



Berliner Seminar

»Recht im Kontext«

GÜNTER FRANKENBERG

(Frankfurt am Main)

The Innocence of Method and the Sins of the Fathers

Mon 2 Dec 2013

19:00 s.t.

Wissenschaftskolleg
zu Berlin

Seminarraum, Villa Jaffé

Wallotstr. 10

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Um Anmeldung
wird gebeten:
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Günter Frankenberg is Professor for Public Law, Legal Philosophy and Comparative Law at the Goethe University Frankfurt am Main. In these research areas he has numerous publications, including *Die demokratische Frage* (1989); *Die Verfassung der Republik* (1996); *Autorität und Integration—Zur Grammatik von Recht und Verfassung* (2003); *Staatstechnik—Perspektiven auf Rechtsstaat und Ausnahmezustand* (2010); and recently he edited *Order from Transfer* (2013). Professor Frankenberg has been a visiting lecturer at Harvard Law School, Boston University, Tulane University and the University of Pennsylvania School of Law. In the 1990s he served as a legal consultant on constitutional and legislative reform in Central and Eastern Europe. Professor Frankenberg has represented the Bundestag and the parliamentary group Bündnis 90/Die Grünen in proceedings before the German Federal Constitutional Court.

Comparative Law comes with the attire of innocence. Mainstream comparatists claim that it is ‘only a method’ which is devoted to produce information in search of the truth and to enrich the supply of solutions for social problems. The lecture will visit comparative law’s ‘*école de vérité*’ and challenge the story and self-image of innocence and the widespread political agnosticism. It will explore some of the methodological and political sins of the fathers: the ‘classics’ of comparative law, and their sons, the neoclassical protagonists of functionalism and factualism, by deconstructing the disciplinary stance of neutrality and objectivity and by focusing on the politics of the comparative method and projects. Comparative Law will turn out to be about knowledge as well as power and hegemony.