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RELEVANT ISSUES IN THE DISTINCTION BETWEEN INTENT AND NEGLIGENCE

Interdisciplinatory examination of mens rea

THESES OF DOFTORAL DISSERTATION

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I. A summary of the research

The research started by reviewing the recent literature and scholarly works and judicial practice of the past three decades, but it was decided soon that this would not be the focus of my thesis—authors far more prominent than I have already done this task, and my thesis would have become redundant. Both the topic of intent and guilt was examined deeply by prominent authors in their monographs. László Viski in his definiting book of 1959[1] based the dogmatics of intent on new foundations whereas Imre Békés in his work of 1974[2] laid the basis for negligence; the evolution of these paradigms was examined in detail by contemporary works.[3] During the methodology (which is detailed towards the end of the research) I have maintained an approach that far wider scope of international legal research was accessible hence I have placed the emphasis on this matter.

Firstly, I have researched the distinction between the mind of the perpetrator from the aspect of whether it is a question of facts or a question of law, which was followed by the difficulties which arise during the differentiation of intent and neglect as exemplified through various decisions of the case-law, detailing the case known widely as "Radovic Dusán-case". During this examination, I have introduced the complications of said distinction, in particularly the offences against health, body and limb.

Afterwards I have explored the compatibility of the mens rea of the common law legal literature and the subjective elements of abstract elements of offences and the concept of guilt in the Hungarian criminal law. The reason behind this was that the three further matters examined in the following sections (the intent of various actions of the offender, the doctrine of ignorantia non excusat and the question of artificial intelligence) were usually approached by the foreign researches from the standpoint of mens rea. However, if the goal is to seek answers from the standpoint of a Hungarian legal researches, it is essential to examine the meaning behind the aforementioned concept.

The study of this particular question is essential to draw consequences in the Hungarian legal standpoint from the numerous articles and legal works approaching this subject using common law terms. The point of view based on the mens rea sheds a different light on certain issues, e.g. the legal frameworks that highlight the topic of foreseeability, if the creators behind an artificial

[1] Viski, László: Szándékosság és Társadalomra veszélyesség, Közgazdasági és Jogi Könyvkiadó, 1959
[2] Békés, Imre: A gondatlanság a büntetőjogban, Közgazdasági és Jogi Könyvkiadó, Budapest, 1974
[3] e.g. Mészáros, Ádám: A bűncselekmény fogalmának alapkérdései, OKRI, Budapest, 2020

intelligence are unable to predict the outcome of the algorithm, what kind of foreseeability is expected from the user? [4] However, after a deep exploration of this subject, it is clear how the common law observations can be interpreted as Hungarian (continental) legal approach.

As Bassiouni highlighted, "But in all systems it is predicated on a number of legal assumptions or presumptions, most notably: freedom of will, mental capacity and knowledge of the law" [5,] therefore in the following parts of the research, I have prioritised my attention on the reasons behind this assumptions or presumptions and the recent examinations.

The questions of the human mind gave birth to various subjects exceeding the scope of (criminal) law – staying in the legal topics, the issues of "why to punish" bears paramount interest in the topic of legal theories and the criminal law. As Hart argued, there is no universal answer to this, and it can be achieved through various different ideas, such as "What justifies the general practice of penalties?", "Who needs to be punished?" [6] Based on the above, the first question to examine was the subject of the human free will. Nonetheless various significant authors of criminal law touched this topic (e.g. Ferenc Nagy explains the German point of view that "the main question from the aspect of criminal law is not whether there is free will, but what is the dominant perspective on this matter in a society and what attitude governs the life of its population" [7]); if there was any groundbreaking achievements in the natural sciences on this matter, that would unambiguously change societal opinion on this question as well.

As the various societies became more developed, the various norms regulating the way of human life (which often used a punitive aspect until the recent centuries) became increasingly more complex. This issue was tackled by the advanced legal systems. Even in the roman law, the ignorance of law could be reasoned by certaing groups, e.g. minori, soldiers[8], women and the rustici.[9] However, this reasoning could not be used at all times, as if the prohibition of a certain action was based on the moral principles (delicta iuris naturalis), the ignorance of law

[4] Giannini, Alice, Kwik, Jonathan: Negligence Failures and Negligence Fixes. A Comparative Analysis of Criminal Regulation of AI and Autonomous Vehicles. Crim Law Forum 34, 43–85, 2023. 53. o.
[5]Bassiouni, Cherif M.: Crimes Against Humanity in International Criminal Law, Martinus Nijhoff Publishers, Dordrecht, 1992. 359. o.

