

Seminar at the Aleksanteri Institute, University of Helsinki

## The erosion of the rule of law in East Central Europe

15 February 2017



The seminar addresses the recent problems surrounding the erosion of a liberal-oriented rule of law in Central and Eastern Europe, with a particular focus on Hungary and Poland. The policies of the Orbán and Kaczyński administrations have raised foundational, pressing questions in academia and political spheres. Who is the sovereign? What constitutes political will and the body politic? What sort of legitimacy is necessary for political cohesion and how is legitimacy built and managed? This seminar will open up room for different perspectives and narratives, placing specific regional contexts in relation to broader philosophical thought concerning the limits and possibilities of a liberal rule of law (e.g., Habermas, Kelsen, Mouffe, Schumpeter, Schmitt).

The seminar is open to everybody who is interested in the topic.

**Venue:** The Aleksanteri Institute, University of Helsinki; Unioninkatu 33, Seminar Room, 2. floor

**Arranger:** Dawid Bunikowski, LL.M. in legal theory

### Co-organisers/Co-sponsors:

- Aleksanteri Institute, University of Helsinki
- Jean Monnet Programme, University of Helsinki
- Law School, University of Eastern Finland
- The Interest Group on International Legal Theory of the European Society of International Law (IGILT ESIL)

### Programme:

12.00. Welcoming with coffee, refreshments

**Session I. "Practice"** (Chair: Dr Heino Nyysönen, University of Turku)

12.10. Dr Dawid Bunikowski (IGILT ESIL/Cardiff Centre for Law and Religion), *The crisis in Poland, and Schmittian questions in "the rule of law" debate*

12.40. Dr Katalin Miklossy (Aleksanteri Institute), *The lack of the rule of law in the lawyers' regime: Hungary*

13.10. Dr Emilia Palonen (Department of Political and Economic Studies, University of Helsinki), *Populism and polarization in Hungary*

13.40. Discussion.

14.10. Coffee break.

**Session II. "Theory"** (Chair: Dawid Bunikowski)

14.30. Dr Walter Rech (Erik Castrén Institute of International Law and Human Rights, University of Helsinki), *Political decisions and economic structures: on the limits of populist discourse*

15.00. Prof. Kaarlo Tuori (Faculty of Law, University of Helsinki), *Constitutional courts, Schmitt and Kelsen*

15.30. Discussion

16.00. Concluding remarks