

Summer Term 2025

Department 06

Law

Seminar: Comparative Constitutional Law

Prof. Dr. Lars Viellechner, LL.M. (Yale)

Subject

In recent years, the recourse to comparative arguments has significantly increased in the constitutional adjudication of many states across the Western legal tradition and beyond. Nevertheless, the admissibility of such an approach to constitutional interpretation is still disputed for reasons of democratic self-determination. Objections of this kind are forcefully raised in the United States of America, for example. Yet even where comparison in constitutional law has become an unquestioned practice, as in Germany, the preconditions, aims and methods often remain unclear. The course intends to approach these basic problems of comparative constitutional law. It equally treats the empirical, normative and methodological dimensions of the subject.

Professor of Public Law,
in particular Constitutional Law,
Constitutional Theory, Legal Philosophy
and Transnational Law

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Organisation

The course is held weekly on Thursdays from 10 a.m. to 12 p.m. in Forum am Domshof (room 40006). Attention: The first session will exceptionally take place on Friday, 11 April 2025, from 10 a.m. to 12 p.m. in Forum am Domshof (room 20009). All information and materials are available on Stud.IP.

Credit

The course is offered as a focus seminar (TL-S: Schwerpunktseminar) in the field of specialisation and as a compulsory elective module for the master degree in "Transnational Law" (TWPM20: Comparative Law). 12 ("wissenschaftliche Seminararbeit") or 6 CP can be obtained.

Bibliography

- Norman Dorsen/Michel Rosenfeld/András Sajó/Susanne Baer/Susanna Mancini, *Comparative Constitutionalism: Cases and Materials*, Saint Paul: West Academic Publishing, 4th edn. 2022.
- Günter Frankenberg, *Comparative Constitutional Studies: Between Magic and Deceit*, Cheltenham: Edward Elgar 2018.
- Mark Tushnet, *Advanced Introduction to Comparative Constitutional Law*, Cheltenham: Edward Elgar, 2nd edn. 2018.