

MICHAEL SCHWARZ

Postdoctoral Fellow in Law, Political Thought & the Humanities at Rice University
Ph.D. in Philosophy, Ph.D. in Law

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- AOS (philosophy):** Social and Political Philosophy (including Philosophy of Race), Critical Theory (esp. Frankfurt School), Moral Philosophy (incl. Applied Ethics).
AOC (philosophy): Philosophy of Language (esp. Hermeneutics), Philosophy of Law.
AOS (law): Legal theory, Law of the European Union, German constitutional and administrative law.
AOC (law): Law and Literature, Comparative law.

DISSERTATION ABSTRACT

My dissertation defends a hermeneutic conception of ideology and its critique that situates both in the world-disclosing function of language.

I argue that we must conceive of *ideologies* as world-disclosing *embodied interpretive schemas* insofar as they guide our cognitive, affective, and conative access to reality by providing the background knowledge, meanings, and pre-understandings through which we interpret it. On this view, ideologies appear more radical and comprehensive than traditional views, which conceptualize them as “systems of belief.” In addition, the hermeneutic approach not only explains why ideologies persist even after people change their beliefs but can account for the tenacity of ideologies as a function of their ability to make themselves (appear to be) true.

As a consequence of their world-disclosing nature, the successful *critique of ideologies* requires a type of critique that transcends the given interpretive context in order to challenge its dominant world-disclosure through *counter-hegemonic disclosures* which give rise to a comparative standpoint and emerge through “conceptual labor in company with others” (Mills). By means of new disclosures (such as the concept of sexual harassment), ideology critique can invalidate the ideological schema and its dominant interpretations (e.g., “flirting”). Embedded in the model of dialogue, the critic of ideology as a virtual participant in discourse neither paternalistically imposes her own views on others nor breaks dialogical symmetry, because it is “[t]he same structures that make it possible to reach an understanding [that] also provide for the possibility of a reflective self-control of this process.” (Habermas)

EDUCATION

- 2022 Ph.D. in Philosophy, Department of Philosophy, Northwestern University.
Committee members: Cristina Lafont, José Medina, Mark Alznauer.
Degree conferred September 2, 2022.
- 2018 M.A. in Philosophy, Northwestern University; Critical Theory Certificate.
- 2016 Second State Examination in Law (2. Juristische Staatsprüfung),

Gemeinsames Juristisches Prüfungsamt der Länder Berlin und Brandenburg.

- 2014 Ph.D. in law, Humboldt-University Berlin, Faculty of Law.
Doctoral Thesis: *Grundlinien der Anerkennung im Raum der Freiheit, der Sicherheit und des Rechts* (summa cum laude), published in 2016.
- 2013 Master of Laws (LL.M.) in legal theory, New York University School of Law.
- 2009 First State Examination in Law (1. Juristische Staatsprüfung)
Gemeinsames Juristisches Prüfungsamt der Länder Berlin und Brandenburg.
- 2004 Abitur, Adam-Kraft-Gymnasium Schwabach (Germany). International student exchange (2001-02), Lutheran South Academy, Houston, TX (Congress-Bundestag Youth Exchange Program, CBYX).

EMPLOYMENT

- Since 7/2022 Postdoctoral Fellow in Law, Political Thought, and the Humanities at Humanities Research Center, Rice University, Houston, TX.
- 04-09/2016 Asistente Postdoctoral (Postdoctoral Researcher) at Universidad de los Andes, Facultad de Derecho, Bogotá (Colombia).
- 03-06/2015 Researcher at DeJusticia – Centro de estudios de derecho, justicia y sociedad (think-and-do-tank), Bogotá (Colombia).
- 10/2011 to 12/2014 Research fellow and lecturer at the Walter-Hallstein-Institute for European Constitutional Law and Chair for Public, European and International Law (Prof. Dr. Ingolf Pernice), Humboldt-University Berlin (Germany).
- 09/2012 to 02/2013 Research assistant, Prof. Gráinne de Búrca, Florence Ellinwood Allen Professor of Law, New York University School of Law.
- 04/2009 to 09/2011 Research fellow and lecturer at the Institute for Public Law and Political Science and Chair of Prof. Dr. Bodo Pieroth, University of Münster (Germany).

SELECTED PUBLICATIONS

Books

1. “Grundlinien der Anerkennung im Raum der Freiheit, der Sicherheit und des Rechts”, 441 pages, Verlag Mohr Siebeck: Tübingen 2016 (Series: Ius Internationale et Europaeum).
2. “A Democratic Solution to the Crisis – Reform Steps towards a Democratically Based Economic and Financial Constitution for Europe” (Nomos: Baden-Baden 2012) 150 pages, with Ingolf Pernice, et al.

Journal articles, chapters, papers (*=refereed)

