



## Summer School in Modern Political Theory

# Politics Through Law. Legal Dimension of Political Modernity

**July 16<sup>th</sup>-21<sup>st</sup>, 2019, Grožnjan, Croatia**

**Deadline for application:  
May 1<sup>st</sup>, 2019**

*The Summer School in modern political theory will be held in Croatia in the town of Grožnjan (Istria) from July 16<sup>th</sup> to 21<sup>st</sup>, 2019. It is organized by the Faculty of Political Science (University of Zagreb) in cooperation with the International Cultural Centre from Grožnjan.*

*Summer school provides an opportunity for 14 graduate students, doctoral researchers and young researches working in the field of modern political theory to exchange research and teaching ideas and discuss relevant theoretical problems from the tradition of modern political thought. The lecturers will be distinguished scholars in the field, presenting their critical reevaluation of the legal dimension of political Modernity.*



Medieval understanding of politics, characterized by a mixture of personified nature of political authority and superiority of law over politics, underwent a thorough alteration during the early Modernity. What emerged from these transformative processes was, on the one hand, the state conceived as an impersonal legal order providing framework within which politics takes place. On the other, it was the autonomy of political sphere, itself operating mainly through law and productive of a legal order. Modernity is decisively marked by such a profound interpenetration of political and legal.

In order to evade the trap of an overly simplistic narrative of discontinuity, it is important to bear in mind that both the theory of the state and modern constitutionalism have their roots deep in the premodern legal thought. All the key notions underpinning the idea of the state, such as legal personality, representation and sovereignty, have a strong affiliation with Roman law heritage. Nevertheless, the sovereign state is a distinctively new type of political formation, distinguished by a prevailing emphasis laid on its legal nature. The notion of sovereignty itself is a legal one, implying not only the constant endeavour to pacify the political power by permeating it with the law, but also the elevation of the legislative power to the highest position within the state. Although such an understanding of the state is the prominent characteristic of the theory of the state from Bodin and Hobbes to Hegel, it is no less present in Rousseau's republican appropriation of the elements of that tradition of political thought.

Similarly, the constitutional theory of the state, developed as a reaction to the emerging absolutist state, drew heavily on the premodern legal sources. Canon and corporation law, conciliarist thought, jurisdiction originating from consent, popular sovereignty, federalism and fundamental law: all of these ideas were absorbed, transformed and put to work in modern constitutional thought aiming at limiting and diversifying state power. Merging of constitutionalism and liberalism during the nineteenth century vigorously promoted the notion of subjective rights as inviolable limit to the state activity in the Western world.

The doctrine of the rule of law, expressing liberalism's fundamental aspiration to dissolve political power in legal regulation, provides a decisive bulwark against the perversion of politics culminating in the rise of totalitarian Behemoth. However, in its ideological dimension it helps to dissimulate the ever-recurring seigniorial tendencies attempting to weld economic and political power and therefore tends to conceal the real locus of political power. Since the liberal concept of freedom builds on a premise of the opposition between the individual and the state, it effectively undermines the ability of the state to control the malignant processes taking place in the civil society that threaten political freedom. Furthermore, it discourages citizens from actively taking control of the political power in order to secure that freedom against state encroachments.



The ambition of the summer school this year is to consider various modalities of the co-constitutive relationship between politics and law in the modern tradition of political thought. Special attention will be given to the following topics:

- Narratives of (dis)continuity between premodern and modern understanding of politics in its relation to law.
- Legal foundations and nature of the state.
- Law as an instrument of the political will and its limitation.
- Republican and democratic critique of the liberal conception of politics.



**Participation fee:** No fee

**Costs:** Complete costs are covered by organizers (full board accommodation, travel costs from Zagreb to Grožnjan and back).

**Grants:** 7 students from abroad and 7 students from Croatia.

**Conditions of eligibility:** Applications are welcome from undergraduate, graduate and doctoral students as well as from young researchers in humanities and social sciences. Each participant is expected to present a short paper as a part of the discussion of the main topic of the summer school. The applicants must provide a CV.

**Guidelines for participants:** Lectures should last 45 min and student presentations should not exceed 20 min of duration. The working language of the summer school is English.

**Contact address:**

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