

EMPLOYMENT AND EDUCATION:

Current position:

DEPARTMENT OF LEGAL STUDIES, CENTRAL EUROPEAN UNIVERSITY, Budapest

Professor of comparative constitutional law (October 2009 to present)

Head of Department (August 2012 to July 2015, August 2018 - February 2020);

Chair (Director) of Comparative Constitutional Law (November 2007 to August 2020);

Acting Chair (Director) of Comparative Constitutional Law (in AY 2005/06).

AY 2020-21: sabbatical leave as a Distinguished Visiting Professor at University College, London (UCL - Laws).

Previous positions:

DEPARTMENT OF LEGAL STUDIES, CENTRAL EUROPEAN UNIVERSITY, Budapest

Associate professor of comparative constitutional law (August 2005 to October 2009);

Assistant professor of comparative constitutional law (August 2001 to July 2005).

SELECTION OF COURSES DEVELOPED AND TAUGHT AT CEU:

Compulsory subjects:

Constitutions at Work: Comparative Perspectives // Fundamental Rights in Comparative Perspective
// Introduction to US Constitutional Law.

Elective subjects:

-in comparative constitutional law:

Constitutional Adjudication and the Rule of Law // Constitutional Adjudication: Political Branches and the Courts // Separation of Powers: The Political Branches // Theories of Constitutional Interpretation: Comparative Perspectives (with Thiago Amparo, doctoral (S.J.D.) student) // Transitional Justice.

-in human rights:

Constitutional Adjudication: Courts Enforcing Rights // Identity, Gender and Human Rights (with Eszter Polgari, assistant professor of human rights) // Privacy: The Body;

- in human rights and visual studies:

Human Rights and Documentary Cinema (with Oksana Sarkisova, Research Fellow at Blinken OSA Archive at CEU) // Memory Frames: Visual Analysis of Photography and Film (with Oksana Sarkisova).

ONGOING COLLABORATIVE / RESEARCH PROJECTS:

Routledge Handbook of Illiberalism

(co-editor with Stephen Holmes and András Sajó; forthcoming in November 2021)

A peer-reviewed, interdisciplinary research handbook on illiberalism as a concept and as a social, political, cultural and mental phenomenon. Includes 61 commissioned chapters by 74 expert authors from all around the world, in diverse stages of academic careers and a wide range of perspectives.

Team leader for **BRIDGE Network**

<https://bridgenetwork.eu/partner/dcu-brexite-institute/>

BRIDGE is a multi-disciplinary academic network lead by the Brexit Institute at Dublin City University (Ireland – coordinator), the Centre for European and Comparative Legal Studies (CECS) at the University of Copenhagen (Denmark), the Central European University (Hungary) and the Free University of Bozen-Bolzano (Italy).

In addition to being a team leader, my research focuses on the constitutional implications of the rule of law crisis.

Invited contributor to the following major edited volumes in comparative constitutional law:

Global Constitutional Canons project, convened by Sujit Choudhry, Michaela Hailbronner and Matthias Kumm - for the chapter on equality.

Edward Elgar Research Handbook on Constitutional Interpretation, convened by Carlos Bernal, Sujit Choudhry and Kate O'Regan - for the chapter on democratic backsliding.

ONGOING ACADEMIC CO-OPERATION AND OUTREACH:

Program in Human Rights and Arts in cooperation with Bard College, funded by the Open Society University Network (OSUN) (co-director)

<https://opensocietyuniversitynetwork.org/education/curricula/human-rights-program/>

An innovative teaching and research program involves developing a new, integrated interdisciplinary undergraduate and graduate curriculum with network partners. Research fellowship and public engagement (including student internships) at the intersection of activism and the arts complement the academic program.

SELECTED PAST ACADEMIC CO-OPERATION AND OUTREACH PROJECTS (as director):

Supporting the reform of legal education in Myanmar (Burma) (November 2013 - 2019):

Under a memorandum of understanding with the Myanmar Ministry of Education, and funded by the Open Society Institute (OSI), at CEU I directed the institutional engagement on the reform of the law curriculum, including:

- assistance to the law departments at the University of Yangon and Mandalay to reinvent the existing national LL.B. and LL.M. curricula, and implement changes in the coming years;
- convening three intensive courses taught by international scholars for Myanmar faculty members at the University of Yangon to support curriculum reform on key subjects;
- mentoring Myanmar faculty members during OSF-funded research fellowships at CEU.