1. “Let’s talk about trust, baby! Theorizing Trust and Mutual Recognition in the EU’s Area of Freedom, Security and Justice,” *European Law Journal* 24 (2018), pp. 124-41.*
2. “The Pitfalls of Post-Conflict Justice: Framing the Duty to Prosecute in the Aftermath of Violence,” in Nelson Camilo Sánchez, Rodrigo Uprimny et al. (eds.) *Beyond the Binary – Securing Peace and Promoting Justice after Conflict* (Colección Dejusticia: Bogotá 2019), with Howard Varney.
3. “Der Europäische Gerichtshof bestätigt die Sollbruchstellen der Anerkennung – Anmerkung zum Urteil des EuGH vom 5. April 2016, verb. Rs. C-404/15 und C-659/15 PPU (Aranyosi und Căldăraru)”, *Europarecht* 51 (2016), pp. 422-30.*
4. “A Memorandum of Misunderstanding – The doomed road of the European Stability Mechanism and a possible way out: enhanced cooperation”, *Common Market Law Review* 51 (2014), pp. 389-424.*
5. “In keinem unbekannten Land – Der Staat in Waldemar Bonsels ‘Die Biene Maja und ihre Abenteuer’ in der Tradition der Bienengleichnisse”, 61 *Jahrbuch des öffentlichen Rechts der Gegenwart n.F.* (2013), pp. 495-511.*
6. “Die Menschenwürde als Ende der europäischen Wertegemeinschaft? Eine realistische Perspektive auf das Schutzdefizit nach Art. 1 der Grundrechtecharta”, 50 *Der Staat* (2011), pp. 533-66.*
7. “Zum polizeirechtlichen Umgang mit sog. Facebook-Partys – ‘Ab geht die Party und die Party geht ab!’...oder doch nicht?” 126 *Deutsches Verwaltungsblatt* (2012), pp. 10-17, with Ilya Levin.*

TRANSLATION

Deutscher, Penelope (2022). Qualifizierende Disqualifizierung und ihre Umkehrungen: Macht nach Foucault und die Verteilungen von Unvermögen. *Deutsche Zeitschrift für Philosophie* 70 (2):195-225.

ACADEMIC PRESENTATIONS

Invited Panels

1. “Mapping Segregation and Urban Migration,” NUHR 20th Annual Human Rights Conference, Northwestern University, March 5, 2023.

Paper presentations

1. “Topology and protest in the space *Before the Law*,” Space, Philosophy, and Ethics conference, Concordia University of Edmonton, October 13-14, 2023.
2. “Topology and protest before the border: Turning Kafka’s law inside out,” IARPT 2023 international meeting, Berlin, June 13, 2023.

3. “Decolonising the Universal: Some Notes on Translation,” Critical Theory Colloquium, Institute of Philosophy at the Czech Academy of Sciences, Prague May 14, 2023.
4. “Topology and protest *Before the Law*,” Postdoctoral WIP-series in the Humanities, Rice University, October 27, 2022.
5. “In-between reason and violence: Habermas on social power and deliberation,” Critical Theory Colloquium, Institute of Philosophy at the Czech Academy of Sciences, Prague (Czech Republic), May 21, 2021.
6. “Atopology of law? Reading Derrida reading Kafka’s *Before the law*,” Philosophy and Literature workshop, University of Chicago, February 18, 2021.
7. “‘___LIVES MATTER’ – Ideology Critique, World-disclosure, and the Hermeneutics of Hermeneutical Injustice,” Dissertation Research Seminar, Evanston, June 8, 2020.
8. “Whose Critique is it anyway? On the what, why, and who of ideology critique,” Dissertation Research Seminar, Evanston, June 8, 2020., Feb. 18, 2019.
9. “In-between reason and violence: Habermas on social power and the lifeworld,” 26th Critical Theory Roundtable, Amherst, MA, Nov. 6, 2018.
10. “A Memorandum of Misunderstanding – Der ESM in der Kritik,” guest lecture given at seminar “Fundamental Rights, Democracy and Stability in the European Economic and Monetary Union” (Prof. Dr. I. Pernice), June 2, 2014.
11. “A Memorandum of Misunderstanding – Der ESM in der Kritik,” I Seminário Internacional de Administração Tributária Brasil X Alemanha (2015), Humboldt University Berlin, May 12, 2015.
12. “Europe’s New Economic and Financial Constitution”; presentation at seminar hosted by Alliance of Liberals and Democrats for Europe Group (ALDE Group) in the European Parliament at the European Parliament Brussels, June 27, 2012.

Discussant

1. Workshop on Christoph Menke’s *Critique of Rights*, Northwestern Critical Theory Program, Evanston, Sept. 20, 2021.
2. Comments on paper “Moral Liability in War and Self-defense: Extending the Just Cause Argument” (Katherine Sweet), 13th Annual conference of the Northwestern Society for the Theory of Ethics and Politics (NUSTEP), Evanston, May 10, 2019.
3. Faculty-Graduate Book Discussion of Christoph Menke’s *Law and Violence*, International Consortium of Critical Theory Programs, Evanston, Nov. 8, 2017.
4. Comments on paper “Biographical Identity and Retrospective Attitudes” (Camil Golub), 11th Annual NUSTEP conference, Evanston, March 31, 2017.

TEACHING

Instructor of Record

“Philosophy of Law;” Fall 2023, Rice University.

“Contemporary Political Theory”; Spring 2023, Rice University

“Ideology and Its Critique;” Spring 2023, Rice University.

“Introduction to Moral Philosophy”; Summer 2021, Northwestern University.

PROFESSIONAL SERVICE

Organizer, judge: Regional High School Ethics Bowl, Houston (2022-23).

Organizer: Practical Philosophy Workshop, Northwestern (2019-2020).

Department Representative: Graduate Leadership and Advocacy Council, Northwestern (2019-2020)

Organizer: Northwestern Graduate Conference in Critical Theory 2020 (cancelled due to the COVID pandemic).

Organizer: Northwestern Society for the Theory of Ethics and Politics (NUSTEP) annual spring conference in moral and political philosophy (2017-2019)

Manuscript referee for *European Law Journal* (Wiley Publishers), *Journal of Common Market Studies* (Wiley Publishers), *Oñati Socio-Legal Series* (online journal).

Founder/Co-organizer of various graduate student and faculty reading groups.