

Humboldt Kolleg

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Global Challenges of the 21st Century

- 1) *Technological development and human health/ quality of life*
- 2) *Climate change and environmental sustainability*
- 3) *Democracy and cohesion in Europe*

The Last Prime Minister of Austria's Monarchy: Heinrich Lammasch on Democratization, Federalism and Peace

The rule of law was shaken to the core during World War I; this left a deep memory of disappointment to all of those who believed in this legal principle. Similar things can be said about democracy. Political interest and military needs turned out to be by far more important than provisions by statutory and particularly constitutional law. As many other countries, Austria established a dictatorship. By the end of the war, it became clear that Austria would have to manage a delicate and complex political mission on many levels: it had to negotiate peace conditions with the Entente, caring that Austrian political interests might not be identical with those of its ally, the German Empire. Additionally, the transformation of the Austro-Hungarian Empire into a new political entity had to be negotiated with lots of interest groups. The latter mission can probably be summarized as the attempt of a democratization of a highly undemocratic and authoritarian system.

It is interesting that particularly one person had finally to manage that transformation. It was the Viennese Law Professor Heinrich Lammasch. Lammasch was at that time a "World Authority on International Law" as the New York Times put it in its obituary when he died in January 1920. As a member of the *Institut de Droit International*, he was part of the famous "invisible college of international lawyers". Lammasch combined ideas about pacifism and federalism with the pragmatic ambition to make the change into a new political system as smooth and as peaceful as possible. When he became the last Prime Minister of Austria before the founding of the Austrian Republic and negotiator at the peace conferences in Paris, he had the opportunity to introduce his theoretical thoughts into the practical life.

My brief talk will discuss the role of his ideas in this process of transformation. My particular focus will be on his concept of "peace" and on the question if his ideas provided an interface/a connection? between the international and the domestic sphere. Which role did politics, popular sovereignty and democracy play in his legal mind? Despite his various crucial roles in this era, his importance was often neglected by legal scholars and

historians. This presentation seeks to explore the significance and legacy of Lammasch for international legal thought and the Austrian Republic.

Miloš Vec is Professor of European Legal and Constitutional History at Vienna University and a Permanent Fellow at the Institute for Human Sciences (IWM, Vienna). Habilitation in Legal History, Philosophy of Law, Theory of Law, and Civil Law from Goethe University Frankfurt am Main. Until 2012 he worked at the Max-Planck-Institute for European Legal History and taught there. Further teaching at the Universities of Bonn, Hamburg, Konstanz, Lyon, Tübingen, and Vilnius. Fellow to the Wissenschaftskolleg (Institute of Advanced Study), Berlin, 2011/2012; Senior Global Hauser Fellow at NYU in 2017; associate member of the Cluster of Excellence “Normative Orders” at Frankfurt University. Free-lance journalist, particularly for *Frankfurter Allgemeine Zeitung*.