

SUMMARIES

COUNT LEO THUN AND NATURAL LAW

Adalbert Langer

The „*k. k. Minister des Cultus und Unterrichts*“, who grew up in northern Bohemia, had already concerned himself with Savigny and his historical school of jurisprudence while still a law student in Prague. Following this school, he sharply rejected natural law as well as Austrian „national education“ as a barrier against penetration by foreign intellectual currents. The North German converts K. E. Jarcke and G. Phillips were important advisors of his. Thun managed to prevail on the young Emperor against the older members of the government, and in his university reform, natural law, which had previously served as an introduction to the study of law, was replaced by the history of jurisprudence. Jarcke and Phillips regretted that the historical school of jurisprudence had no place, next to its concept of law as originating and developing in the people, for what they considered the all-important religious component. This could have been discovered in medieval philosophy of law — but it was not sought there. For all the respect and acknowledgement that Thun gained, he was unable to achieve his goal which pointed in the direction of a Catholic — conservative philosophy of state.