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SELF-RESTRAINT OF THE CEE CONSTITUTIONAL COURTS: DOES IT EXIST AND SHALL IT EXIST?

Date: 27 September 2018

Venue: Faculty of Law, Charles University, Prague, Czech Republic

Organised by: Department of Political Sciences and Sociology (Faculty of Law, Charles University) and Institute of State and Law (Czech Academy of Sciences)

In post-1989 Central Eastern Europe, the debate between lawyers, political scientists and the general public has markedly focused on the rise of the judiciary and the issue of judicial activism. Although such focus is fully understandable and legitimate in the circumstances of the transformation of the role of the judiciary, far more limited attention has been paid to cases in which courts including constitutional courts in this region have exhibited (at least some) judicial self-restraint. The overall aim of the workshop shall be to shed more light on 1) whether any coherent theory and practice of judicial self-restraint exists, emerges or might emerge in the countries of Central Eastern Europe; 2) what mechanisms courts employ when they intend to exercise self-restraint and 3) what the most frequent or important cases are in which judicial self-restraint takes place. A related question shall be what legal and/or political reasons stand or might stand behind judicial self-restraint or judicial deference in Central Eastern Europe.

The organizers of the workshop welcome both theoretical contributions studying the general approach of respective CEE Constitutional Courts as well as specific case studies.

All interested scholars are welcomed to submit an abstract of up to 500 words to ondrejko@prf.cuni.cz by 15th June 2018. The committee composed from members of both convening institutions shall notify selected participants by 30th June 2018.

For further information do not hesitate to contact Jana Ondřejková at ondrejko@prf.cuni.cz.