EUROSTORIE COE  LAW AND THE USES OF THE PAST

AIMS

The subproject Law and the Uses of the Past of the Centre of Excellence in Law, Identity and the European Narratives (EuroStorie) will study the emergence of the idea of a shared legal past in Europe as a key to future integration.

The main purposes of the research theme are:

- To explore the rise of the narratives of shared European legal heritages and the key debates before and after World War II.
- To study the mainstreaming of fundamental rights and their adoption to the European project.
- To investigate the implications and influence of these developments in the concrete form of the European legal regime, its supranational character, and the focus on individual rights-claims above all both in Europe and beyond.

SOURCES

The research theme will focus on literature study and archival research, in order to analyze and juxtapose the work and ideas of relevant groups of crucial thinkers in the historical development of a European legal past, such as:

- Scholars who came from the field of law in Germany but ended up as political theorists in the US, as Franz Neumann, Leo Strauss and Hans Kelsen.
- Roman law refugee scholars like Hermann Kantorowicz, David Daube and Ernst Levy, who became highly relevant for the construction of the European project in the 1950s and even its 'pre-history' from the Weimar Republic onwards.
- Scholars who instead remained in Germany and also had a crucial influence on the conceptual legal history of Europe such as Rudolf Stammel, Carl Schmitt and Reinhart Koselleck.
- Lastly, an influential group of people who were both affected by the refugee experience, and became subsequently important in the development of the European project and/or the notion of human rights as individual claims against the nation-state. Examples of this group include Altiero Spinelli, Charles de Visscher and Jean Monnet.

PEOPLE

Kaius Tuori is the director of the CoE and will be exploring how the history of European law was utilized in the making of the new European world after World War II.

Jacob Giltaij is the subproject’s team leader. He is interested in the formation of an idea of Europe as the result of the experiences of refugee scholars before, during and after World War II.

Paolo Amorosa is a post-doctoral researcher. He investigates European narratives in the emergence of human rights and federalism among international lawyers.

Ville Erkkilä is a post-doctoral researcher in the subproject. He studies the use of historiography in defining the idea of a common European law.

Ville Suuronen is a doctoral student. His doctoral dissertation will focus on the thought of Hannah Arendt and Carl Schmitt.

Saila Heinikoski is a post-doctoral researcher in the subproject. She is interested in the narratives related to the idea of a shared legal past in the thinking of early European integration theorists, such as Ernst Haas and Karl W. Deutsch.

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