



## **HANS KELSEN AND THE NATURAL LAW TRADITION**

An International,  
Interdisciplinary  
Workshop  
1<sup>st</sup> -3<sup>rd</sup> September  
2013

Edge Hill University,  
UK

Organised by the Department of Law and Criminology,  
Edge Hill University, in association  
with, and generously supported by, the

**austrian cultural forum<sup>lon</sup>**

## Hans Kelsen and the Natural Law Tradition

Sunday 1<sup>st</sup> September Arrival with Dinner at 8.00 pm in Sages Dining Room

Monday 2<sup>nd</sup> September

**Welcome 9.25** Dr Peter Langford, Edge Hill University

### **Opening Address 9.30-40**

Dr Gerhard Donhauser, Hans Kelsen Institute, Vienna, Austria

### **Session 1 Parallel Sessions 9.45-11.05**

#### **Panel 1**

Professor Agostino Carrino, University of Naples Federico II, Italy

*Kelsen and Dante*

Dr. Maurizio Cau, The Italian-German Historical Institute, Trento, Italy

*To the roots of the universal juridical order. Hans Kelsen and the Staatslehre of Dante Alighieri*

#### **Panel 2**

Professor Francesco Viola, University of Palermo, Italy

*Hans Kelsen and Practical Reason*

Dr Liesbeth Huppel-Cluysenaar, University of Amsterdam, The Netherlands

*Kelsen's blind spot for the pluralism of Antiquity*

#### **Panel 3**

Professor Paolo Carrozza, Sant'Anna School of Advanced Studies, Pisa, Italy

*Kelsen and Constitutionalism*

Professor Valeria Giordano, University of Salerno, Italy

*Constitutionalism and value-free method*

COFFEE/TEA BREAK 11.10-11.40

### **Session 2 Parallel Sessions 11.45-1.05**

#### **Panel 4**

Dr Gaëlle Demelemestre, CERSES /University of Paris V, France

*The Kelsenian Idea of Natural Law in the light of Althusius's theory of Law*

Dr Peter Langford, Edge Hill University, UK and Dr Ian Bryan, University of Lancaster, UK

*From Wolff to Kelsen: The Transformation of the notion of Civitas Maxima*

#### **Panel 5**

Dr Sandrine Baume, University of Lausanne, Switzerland

*Kelsen, Rousseau and the question of self-determination*

Dr Peter Gostmann, University of Frankfurt, Germany

*Kelsen and Strauss: Variants of the post-theological Wager*

**Panel 6**

Professor Joachim Renzikowski, Martin-Luther-University, Halle, Germany

*What can one say about law a priori? Kelsen versus Kant*

Dr Ana Dimiškovska –Trajanoska, Sts. Cyril and Methodius University, Skopje, Republic of Macedonia

*Grounding the Normativity of Law: The Role of Transcendental Arguments in Kelsen's Critique of the Natural Law Tradition*

LUNCH 13.10-14.40 (Sages Dining Room)

**Session 3 Parallel Sessions 14.45.-16.05****Panel 7**

Professor Christian Krijnen, University of Tilburg, The Netherlands

*Kelsen and South-West German Neo-Kantianism on Natural Law. Transcendental Philosophy beyond Metaphysics and Positivism.*

Professor Jean-Christophe Merle, University of Saarland, Germany

*The divergent approaches of Hans Kelsen and Ernst Cassirer to the Natural Law Tradition*

**Panel 8**

Dr Gerhard Donhauser, Hans Kelsen Institute, Vienna, Austria

*Hans Kelsen's criticism of Carl Schmitt's metaphysics of Law*

Dr Mariano Croce, Centre for Law and Cosmopolitan Values, University of Antwerp, Belgium.

*The trouble with nature: Schmitt and Kelsen on the relation between law and states of things*

**Panel 9**

Dr Johannes Feichtinger, Austrian Academy of Sciences, Vienna and Dr Franz Fillafer, University of Konstanz, Germany

*Natural Law in the Vienna School: Kelsen and Verdross*

Dr Sara Lagi, Middlebury College, Florence Italy

*Against Natural Law: Political Implications of Kelsen's Legal Positivism*

COFFEE/TEA BREAK 3.35- 4.00

**Session 3 4.05- 6.00****Roundtable**

Professor Véronique Champeil-Desplats, University of Paris Ouest Nanterre La Defence (Paris X), France

*Hans Kelsen and Modern Theories of Human Rights*

Professor Christine Chwaszcza, University of Cologne, Germany

*Kelsen's Account of Sovereignty and Democracy in Light of Contemporary Theories of Human Rights*

Dr Francescomaria Tedesco, Sant'Anna School of Advanced Studies, Pisa, Italy

*Individual Sovereignty. Subjectivity, Human Rights, and International Law from a 'heretical' Kelsenian perspective*

DINNER 8.00 pm (Sages Dining Room)

