requires a new regulatory framework, necessitating a return to legal theory, raising questions about whether we want this revolution, and if so, within what frameworks, and whether humanity has any say in it.

Technological innovations are spreading widely, but careful consideration and adequate handling of challenges are crucial. Utilizing the results of legal theory will be key in establishing the appropriate frameworks, as the expected social impact, the presence and establishment of fundamental ethical norms, and the attitude towards innovation, as well as the assessment of risks and abuses, deserve special attention.

Architecture will obviously adapt to these changes, as historical experiences suggest. The relevance of the legal representation of law through art lies in the following conclusions for the future. Buildings are the objectification of power and carry unique meanings that align with the cultural order of a given society. The 21st century has not moved past the era of power construction; only the nature of power is changing. As law evolves, so does the building. Technology, law, and architecture interact with each other and shape each other reciprocally.

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