[6] Hart, Herbert L. A.: Punishment and Responsibility – Essays in the philosophy of law, Second ed. Oxford University Press, 2008, Oxford, 3. o.
[7] Nagy Ferenc: A bűnösségen alapuló felelősség elvéről. In: Acta Universitatis Szegediensis: acta juridica et politica, (48) 1-20. pp. 183-195., 1996, 190. o.
[8] katonák esetében az öröklési jog tartalmazott engedékenyebb szabályokat a jogszabályokban való tévedés kapcsán; Földi András – Hamza Gábor: A római jog története és institúciói, Nemzedékek Tudása Tankönyvkiadó, Budapest, 2013, 604. o.
[9] ibid. 479. o., 228. o.; ld. továbbá Cass, A. Robert: Ignorance of Law: A Maxim Redefined, 17 Wm. & Mary L. Rev. 671 (1976)

did not acquit either.[10] Naturally, this kind of gendernoratmive and class-based aspect is antiquated, the ignorance of law as a question of the mind of the perpetrator often comes arises in various researches. Hungarian authors often examined this topic as well, often providing detailed answers. As Viski explained, "every theorem which requires the knowledge of the endangerment of society for the criminal intention has to ask the question what kind of effect does it provide for a mistake in the danger of ones actions."[11]

Finally, the technological advancements propose new challenges which the legislation has to provide answers for – in order to tackle this, a review is needed for the questions of the guilty mind if the results are based only indirectly on a human operator, but for the outside world, the actions seem like a separate decision-making artificial intelligence.

As I had deemed that a deep analysis of the international legal doctrines (most notably, from the aspect of the common law), the element of mens rea needed to be examined from the aspect of the Hungarian criminal legal definitions. During this research, I have revised the Rome statue of the ICC, also I have examined certain offences and the general doctrines of the criminal law. Overall, the elements of mens rea was corresponded most closely with the subjective aspects of the offences in the generally accepted classification. Regarding the mens rea and the guilt of the offender, I share the standpoint of Ferenc Nagy that the anglo-saxon view emphasizes the guilty mind rather than the guilt itself.[12] However, the mens rea is not completely equal with the Hungarian concept of guilt, as in certain aspects, it is a narrower concept (if we count the age of the perpetrator as an element of guilt), and on the other hand, equally broader (e.g. through the element of culpability).

These challenges (except the artificial intelligence) were detected by previous researchers, and their arguments often made these issues explainable through the dogmatic rules of the criminal law while also providing sufficient answers for the practice as well. Nonetheless, the cognitive sciences went through a significant development (which is excepted to dwarf compared to the results of upcoming researches), and the legal environment also becomes more complex, the existing frameworks of criminal law may be a basis for these questions even without a deep examination. Similarly, most of the offences mentioned regarding the artificial intelligence may be answered based on the existing criminal code. However, these answers may not be fully

[10] Viski, 1959, 169. o.
[11] ibid. 168. o.
[12] Nagy Ferenc, 1996, 191. o.

coherent, and the differing answers in the judicial practice is also significant if the domestic limited case law system[13] could not be supported by the legal science.

This research deliberately did not set its goal as to rewrite the foundations of guilt via a de lege ferenda. My aim was to review the relevant circumstances and interdisciplinary questions in the Hungarian legal framework through this research, for which questions a detailed answer can only be provided by including the representatives of the relevant scientific fields.

For the above, the profound analysis of the existing dogmatic is required; in my point of view, the current structures for accountability provide a sufficient base – as a closure, I would like to quote the still-relevant statement of Ferenc Nagy from a decade ago: "the development of the science of criminal law is furthermore hindered by the neglect of the basic researches. Various decades have passed without producing comprehensive reviews from the subject of intent, negligence, mistake, stages, the doctrine of unity and plurality. […] It would be welcome if the tendencies above could change in the near future." [14] I sincerely hope that Ferenc Nagy would see this research as a work against these negative tendencies.