Tuesday 3<sup>rd</sup> September

COFFEE/TEA 9.00

**Session 1 Parallel Panels 9.15-10.35**

**Panel 1**

a) Professor Lorenz Kähler, University of Bremen, Germany

*Hans Kelsen and the Social Fact Thesis*

b) Dr John McGarry, Edge Hill University, UK

*A Reappraisal of Kelsen's Rejection of the Natural Law Doctrine*

**Panel 2**

Professor Isabel Lifante Vidal, University of Alicante, Spain

*Kelsen and Legal Interpretation*

Professor José Manuel Cabra Apalategui, University of Malaga, Spain

*Reason and Will in Kelsen's Theory of Legal Interpretation*

**Panel 3**

Professor Claes Peterson, University of Stockholm, Sweden

*Natural Law Systematics. Is there a Grundnorm in Natural Law?*

Dr Carlo Invernizzi Accetti, Institut d'Etudes Politiques de Paris, France/Italian Academy of Columbia University, USA

*The notion of a Grundnorm and the dynamic system of norms. An interpretation of the foundation for the validity of the legal order in the work of Hans Kelsen*

COFFEE/TEA 10.45-11.15

**Session 2 11.20-1.10**

**Roundtable**

Professor Jan-Reinard Sieckmann, University of Erlangen, Germany

*Kelsen on Natural Law and Legal Science*

Professor Pierre-Yves Quiviger, University of Sophia-Antipolis, Nice, France

*Natural Law and the Nature of Law – Is it Possible to Give a Definition of Law from a Kelsenian Point of View?*

Professor Pier-Luigi Chaissoni, University of Genoa, Italy

*An Enduring Critical Affair: Kelsen and the Natural Law Tradition*

LUNCH 1.15-2.15

Departure/Visit to Chagall Exhibition at Tate Liverpool

## List of Participants

Professor José Manuel Cabra Apalategui, Faculty of Law, University of Malaga, Spain

Dr Sandrine Baume, Associate Professor, Centre for Public Law, Faculty of Law and Criminal Justice, University of Lausanne, Switzerland

Dr Ian Bryan, Senior Lecturer in Law, School of Law, University of Lancaster, UK

Professor Agostino Carrino, Faculty of Law, University of Naples Federico II, Italy

Professor Paolo Carrozza, Full Professor of European and Comparative Public Law, Sant'Anna School of Advanced Studies, Pisa, Italy

Dr Maurizio Cau, Research Fellow, The Italian-German Historical Institute, Trento, Italy

Professor Pierluigi Chaissoni, Faculty of Law, University of Genoa, Italy

Professor Véronique Champeil-Desplats, Faculty of Law, University of Paris Ouest Nanterre La Defence (Paris X), France

Professor Christine Chwaszcza, Faculty of Philosophy, University of Cologne, Germany

Dr Mariano Croce, FWO Pegasus Marie Curie Fellow, Centre for Law and Cosmopolitan Values, University of Antwerp, Belgium

Dr Gaëlle Demelemestre, Research Fellow, Centre de Recherche Sens, Ethique et Société (CERSES)/University of Paris V (Descartes), France

Dr. Ana Dimiškovska –Trajanoska, Associate Professor, Department of Philosophy, Sts. Cyril and Methodius University, Skopje, Republic of Macedonia

Dr. Gerhard Donhauser, Hans Kelsen Institute, Vienna, Austria

Dr. Johannes Feichtinger, Austrian Academy of Sciences, Vienna, Austria

Dr. Franz Fillafer, Research Fellow, Gottfried Wilhelm Leibniz-Preis Research Group 'Global Processes', University of Konstanz, Germany

Professor Valeria Giordano, Faculty of Law, University of Salerno, Italy

Dr. Peter Gostmann, Lecturer, Department of Sociology, University of Frankfurt, Germany

Dr. Liesbeth Huppel-Cluysenaer, Lecturer in Law, Faculty of Law, University of Amsterdam, The Netherlands

Dr. Carlo Invernizzi Accetti, Postdoctoral Lecturer, Institut d'Etudes Politiques de Paris, France & Fellow of the Italian Academy of Columbia University, USA.

Professor Lorenz Kähler, Faculty of Law, University of Bremen, Germany

Professor Christian Krijnen, Department of Philosophy, University of Tilburg, The Netherlands

Dr. Sara Lagi, Lecturer in Politics, Middlebury College, Florence, Italy

Dr Peter Langford, Senior Lecturer in Law, Department of Law and Criminology, Edge Hill University, UK

Dr John McGarry, Reader in Law, Department of Law and Criminology, Edge Hill, University, UK

Professor Jean-Christophe Merle, Institute of Philosophy, University of Saarland, Germany

Professor Claes Peterson, Faculty of Law, University of Stockholm, Sweden

Professor Pierre-Yves Quiviger, Department of Philosophy, University of Nice 'Sophia Antipolis', France

Professor Joachim Renzikowski, Faculty of Law, Martin-Luther-University Halle-Wittenberg, Germany

Professor Jan-Reinard Sieckmann, Faculty of Law, University of Erlangen, Germany

Dr. Francescomaria Tedesco, Research Fellow in Political Philosophy, Sant'Anna School of Advanced Studies, Pisa, Italy

Professor Isabel Lifante Vidal, Faculty of Law, University of Alicante, Spain

Professor Francesco Viola, Faculty of Law, University of Palermo, Italy