Separation of Powers in the Context of Constitutional Reforms in Russia and Countries of Post -Soviet Area (2009-2012)

A peer-to-peer capacity building program for young Russian scholars of constitutional law, in collaboration the Institute for Law and Public Policy. Convened a series of intensive courses in Moscow (Russia), St Petersburg (Russia) and at CEU Budapest. Launched a constitutional law moot court that continues to run to this day.

SERVICE AND LEADERSHIP AT CEU (selection):

- University Senate (elected in May 2016, re-elected in March 2019);
- Lead working group in the steering committee for institutional re-accreditation self-study for the Middle States Commission for Higher Education (January 2017 – January 2019, appointed);
- University Doctoral Committee (September 2008 - September 2019);
- University Disciplinary Committee (since January 2007).

Education:

2001 Central European University, Budapest, S.J.D. (*summa cum laude*)
1997 Central European University, Budapest, LL.M. in comparative constitutional law
1996 Eötvös Loránd University, Budapest, *Doctor iuris (summa cum laude)*
1991 College of the Reformed Church Academy, Sárospatak (Hungary).

LANGUAGES:

Hungarian (native); English (fluent); French and Russian (good reading).

Books:**- monographs:**

THE CONSTITUTION OF FREEDOM: INTRODUCTION TO LEGAL CONSTITUTIONALISM

(with András Sajó) (Oxford: Oxford University Press, 2017)

- in Hungarian as: A SZABADSÁG ALKOTMÁNYA: BEVEZETÉS A JOGI ALKOTMÁNYOSSÁGBA
(Budapest: HVG-ORAC, 2019)

- in Russian translation as КОНСТИТУЦИЯ СВОБОДЫ (Moscow: ILPP 2021)

FREEDOM OF RELIGION IN EUROPEAN CONSTITUTIONAL AND CONVENTIONAL CASE-LAW

(Council of Europe Publishing, 2007)

- in French as: *LA LIBERTE DE RELIGION* (Council of Europe Publishing, 2008)

CONSTITUTIONS, COURTS AND HISTORY: HISTORICAL NARRATIVES IN CONSTITUTIONAL
ADJUDICATION (New York – Budapest: CEU Press, 2005)

- edited volumes:

ROUTLEDGE HANDBOOK OF ILLIBERALISM

(co-editor with András Sajó and Stephen Holmes) (forthcoming in. 2021)

CRITICAL ESSAYS ON HUMAN RIGHTS CRITICISM

(The Hague: Eleven Publishing, 2020) (co-editor with András Sajó)

FREEDOM AND ITS ENEMIES: THE TRAGEDY OF LIBERTY

(The Hague: Eleven Publishing, 2015)

RELIGION IN THE PUBLIC SQUARE: PERSPECTIVES ON SECULARISM

(The Hague: Eleven Publishing, 2014)

ARGUMENTS THAT WORK: STRATEGIES, CONTEXTS AND LIMITS IN CONSTITUTIONAL LITIGATION

(The Hague: Eleven Publishing, 2013)

CONSTITUTIONAL TOPOGRAPHY: VALUES AND CONSTITUTIONS

(The Hague: Eleven Publishing, 2010) (co-editor with András Sajó)

THE CONSTITUTION IN PRIVATE RELATIONS: EXPANDING CONSTITUTIONALISM

(The Hague: Eleven Publishing, 2005) (co-editor with András Sajó)

ARTICLES:

(in English)

Barber's Pursuit of Positive Constitutionalism: Towards Exposing Illiberal Constitutional Chicanery, JERUSALEM
REVIEW OF LEGAL STUDIES (forthcoming 2021)

The Rule of Law at Risk: What is Next?,

11(2-3) THE HAGUE JOURNAL OF THE RULE OF LAW 473–478 (2019);

The Perils of Defending the Rule of Law through Dialogue,

EUROPEAN CONSTITUTIONAL LAW REVIEW 1-16 (2019/1);

The Sovereign Strikes Back: A Judicial Perspective on Multi-layered Constitutionalism in Europe (with András Sajó), 20 (2-3)

EUROPEAN JOURNAL OF LAW REFORM 97-119 (2018);