II. A short summary of the research and methodology

During the research, firstly I had placed a strong emphasis on the review of philosophical works. In the topic of intent and the free will were examined by countless works, both legal and beyond in the past millennia. Throughout the first period of my research, I have decided on processing the interdisciplinary subjects. As I was reviewing the available literature, it became more and more obvious that these topics branch into several other topics, and establishing one part opens up several others. As it was explained by Fleck – Gajduschek in their work "Empirical researches in legal sciences", the "A typical form of non-interventionist qualitative, descriptive methods is the analysis of its contents, which is frequently used in empirical legal research, since the legal system is mostly based on written texts."[15] During the research – due to the

[13] Gellér, Balázs – Ambrus István: A magyar büntetőjog általános tanai I., Második, javított és hatályosított kiadás, ELTE Eötvös Kiadó, 2019. , 124-125. o.

[14] Nagy, Ferenc, 2015, 333. o. – I have to highlight that several important works were created in the topics quoted above, see e.g Ambrus, István: Egység és Halmazat – Régi dogmatikai kérdés, új megközelítésben, Szegedi Tudományegyetem Állam- és Jogtudományi Kar Büntetőjogi és Büntető Eljárásjogi Tanszék (2014), which was based on a work supervised by Ferenc Nagy himself. Furthermore, the present research quotes often the monography of Ádám Mészáros which was published in 2020, or for the deep analysis of the element of mistake, see Gubis, Phili: *A Kúria felülvizsgálati végzése a társadalomra veszélyességben való tévedésről.* Jogesetek Magyarázata, 2020/3–4. 21-28.; *A büntetőjogi tévedés nevesített eseteiről.* In Nagy Marianna (szerk.): *Válogatott tanulmányok. Az ELTE Állam- és Jogtudományi Kar tudományos diákköreinek a XXXIV. OTDK-ra nevezett dolgozataiból.* ELTE Eötvös Kiadó, Budapest, 2019. 93-102.

[15] Fleck, Zoltán – Gajduschek, György: Empirikus kutatás a jogban (in: A Jog Tudománya, szerk: Jakab András, Menyhárd Attila), HVG-ORAC, 2015, Budapest, 101-131. o., 127. o.

nature of the research tools described above – the non-interventionalist quantitative dominated the methodology, most notably the review of previous literature. The available sources increased (and kept increasing), therefore in the recent works, I have placed my trust in the recommendations of my supervisor and other authors working in similar subjects (e.g. Samu Czabán, the doctoral student of the Center for Theory of Law and Society who has also a degree in psychology), and also the works quoted in these researches.

In keeping every issue on track, I have deemed as a guiding principle the arguments of Ádám Mészáros in his work "The basic questions of the origins of law and the law of punishment": "the review of every single interpretation – keeping in mind the frame of this essay – is not set as a goal, and I do not undertake to present the results of every philosopher on this topic, but to display the essence of two differing viewpoints through a deeper examination of certain researchers who I believe to be crucial. Afterwards, I will propose a hypothesis on which idea should serve as a base for the criminal legal responsibility."[16]

During the examination of free will, I have changed my approach and decided to review the recent philosophical works based on the publication of each research (eg. Oxford Handbook of Free Will), and the recommendation of other authors also writing about this topic. As I was preparing this part, I have also taken into consideration other relevant research of different scientific fields on this topic. Due to the nature of this matter, the profound exploration of this subject would require a complete co-operation of an entire research group and a whole book which far exceeds my possibilities thus I have set and maintained a goal to have a deeper emphasis on the dogmatic research (especially the elements of mens rea) rather than the interdisciplinary.

Regarding the topic of digitalization, it has to be highlighted that my supervisor, István Ambrus is among the most qualified experts on this topic who has published several articles and books on this matter, therefore I have sought his personal recommendations while deciding on the directions of my research. This included choosing the sources from the ever-expanding quantity of academic research as well as a more reflective approach and guidance on this research.

I have also included my previous research which was prepared for the the National Scientific Students' Associations Conference on the subject of autonomous vehicles as this field receives the most attention from the academic writings. I have kept a close watch on the various cases

[16] Mészáros Ádám: A jog eredetének és a büntetés jogának egyes filozófiai alapkérdései, De iurisprudencia et iure publico, I. évfolyam, 1-2. szám, 2007. 24. o.

and the answers of various legislatures, frequently refreshing my own findings and publishing them (both in Hungarian and in English).

During the second part of my research, I have tackled more specific issues, including the part of the criminal intent and its place in the elements of the criminal offence and its developments. I have kept in mind through this process the points of the "ELTE-approach" appearing in the textbook on the general part of the criminal law and other works of the colleagues of the department, especially the article of Balázs Gellér and István Ambrus titled "Rethinking the Legal Concept of a Crime and Reinterpreting the Abstract Elements of a Crime"[17].

