

IVR German Section Conference 2018, Freiburg

Hans Kelsen's Pure Theory of Law: Conceptions and Misconceptions

Programme

Thursday, 27 September 2018

- 1400–1500 Board Meeting IVR German Section (board members only) **G**
1500–1700 General Assembly IVR German Section (IVR members only) **G**
1730–1800 Opening of the Conference **G**
Hans-Jochen Schiewer (Rector of the University of Freiburg)
Boris P Paal (Dean of the Faculty of Law)
Stephan Kirste (President, IVR German Section)
Ralf Poscher and **Matthias Jestaedt** (conference organisers)
- 1800–1845 Keynote Speech *The Normative Access to the World* **E**
Chair: Otto Pfersmann (Paris)
John Gardner (Oxford)
- 1900–2100 Reception in the *Prometheushalle*

Friday, 28 September 2018

- 0900–1045 Panel 1 *Philosophical Foundations of the Pure Theory of Law* **G**
Chair: Clemens Jabloner (Vienna)
Robert Alexy (Kiel)
Stanley L Paulson (St Louis, MO/Kiel)
- 1045–1115 Coffee Break
- 1115–1300 Parallel Agoras 1–2
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| <i>The Pure Theory of Law's Theory of (Legal) Science</i> G | <i>Kelsen in Contrast</i> E |
| Chair: Matthias Jestaedt (Freiburg)
Carsten Heidemann (Wattenbek): <i>Das 'Faktum der Rechtswissenschaft' bei Hans Kelsen</i> | Chair: Marietta Auer (Gießen)
Urszula Kosiłowska-Grabowska (Cracow): <i>The Impact of Hans Kelsen's Pure Theory on Alf Ross' Ideas: A Case of Scientific Plagiarism?</i> |
| Thomas Hochmann (Reims): <i>Zur Rolle der Rechtswissenschaft – eine Debatte innerhalb der Wiener rechtstheoretischen Schule</i> | Frederick Schauer (Charlottesville, VA): <i>Fuller on Kelsen; Fuller and Kelsen</i> |
| Georgios Karageorgoudis (Göttingen/Munich): <i>Ist die Rechtswissenschaft eine Normwissenschaft?</i> | Luís Terrinha (Porto): <i>What can Kelsen Learn from Luhmann? Towards a Systemic Pure Theory of Law</i> |
| Maximilian Kiener (Oxford): <i>Kelsen zwischen Kognitivistischem Dilemma und positivrechtlichem Fiktionalismus</i> | Reut Paz (Gießen/Berlin): <i>Kelsen's Legal Positivism versus Natural Legal Bolshevism</i> |
- 1300–1430 Lunch at Mensa
- 1430–1615 Panel 2 *The Structure of the Legal Order*
Chair: András Jakab (Budapest)
Christoph Kletzer (London)
Lena Foljanty (Frankfurt)
- 1615–1645 Coffee Break

- 1645–1830 Parallel Agoras 3–4
Problems of Legal Theory
 Chair: Jörg Kammerhofer (Freiburg)
Mathieu Carpentier (Toulouse): *‘A Disappointed Absolutist’? Kelsen on Derogation and Normative Conflicts*
Matheus Pelegrino da Silva (São Leopoldo/Freiburg): *Suspension als Art von Derogation oder als weitere Funktion der Rechtsnorm?*
Rodrigo Garcia Cadore (São Paulo/Freiburg): *Alternative Ermächtigung v. Fehlerkalkül: Wie geht das Recht mit Fehlern um?*
Monika Zalewska (Lodz): *The Final Reformulation of Hans Kelsen’s Theory of Law and the Project of Legal Science*
- The Demise of Hierarchy and Value Relativism**
 Chair: Ralf Poscher (Freiburg)
Matthias Klatt (Graz): *Verfassungskonforme Auslegung und Stufenbau der Rechtsordnung*
Dana Burchardt (Berlin/Potsdam): *The Twilight of the Concept of Legal Order*
Federico Lijoi (Rom): *‘The Dangerous Contradiction of using Dictatorship to Defend Democracy’: Hans Kelsen on the Theory and Praxis of Relativism*
Ulrich Wagrاندl (Vienna): *Kelsen war kein Relativist*
- 2000–2230 Conference-Dinner in the restaurant *Greifenegg-Schlössle*

Saturday, 29 September 2018

- 0900–1045 Panel 3 **Entanglements and Trans-Culturality** E
 Chair: Martin Borowski (Heidelberg)
Alexander Somek (Vienna)
DA Jeremy Telman (Valparaiso, IN)
- 1045–1115 Coffee Break
- 1115–1300 Parallel Agoras 5–6
Kelsen and his ‘Fellow Travellers’ G
 Chair: Ulfrid Neumann (Frankfurt)
Tatiana Machalová (Brno): *Zur Bedeutung der Brünner rechtstheoretischen Schule für das normative Rechtsdenken*
Marijan Pavčnik (Ljubljana): *Die rechtliche Natur des Staates nach Leonid Pitamic*
Elisa Cacopardi (Milan): *Kelsen and Felix Kaufmann*
Benedikt Pirker (Fribourg): *Kelsens Auslegungslehre im Lichte der kognitiven Sprachpragmatik*
- Monism, Imputation and the Public–Private Divide** E
 Chair: Shu-Perng Hwang (Taipeh)
Anne Kühler (Zurich): *European Constitutionalism and the Problem of the Hierarchy of Norms: What remains of Kelsen’s Monism?*
Tomasz Widłak (Gdansk): *Kelsen’s Third Monism and the Epistemology of Global Law*
George Pavlakos (Glasgow): *Can Imputation Explain How Facts Make Law? A Kelsenian Take on the Contemporary Debate of Constitutive Explanation in the Legal Domain*
Fernando Menezes de Almeida (São Paulo): *Public and Private Law: Hans Kelsen’s Concepts and their Application on a Critical Analysis of the Theory of Administrative Law in Brazil*
- 1310–1340 Closing Speech **The Turin School: Receiving Hans Kelsen in Italy** G*
 Chair: Stephan Kirste (Salzburg)
Mario G Losano (Turin)

* Panels marked ‘G’ are held in German, those marked ‘E’ are held in English. Panels not so marked are held in both languages.