

# Natural law and domestic government

*Transformative legal theory in Early Modern Europe*

*Leuven – 27-28 April 2023*

The Early Modern natural law tradition as received from Antiquity and the Middle Ages was in many senses a bridging paradigm. While natural law had been a significant subject of debate among late-medieval theologians, civilians and canonists, it gained a far more central role in legal theory and scholarship from the sixteenth century onwards, in the writings of theologians and jurists alike. As natural law discourse developed over its Early Modern lifespan, it increasingly started to acquire the trappings of a legal theory – underpinning concrete legal notions and offering a paradigm which could be applied to a variety of legal domains and facts. By the early seventeenth century, it had become a major vehicle for conceptions, principles and institutions of law, relating to both private transactions and public governance.

This emergence of natural law as legal theory coincided with the emergence of one legal field to which it would be readily applied; the sphere of the state or the domain of domestic public law. In another sense, it was precisely the growing autonomy and importance of public law and the need for a legal theory underpinning it (as the classic Roman law texts provided insufficient textual support and canon law lost its universality), which fed the rise of legal natural law thinking. This intimate link between natural law and the sphere of domestic governance is made manifest especially in the first modern theories of the polity, where i.a. the articulation of the idea of a state of nature is closely tied together with the Catholic notion of natural rights. It is around this link and its two components that this two-day conference revolves.

We hence especially welcome contributions dealing with the role of natural law in the development of domestic public law in the 16<sup>th</sup> and 17<sup>th</sup> centuries (with the possibility to accommodate papers on Early Modern subjects set in the 18<sup>th</sup> century, before 1789). Subjects of private law with a meaningful link to questions of domestic governance within the outlined period are also welcomed. After all, e.g. the all-important natural law notion of private property was at least in part developed as a premise for theories of the state. Likewise, contributions dealing with the development of domestic public law as a scientific discipline in general will also be considered.

Potential participants are to send in a summary of the proposed paper (200-400 words) to [naturallawconference@kuleuven.be](mailto:naturallawconference@kuleuven.be) by **June 1, 2022**, also including their academic affiliation and a brief cv (max. 200 words). A maximum of twenty participants will be chosen from among the applicants by the selection committee. Full manuscripts will be required by the start of the conference. The contributions of the participants will, after a peer-reviewing process, be published as a collection volume at an internationally reputed publishing house.

The conference organisers,

Wouter Druwé, Randall Lesaffer and Geert Sluijs