As the first step of researching the mind of the offender I was examining if it is viewed as a question facts or a question of law. The reason behind this (besides a practice-oriented approach) is that if it is solely a factual matter, therefore a case-law-oriented approach would also be questionable as my research does not take into consideration the issues of the evidence process.

Afterwards, I have reviewed the evolution of the definitions of intent and negligence through non-invasive quantitative research methods. The chapter of the historical review was not included in my final version as – even a brief overview – resulted in a rather long part which posed the risk of losing the focus of my work while lacking the polish and level of detail of other authors' (e.g. the monography by Ádám Mészáros of 2020.)[18] Instead, I have decided on a brief review of the judicial practice as this gave a foundation of the practice-oriented approach of latter chapters.

During this part of the research, I have decided to incorporate numerous English sources, and for the sake of the applicability of these findings, I have included a chapter on the definition of the mens rea.

By the end of each chapter and the whole work I did not plan to include de lege ferenda propositions or a radical re-imagination of the criminal intent and negligence, and I have kept to this promise. Many elements of this matter are shaped by the practical approach, which could (and should) not be a question of legislation. However, the remarks after the review of the

[17] Gellér Balázs - Ambrus István: A bűncselekmény tudományos fogalmának újragondolása és az absztrakt tényállás új értelmezése. In: Haladás és ellenállás. 2021, ELTE Eötvös József Kiadó, Budapest

[18] Mészáros Ádám: A bűncselekmény fogalmának alapkérdései, OKRI, Budapest, 2020

criminal intent and negligence include a summary of dichotomies and concerns, including the possibility of re-consideration of various approaches.

The finished work – due to its comprehensive nature – can be suitable for a more detailed monography, and as a foundation for further researches focusing on certain offences. One such possibility is a deep examination of traffic offences where my current research can be used as a strong start while focusing on the distinctions of each offence. Moreover – including my personal interest in certain offences – this research can also be used while reviewing the economic offences and offences against public trust (typically committed often as a member of a criminal organization) which cases regularly include offenders claiming the lack of their intent as a core of their defence.

All things considered, I hope that the planned research overlapping my previous six years could be successfully achieved and my research is able to extend the works of the "ELTE-approach", and also contributes to the improvement of the Department of Criminal Law.

For the competition of this research, I owe a dept of gratitude to István Ambrus for this continuous and detailed supervision, to Balázs Gellér for his recommendations during the initial phase of the research and his suggestion to narrow the scope, to Zoltán Fleck and Miklós Márton for their propositions and opinions during their seminars, Samu Czabán and Áron Fábián for the review certain chapters of my research and on their advice on sources, furthermore to the Department of Criminal Law and beyond the University, to the Bibó István School of Advanced Studies for the possibility to use their library for sources, to the Budapest-Capital Regional Court for their approval of reviewing case files directly, moreover to the Ministry of Innovation and Technology, the National Research, Development and Innovation Office, the Artificial Intelligence National Laboratory and the Joghallgatók Önképző Szervezete for the various scholarships. Finally, to and Partner Law Firm and previous principal, current leading attorney and also a professional mentor, Csaba Kemenes, who has supported my academic research with unprecedented flexibility during my whole training as a trainee attorney, and after the successful competition of the bar exam, during my employment as an associate attorney.

III. Overview of the scientific results and their utilization

Firstly, I have reviewed the differentiation of the process of the mind of the offender which question was well-examined due to the eligibility for the judicial review by the Curia. It can be summarized that the contents of the consciousness of the perpetrator is a matter of facts which can be attributed by the facts, and this factual question can be used to make deductions for the guilt (intent, negligence, and if needed, the motive and purpose) of the offender – however, for this, it is of paramount importance for the first and second instance courts to clearly distinguish between the factual elements and the conclusions which can be drawn from these, therefore I support the opinions which aims to abstain from incorporating legal definitions into the factual elements. This chapter can be utilized by the practicing professionals as these findings can be used in various methods, e.g. while preparing a motion for a judicial review.