Can You Tell When an Illiberal Democracy is in the Making? An Appeal to Comparative Constitutional Law Scholarship from Hungary,

13(1) INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW 279-300 (2015);

BOOK CHAPTERS:

The Urban Landscape of Illiberalism: Erasing Traces of Dissent from the Public Square in Hungary, in: Ruzha Smilova, Claudia Wiesner and Meike Schmidt-Gleim, eds., REVISITING THE CRISIS OF DEMOCRACY: THE DIALECTICS OF POLITICISATION AND DEPOLITICISATION (Baden-Baden: Nomos, forthcoming)

Individual Religious Freedom Under the European Convention of Human Rights (with András Sajó), In: Susanna Mancini, ed. HANDBOOK: RELIGION AND CONSTITUTIONS (Edward Elgar, 2020) 286-306;

Human Rights Critics and Defenders: An Introduction (with Maria Bertel), in: András Sajó - Renáta Uitz, eds. CRITICAL ESSAYS ON HUMAN RIGHTS CRITICISM (The Hague: Eleven Publishing, 2020) 1-12;

Human Rights Watchdogs Face Illiberal Rulers in Europe, in: András Sajó - Renáta Uitz, eds. CRITICAL ESSAYS ON HUMAN RIGHTS CRITICISM (The Hague: Eleven Publishing, 2020) 199-220;

Reinventing Hungary with Revolutionary Fervor: The Declaration of National Cooperation as a Readers' Guide to the Fundamental Law of 2011, in: Balázs Trencsényi – János Mátyás Kovacs (eds.) BRAVE NEW HUNGARY, (Rowman – LittleField 2019) 9-28;

Religion and Equality: From Managing Pluralism towards a European Requirement of State Neutrality, in: Malcolm Evans, T. Jeremy Gunn, Jeroen Temperman (eds.) EUROPEAN COURT OF HUMAN RIGHTS RELIGION JURISPRUDENCE: THE 25 YEARS SINCE KOKKINAKIS (Brill, 2019), 209 -;

Courts and the Expansion of Executive Power: Making the Constitution Matter, in: David Bilchitz – David Landau (eds.) THE EVOLUTION OF SEPARATION OF POWERS: BETWEEN THE GLOBAL NORTH AND THE GLOBAL SOUTH (Edward Elgar, 2018) 85-113;

What is Next for Comparative Constitutional Scholarship?, in: Iulia Motoc/Paulo Pinto de Albuquerque/ Krzysztof Wojtyczek (eds.) INTERNATIONALISATION OF CONSTITUTIONAL LAW: LIBER AMICORUM ANDRÁS SAJÓ (The Hague: Eleven Publishing, 2018) 439-461;

Clinical Legal Education at Central European University, Budapest: A Small Project with Big Ambitions in a Supportive Institution

in: Lamin Khadar – Alberto Alemanno (eds.) RE-INVENTING LEGAL EDUCATION – HOW CLINICAL EDUCATION IS REFORMING THE TEACHING AND PRACTICE OF LAW IN EUROPE (Cambridge University Press, 2017) 230-246 (with Eszter Polgári);

The Illusion of a Constitution in Europe: The Hungarian Constitutional Court After the Fifth Amendment of the Fundamental Law,
in: John Bell -Marie Luce Paris (eds.) RIGHTS-BASED CONSTITUTIONAL REVIEW: CONSTITUTIONAL COURTS IN A CHANGING LANDSCAPE (Edward Elgar, 2016) 372-405;

Rescue Package for Fundamental Rights,
in: Alexandra Kemmerer, Christoph Möllers, Maximilian Steibenis (eds.), GEBANDIGTE MACHT: VERFASSUNG IM EUROPÄISCHEN NATIONALSTAAT: VERFASSUNGSBLOG II (Nomos: 2015), 195 – 198;

PUBLICATION IN OTHER LANGUAGES:

(articles)

Lelkiismereti és vallásszabadság a multikulturális Európában. Hogyan tovább? Hova tovább? (Freedom of Religion and Belief in a Multicultural Europe: What is Next?)
74/5 JOGTUDOMÁNYI KÖZLÖNY 213-228 (2019) (in Hungarian);

A jogállamiság párbeszéd útján történő védelmének buktatói,
2019/2 FUNDAMENTUM;

