Summer Term 2020

Seminar:
Introduction to Comparative Constitutional Law

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 comparativism in constitutional law has become an unquestioned practice, as in Germany, the preconditions, aims and methods often remain unclear. The seminar intends to approach these basic problems of comparative constitutional law. It equally treats the empirical, normative and methodological dimensions of the subject.

Organisation
The course is divided in two parts. Four sessions at the beginning of the term will be devoted to studying and discussing important court decisions and texts together in class so as to provide essential background knowledge on the subject. Two full days at the end of the term will be reserved for individual presentations on more specific issues.

Credit
The language of instruction is English. Credits according to Paragraphs 25 Sect. 2, 26 Sect. 1, 27 and 31 Sect. 2 Nr. 1, 4, 5 of the Examination Rules may be acquired.

Preliminary Meeting
A preliminary meeting for introducing the subject and allocating the presentations will take place on 23 April 2020 at 4:15 p.m. in room A2350 of building GW1.

Bibliography