



Exceptional Governance Measure in the Era of Climate and Ecological Crisis

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Brief description

In times of emergency, crises, ecological, public health and social crises (polycrisis) (Henig–Knight, 2023), the strengthening of executive power is therefore a natural phenomenon, both historically and politically, as is the (constitutional) desire of legal and political systems and communities to limit the use of extraordinary measures of governance. It follows that, in modern constitutional systems, the temporary suspension of normality, of the constitutional normal state, cannot in principle be considered undemocratic, since the purpose of this drastic step is precisely to protect the status quo. In any objective emergency (especially in the case of a pandemic that is in many respects uncertain and gives rise to doubts), the question of whether governance by extraordinary means is democratic is a very difficult one. Even more so since there can be legitimate disagreements between societies and within societies about the balance between civil liberties and public health. I think that COVID-19 (and the embedding of emergency models in the ideological and historical debates of the 20th century and beyond) has shown that we need to fundamentally rethink the paradigm of exceptional governance and that we can by no means rely on absolutes. In other words, the concentration of executive power is not anti-democratic in principle, but it can easily become so without active (and of course extraordinary compared to the normal state of affairs) controls.

In the framework of the course, a huge emphasis will be put on the Central Eastern European (especially Hungarian) experiences of extraordinary governance. For almost a decade, Hungary has had at least one (sometimes two) extraordinary measure in force at the same time and has achieved continuous exceptional government. All this raises several dilemmas, since (as we have seen) governing by extraordinary means is not in itself undemocratic, but if the executive power primarily performs its tasks in an extraordinary manner, then this has very serious social and political consequences and this also leaves its mark on democracy.

The course will deal with the era of legal and political exceptionalism and its manifestations in the framework of polycrisis. The global ecological and climate crisis has brought us to an era of exceptionalism, as irrevocably demonstrated by COVID-19 and the complex of health, political, economic and social crises that followed. As the pandemic has made the exceptional order more visible than ever before in our daily lives, a complex social science explanation and conclusions must be drawn. The aim of the course is to describe and capture exceptionalism in legal and policy theory and to contribute to the national academic discourse on the subject.

About the teacher



Attila Antal (1985) is holding a PhD in political science. He is a senior lecturer at Eötvös Loránd University Faculty of Law Institute of Political Science. He is a coordinator at the Social Theory Research Group at Institute of Political History. He is doing his contemporary research in political theory of populism, state of exception, extraordinary governance measures, climate and ecological emergency, theory of democracy, green political thought, constitutionalism, political history.

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Assessment/Exam

The course is completed by writing a paper of 8000-10000 characters (the detailed parameters will be specified by the teacher during the semester), which must be presented at the end of the course.

Literature

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