Afterwards, I have examined the differentiation of the intent – negligence and its double place (both as an element of guilt and as the subjective part of a criminal offence), and the dichotomies caused by this. However, as every latter chapter would lead back to this core issue, I have decided to use the definitions of the "ELTE-approach", which list as an objective element the subject of the offence, the criminal conduct, the result, the causal relationship, the situtational elements, the objective criteria for criminal liability and the criteria for the person of the offender, and as a subjective element, the knowledge (or reasonableness of it) of the endangerment of society, the intent, negligence, motive and purpose[19]. The significance of this chapter among the foundation of the definitions used in the later chapters is to set the boundaries of each definition of the "ELTE-approach", highlighting the scientific workshop behind this research.

For the differentiation of the intent and negligence, I have demonstrated through various examples the difficulty of differentiating between the two elements; an illustrative example being the criminal provedure known as "Dusán Radovic-case", through which several essential factors could be examined by cause of the extensive amount of expert opinions. In this case, the development of the criminal intent also arose, which became the first identifiable problem for the second part of the research.

I see the chapter examining the elements of mens rea as one of the most important one, as these statements could be also used later extensively. In general, I see mens rea as an element closest to the subjective elements of the criminal offence in the generally accepted system in the

[19] Gellér-Ambrus, 2019, 203. o.

Hungarian criminal doctrine. Regarding the connection between mens rea and the definition of guilt, I share the explanation of Ferenc Nagy that mens rea is not equal to our concept of guilt but it is an element which can be used instead.[20] Similarly, if the age of the offender is seen as a part of guilt[21], mens rea is more narrow than the guilt itself. Moreover, the anglo-saxon legal system also requires the element of culpabiliy[22], but the available literature and practice on this is much more lacking. Safferling argues that it often arises as an exemption from criminal liability (e.g. insanity) – however, Safferling contrasts English criminal law with the German and explains that culpability is a subjective element in the civil law systems.[23] Similarly, examining the grounds of exemptions from criminal liability, the picture becomes even more nuanced. Simons argues regarding the self defence that this usually falls under justification or excuse[24], the difference being unclear even in the academic works.[25] However, Safferling sees the involuntary intoxication as a lack of mens rea.[26]

Therefore, I believe mens rea can be used as terms equal to the subjective elements in the Hungarian criminal theory and practice for the sake of this research. Nonetheless certain elements seem also equal to the guilt as the psychological relation between the offender and the offence (e.g. during a case of involuntary intoxication), the differences overshadow the similarities, therefore I did not treat mens rea as a synonym of guilt for my following chapters, only as an element similar to the subjective elements of the criminal offence. [27] The four subcategories of the intention and negligence were considered as a part of mens rea where it was applicable in the research.

Firstly, I have reviewed the recent works of the forming of a criminal intent, including several publications from philosophy to the modern neuroscience. Authors of the latter field highlight that no genom exists which is solely responsible for the criminal predisposition, however, I have to highlight the views of Marianna Nagy who argues that “the intent seems to appear after choosing an action, thus the experience of the intention is separate from the choice of actions!”[28]

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[20] Nagy, Ferenc, 1996, 191. o.
[21] Nagy, Ferenc: A Magyar Büntetőjog Általános Része, HVG ORAC Lap- és Könyvkiadó, Budapest, 2010. 163. o.
[22] Safferling, Christoph: Insanity and Intoxication, in: The Oxford Handbook of Criminal Law (szerk: Dubber, Markus & Hörnle, Tatjana), Oxford University Press, Oxford, 2014., pp. 654-678. 655. o.
[23] ibid., 656. o.
[24] Kenneth W., Simons: Self-Defense, Mens Rea, and Bernhard Goetz, 89 Columbia LR, 1989, 1179-1200. o., 1182. o.
[25] Neuman, Ulfrid: Necessity/Duress (in: The Oxford Handbook of Criminal Law (szerk: Dubber, Markus & Hörnle, Tatjana), Oxford University Press, Oxford, 2014 584 - 606. o., 586. o.
[26] Safferling, 2014, 670. o.
[27] Nagy, Ferenc 2010, 174. o.
[28] ibid. 1058

Considering this, Nagy also asks if "the result of the cognitive neurosciences is to throw out the complete dogmatics of liability?"[29] The answer in my opinion (too) is: no. From the aspect of criminal law, establishing liability is not determinism in the sense of neurobiology, but if the offender had a choice in a situation requiring moral evaluation.[30] This method relies on the fiction of a free choice (at least regarding the choice itself), this fiction being the base of the legality of criminal law. Nonetheless, a need for a re-evaluation arises where the academy and practice needs to stay open-minded. The natural sciences cannot give a definitive answer so far, so I believe the witty response by Fukuyama to be striking: "whether free will exists or not, everyone acts as if it did, and judges the others based on if they are able to decide based on their morals."[31]

