

Rechtskulturen

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Rechts- kulturen Lecture

Wed 20 Nov 2013

18:00—20:00

Humboldt-Universität zu Berlin,
Juristische Fakultät,
Room 213,
Unter den Linden 9,
10099 Berlin

Please register in advance:
rechtskulturen@trafo-berlin.de

RECHTSKULTUREN —
Confrontations Beyond Comparison
www.rechtskulturen.de

András Jakab: The CONREASON Project

Constitutional Reasoning in a Comparative Perspective

Courts are reason-giving institutions and argumentation plays a central role in constitutional adjudication. Yet a cursory look at just a handful of constitutional systems suggests important differences, as well as commonalities, in the practices of constitutional judges, whether in matters of form, style, language, or other. Over time, too, constitutional reasoning may seem to exhibit both elements of change and elements of continuity. In what measure is this really the case? What is common to constitutional reasoning everywhere? Is the trend one of growing convergence (standardisation of constitutional reasoning?) or, on the contrary one of increasing fragmentation? To what extent is the language of judicial opinions responsive to the political and social context in which constitutional courts operate? Funded by a grant from the VolkswagenStiftung and housed by the Max Planck Institute for Comparative Public Law and International Law in Heidelberg, the CONREASON Project endeavours to answer these central questions of comparative constitutional scholarship by applying and developing a new set of tools and research methods.

András Jakab is the Director of the Institute for Legal Studies at the Hungarian Academy of Sciences in Budapest where he also holds a tenured research chair, and he is a Schumpeter Fellow at the Max Planck Institute for Comparative Public Law and International Law in Heidelberg where he is currently leading a five years project on comparative constitutional reasoning. Formerly he held different research and teaching positions in Budapest, Nottingham, Liverpool, Madrid and Heidelberg. His main research interests are legal theory (esp. theory of norms), constitutional theory and comparative constitutional law.