Izobretenie novoy Vengrii v pylu revolyutsii: Deklaratsiya natsional'nogo sotrudnichestva kak rukovodstvo dlya chitatelya po Osnovnomu zakonu 2011 goda [Reinventing Hungary with Revolutionary Fervor: The Declaration of National Cooperation as a Reader's Guide to the Fundamental Law of 2011],
28/0 SRAVNITEL'NOE KONSTITUTIONNOE OBOZRENI (2018) 42–60 (in Russian);

Suveren nanosit otvetyy udar: sudebnaya perspektiva mnogourovneвого konstitutsionalizma v Evrope [The sovereign strikes back: a judicial perspective on multi-layered constitutionalism in Europe] (with András Sajó)
SRAVNITEL'NOE KONSTITUTIONNOE OBOZRENI (2018) 33–53 (in Russian);

A lelkiismereti- és vallásszabadság az EJEB gyakorlatában: A Kokkiknakis ítélettől az állami semlegesség követelményéig (Freedom of religion and conscience in the jurisprudence of the ECtHR: from the *Kokkinakis* judgment to the requirement of state neutrality)
ÁLLAM- ÉS JOGTUDOMÁNY 106-116 (2017 / 4) (in Hungarian);

Egy lépéssel lejjebb, egy lépéssel feljebb: Meleg párkapcsolatok védelme Európában és az Egyesült Államokban [One step below, one step above: The protection of same-sex relationships in Europe and the U.S.] 19/4 FUNDAMENTUM 85-95 (2016) (in Hungarian);

(book chapters)

10. cikk: A véleménynyilvánítása szabadsága [Article 10: Freedom of Expression], in: AZ EMBERI JOGOK EURÓPAI EGYZEMÉNYÉNEK KOMMENTÁRJA [Commentary on the European Convention of Human Rights], edited by Sonnevend Pál, Bodnár Eszter (HVG ORAC 2021) 244-296;

Nemzetközi emberi jogok és a magyar jogrend (International Human Rights and the Hungarian Legal System),

In: Jakab András – Gajdusчек György 8eds.) A MAGYAR JOGRENSZER ÁLLAPOTA (The State of the Hungarian Legal System) (MTA TK JTI: 2016) 173-210;

BLOG ENTRIES:

ON THE BRIDGE PROJECT BLOG:

The European Parliament to halt Hungary's state-sponsored discrimination (July 14, 2021)
<https://bridgenetwork.eu/2021/07/14/the-european-parliament-to-halt-hungarys-state-sponsored-discrimination/>;

New Chapter in the Rule of Law Crisis: From Creative Compliance to Overt Defiance February 22, 2021)
<https://bridgenetwork.eu/2021/02/22/new-chapter-rule-of-law-crisis/>;

The Row Over Budgetary Conditionality: What is at Stake? (November 19, 2020)
<https://bridgenetwork.eu/2020/11/19/the-row-over-the-budgetary-conditionality-what-is-at-stake/>;

Finally: the CJEU Defends Academic Freedom (October 7, 2020)
<https://bridgenetwork.eu/2020/10/07/1714/>;

The Rule of Law After the State of the Union (September 22, 2020)
<https://bridgenetwork.eu/2020/09/22/1615/>;

Unravelling the European Legal Order, One Step at a Time (May 21, 2020)
<https://bridgenetwork.eu/2020/05/21/unraveling-the-european-legal-order-one-step-at-a-time/>.

ON VERFASSUNGSBLOG:

All Eyes on LGBTQI Rights: From positive obligations to non-retrogression (July 19, 2021)
<https://verfassungsblog.de/all-eyes-on-lgbtqi-rights/><https://verfassungsblog.de/pandemic-as-constitutional-moment/>.