Nonetheless the human is deemed free in their chocies from the point of criminal law, the issue arises if this freedom cannot be expressed fully due to the increasing complexity of the various norms and laws. It is well-known even for the laymen that the ignorance of law does not acquit, yet the roman law acknowledges cases which break through this principle. In this part of the research I have examined the problematics of the blanket provisions, covering both the supporting and disapproving arguments and the approach of the Hungarian court practice for the offenders claiming this as a ground of their defence. This points back to the issue of the double-place of the intent, but the Hungarian judicial attitude is obvious – this is usually seens as a mistake in the endangerment to society. This however requires the examination of the "reasonable grounds" of 20. § paragraph (2) of the Hungarian Criminal Code. A sufficient example is the various cases where offenders are familiar or unfamiliar with the various rules and laws of animal-endangerment in cases of damaging the natural environment, where the an unsuspecting layman was acquitted but an offender with a hunting licence was punished in similar cases. However, as I have argued in similar cases, this standard is not obvious, therefore the requirement of "reasonable grounds" should be set more clearly in the judicial practice too.

Finally, as a third outline, I have examined the developments of the technical field along the legal one, assessing the criminal liability for the "actions" of an artificial intelligence. Beside the overview of the definitions of the artificial intelligence (where I have decided not choosing

[29] Nagy, Marianna: A jogi felelősség kihívásai a 21. században, Magyar Tudomány 180, 2019, 7, 1054–1063, 1058. o.
[30] In the instances of negligence, including the anticipation of a possible result but carelessly relying on its non-occurrence and the failure to foresee such consequences.
[31] Fukuyama, Francis: The end of history and the last man (Hungarian translation), Európa Könyvkiadó, Budapest, 2014., 266. o.

a single definition, but inspecting the approaches of various AI-based softwares in the aspect of certain offences) I have examined the criminal liability of the AI and the natural persons behind an AI – the prior can be disposed based on the reduced concept of action, and the latter the objectivization of liability and the culpable prior conduct may arise. For certain offences, regarding the self-driving vehicles, I support my previous views that after changing the relevant administrative laws the chapter of traffic offences of the Hungarian Criminal Code does not require any modifications. However, during the legislation of these implementing elements, a particular care needs to be applied, where the described English and French approaches are to be taken into consideration.

The chapter examining the artificial intelligence bears significant merits as the issue of artificial intelligence just appeared in the Hungarian legislation, therefore it may be an ambitious engagement, but in the questions of liability raised and the foreign examples displayed in my work can serve as a guideline for future codifications.

IV. Summary of publications by the author on this subject

1. Hodula Máté: A társadalomra veszélyesség tudata és az "ignorantia iuris non excusat" elve, Jogi Tanulmányok (1417-2488 2064-9851): 8 1 pp 115-128 (2024), DOI: https://doi.org/10.56966/2024.9.Hodula
2. Hodula Máté: Az absztrakt tényállás alanyi oldalának interdiszciplináris vizsgálata : A bűnösség és a szabad akarat modern kérdései, Konferencia helye, ideje: Budapest, Magyarország 2022.06.10. - 2022.06.10. Budapest: Eötvös Loránd Tudományegyetem, Állam- és Jogtudományi Kar, (2022) Jogi tanulmányok 2022: Jogtudományi előadások az Eötvös Loránd Tudományegyetem Állam- és Jogtudományi Kar Doktori Iskoláinak Konferenciáján.
3. Hodula Máté: Criminal liability of the self driving vehicles In: Andrea Szakács ; Tibor Hlinka ; Magdaléna Mydliárová ; Sylvia Senková ; Michaela Durec Kahounová (szerk.) , Konferencia helye, ideje: Online konferencia, Nemzetközi 2021.04.22. - 2021.04.23., : pp 8-14 (2021)
4. Hodula Máté: Adalékok a büntetőjog és a digitalizáció kapcsolatához, Magyar Jog (0025-0147): 2022 6 pp 351-359 (2022)
5. Hodula Máté: Az autonóm járművek hatása a közlekedési büntetőjog fejlődésére, MTA Law Working Papers (2064-4515): 2021 7 pp 1-32 (2021)
6. Hodula Máté: Az önvezető járművek és a büntetőjogi felelősség, Jogelméleti Szemle (1588-080X): 19 3 pp 68-78 (2018)