



Title	<u>Social and Cultural Conditions of Democratic and Constitutional Reconstruction</u>
Lecturers:	Prof. Zoltán Fleck (Department for Theory of Law & Society) zfleck@ajk.elte.hu
Brief description	<p><i>Background and aim:</i> The crises that characterise modern societies are complex in nature and it is unlikely that the tools we have used so far are sufficient on their own to solve them. The course focuses on the role of legal regulation, but with a sociological perspective. It takes into account the possibility that regulatory inadequacies suggest that we need to extend our attention to other types of regulation. Solutions need to be tailored to the nature of the crisis, especially where the failure of traditional instruments is evident.</p> <p><i>Learning outcomes:</i> Student are able to express an independent opinion on the opportunities and possibilities of democratisation. They are familiar with relevant literature and are willing to search for further literature and examples independently. They understand the importance of preserving and restoring the values of the rule of law and the nature of the challenges facing the EU today.</p>
Schedule	<ol style="list-style-type: none">1. <i>Crises of late modernity</i>2. <i>Crises of democracy and rule of law</i>3. <i>Dismantling rule of law by legal means</i>4. <i>Neoliberalism and legal reasoning</i>5. <i>Law in unstable places - CEE countries after democratization</i>6. <i>New basis for democracy</i>7. <i>Democratic imagination</i>8. <i>Legal change, cultural change</i>9. <i>Reorienting rule of law after collapse - "regulatory liberalism"</i>10. <i>Regulation by other means</i>11. <i>Democratic personality revisited</i>12. <i>Conclusions</i>

Materials/Recommended readings	<p>Andreas Reckwitz, Hartmut Rosa: Late Modernity in Crises, Polity, 2023</p> <p>Sylvia Walby: Crises, Polity, 2015</p> <p>John Gray, The New Leviathans. Thoughts After Liberalism, Penguin, 2023</p> <p>John Keane, The New Despotism, Harvard University Press, 2020</p> <p>András Sajó: Ruling by Cheating, Cambridge University Press, 2021</p> <p>Ugo Mattei, Laura Nader, Plunder. When Rule of Law Is Illegal, Blackwell, 2008</p> <p>Jessica White, The Morals of the Market. Human Rights and the Rise of Neoliberalism, Verso, 2019</p> <p>Matthew McManus, A Critical Legal Examination of Liberalism and Liberal Rights, Palgrave, 2020.</p> <p>Rafal Manko, Cosmin Cercel, Adam Sulikowski (eds.): Law and Critique in Central Europe. Questioning the Past, Resisting the Present, Counterpress, 2016</p> <p>Carol Greenhouse, Elizabeth Merz, Kay Warren (eds.): Ethnography in Unstable Places, Duke University Press, 2002</p> <p>Rainer Forst: The Noumenal Republic, Polity, 2024</p> <p>Cornelius Castoriadis: The Imaginary Institution of Society, The MIT Press, 1987.</p> <p>Yaron Ezrahi: Imagined Democracies: Necessary Political Fictions, Cambridge University Press, 2012.</p> <p>Chiara Bottici: A Philosophy of Political Myth, Cambridge University Press, 2007.</p> <p>Philippe Nonet, Philip Selznick: Law and Society in Transition. Toward Responsive Law, Harper Torchbooks, 1978</p> <p>Martin Krygier: Philip Selznick. Ideals in the World, Stanford University Press, 2012.</p> <p>Andreas Reckwitz: The End of Illusions. Politics, Economy, and Culture in Late Modernity, 2021.</p> <p>Lorrain Daston: Rules. A Short History of What We Live By, Princeton University Press, 2023.</p> <p>Gary Chartier: Anarchy and Legal Order. Law and Politics for a Stateless Society, Cambridge University Press, 2013.</p> <p>John Dewey: The Ethics of Democracy. University of Michigan, Philosophical Papers, Second Series, N. 1., Andrews & Company Publishers, 1888.</p>
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Assessment/Exam	<p><i>Student activities, teaching methods:</i> discussion, group debate, arguing, formulating research questions</p> <p><i>Assessment:</i> active participation (40%), short written essay (60%)</p>
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