

Populism, Civil Society and Constitution

Andrew Arato, 2020 CEU, April 27- May 15

I. Popular Sovereignty I: history, doubts, and solution attempts (two sessions, including intro) (2 sessions: April 27 and 28)

Readings: Edmund Morgan *Inventing the People* (chapters 1-4);
Strongly Recommended: D. Grimm *Sovereignty*; Rosanvallon *Democracy Past and Future* (chapters 2 and 3); Kelsen *General Theory of State and Law* (233-242; 261); Schmitt *Crisis of Parliamentary democracy* chapter 1;
Also Recommended: Janos Kis “Popular Sovereignty”; Habermas (“Popular sovereignty as Procedure”, appendix I of *Between Facts and Norms*; Lefort (selections)

II. Popular Sovereignty II: populist renewal of popular sovereignty? (3 sessions: April 30, May 4 and 5)

Reading: M. Canovan *The People*; Laclau *On Populist Reason*
Recommended: Roberts (chapter 5) and Jansen (chapter 6) in de la Torre *The Promise and Perils of Populism*; J. Cohen “What’s wrong with the normative theory (and the actual practice) of left populism.” *Constellations* October 2019

III. Populism, Civil Society and Social Movements (May 7)

Reading: Arato and Cohen “Civil Society, Populism and Religion” (chapter 6) in de la Torre ed. *Routledge Handbook of Global Populism*; Rosanvallon *Counter Democracy* (introduction and chapters 11-13)
Recommended: Pelinka (chapter 1) and Marsdal (chapter 3) in Wodak et.al. ed. *Right Wing Populism in Europe*;

IV. Concepts of Constitution and Constitutionalism (May 8)

Reading: C. Schmitt *Constitutional theory (or Verfassungslehre)* Part I: 1-9; II 12-13; III: 1 ; Kelsen *General Theory of State and Law* part two: part one. 115-121; 124-128; part II: 258-269
Strongly Recommended: McIlwain *Constitutionalism: Ancient and Modern*

V. Constitution, Revolution and Constitutionalism (May 11)

Reading: Ackerman *Revolutionary Constitutions* part One
Nader Sohrabi, *Revolution and Constitutionalism in the Ottoman Empire and Iran*, Read the Introduction

Recommended: Arato “Revolution on a Human Scale: Liberal values, Populist theory” in R. Albert *Revolutionary Constitutionalism*

VI. Populism as a Regime, and its Constitution

(two sessions: May 14 and 15)

Reading: : P. Blokker “Populist Constitutionalism” (chapter 7) in de la Torre ed. Routledge Handbook of Global Populism; Blokker, Paul, Populism As a Constitutional Project International Journal of Constitutional Law. (Available at SSRN: <https://ssrn.com/abstract=3281034>) de la Torre (chapter 12) in *promise and Perils*;

Recommended: Arato *The Adventures of the Constituent Power* 310-327; Arato ms. “Populism as Movement, Government and Regime”