Oblique Strategies: Rumours of a Constitutional Coup in Hungary (June 29, 2021)
<https://verfassungsblog.de/oblique-strategies/>

Towards an EU Cast in the Hungarian Polish Mould (December 14, 2020)
<https://verfassungsblog.de/towards-an-eu-cast-in-the-hungarian-and-polish-mold/>;

Pandemic as Constitutional Moment (March 24, 2020)
<https://verfassungsblog.de/pandemic-as-constitutional-moment/>;

An Advanced Course in Court Packing: Hungary's New Law on Administrative Courts (January 2, 2019)
<https://verfassungsblog.de/an-advanced-course-in-court-packing-hungarys-new-law-on-administrative-courts/>;

Europe's Rule of Law Dialogues: Process with No End in Sight (November 22, 2018)
<https://verfassungsblog.de/europes-rule-of-law-dialogues-process-with-no-end-in-sight/>;

The Return of the Sovereign: A Look at the Rule of Law in Hungary – and in Europe (April 5, 2017)
<http://verfassungsblog.de/the-return-of-the-sovereign-a-look-at-the-rule-of-law-in-hungary-and-in-europe/>;

National Constitutional Identity in the European Constitutional Project: A Recipe for Exposing Cover Ups and Masquerades (November 11, 2016)

[http://verfassungsblog.de/national-constitutional-identity-in-the-european-constitutional-project-a-recipe-for-exposing-cover-ups-and-masquerades/;](http://verfassungsblog.de/national-constitutional-identity-in-the-european-constitutional-project-a-recipe-for-exposing-cover-ups-and-masquerades/)

Poland, Hungary and Europe: Pre-Article 7 Hopes and Concerns (March 14, 2016)

[http://verfassungsblog.de/poland-hungary-and-europe-pre-article-7-hopes-and-concerns/ ;](http://verfassungsblog.de/poland-hungary-and-europe-pre-article-7-hopes-and-concerns/)

ON I-CONNECT:

(guest columnist for 2018)

The Vices of Leaving Things Undecided (January 3, 2019)

[http://www.iconnectblog.com/2019/01/the-vices-of-leaving-this-undecided/;](http://www.iconnectblog.com/2019/01/the-vices-of-leaving-this-undecided/)

Constitutional Amendments as Transnational Political Projects: From Pakistan to Ireland, to Hungary and Finally to Europe (November 8, 2018),

[http://www.iconnectblog.com/2018/11/constitutional-amendments-as-transnational-political-projects-from-pakistan-to-ireland-to-hungary-and-finally-to-europe/;](http://www.iconnectblog.com/2018/11/constitutional-amendments-as-transnational-political-projects-from-pakistan-to-ireland-to-hungary-and-finally-to-europe/)

The European Arrest Warrant as a Constitutional Instrument? (April 28, 2018)

<http://www.iconnectblog.com/2018/04/the-european-arrest-warrant-as-a-constitutional-instrument-i-connect-column/>

A Peek at the Soft Underbelly of Constitutions: The Politics of No-Confidence Votes (February 28, 2018)

<http://www.iconnectblog.com/2018/02/a-peek-at-the-soft-underbelly-of-constitutions-the-politics-of-no-confidence-votes-i-connect-column/>

ON THE IAACL BLOG:

What Being Left Behind by the Rule of Law Feels Like, Part II (October 31, 2018)

<https://blog-iacl-aicd.org/blog/2018/10/30/part-ii-what-being-left-behind-by-the-rule-of-law-feels-like;>

What Being Left Behind by the Rule of Law Feels Like, Part I (October 29, 2018)

<https://blog-iacl-aicd.org/blog/2018/10/29/part-i-what-being-left-behind-by-the-rule-of-law-feels-like;>

Academic Freedom in an Illiberal Democracy: From the Rule of Law Through the Rule of Law to the Rule by Men (October 15, 2017)

<https://iacl-aicd-blog.org/2017/10/15/academic-freedom-in-an-illiberal-democracy-from-the-rule-of-law-through-rule-by-law-to-rule-by-men-in-hungary/>

ON CONSTITUTIONNET.ORG (maintained by International IDEA):

Hungary's Enabling Act: Prime Minister Orbán Makes the Most of the Pandemic (April 6, 2020)

<http://constitutionnet.org/news/hungarys-enabling-act-prime-minister-orban-makes-most-pandemic>

Hungary's Attempt to Manage Threats of Terror Through A Constitutional Amendment (April 28, 2016)

http://www.constitutionnet.org/news/hungarys-attempt-manage-threats-terror-through-constitutional-amendment?utm_source=newsletter&utm_medium=email

ON THE ECHR BLOG (edited by Antoine Buyse):

MHB v. Hungary Judgment on Access to Information (November 24, 2016)

<http://echrblog.blogspot.co.uk/2016/11/mhv-v-hungary-judgment-on-access-to.html> ;

