

CURRICULUM VITAE

MICHAELA HAILBRONNER, LL.M. & J.S.D. (YALE)

*Chair of German and International Public Law and Comparative Law, University of Münster,
Germany*

I. Teaching & Research Positions

- 03/2023 - 06/2023 **Research Visitor**, Bonavero Institute of Human Rights, University of Oxford (on sabbatical)
- as of 01/2022 **Chair of German and International Public Law and Comparative Law**, University of Münster (tenured professorship, W3)
- 04/ 2019 – 03/2022 **Professorship for Public Law and Human Rights**, Justus-Liebig-University Giessen (Tenure Track W1-W2, Associate Prof. equivalent)
- 09 & 10/2019 **Visiting Professor**, University of Wisconsin-Madison
- 10/2016 – 03/2019 **Postdoctoral Researcher and Lecturer**, Institute for Public Law, International and European Law and Empirical Approaches to Law, Prof. Dr. Niels Petersen, University of Münster: Postdoctoral Research and Teaching
- 01/2016 **January-Term Visiting Professor**, University of Ottawa
- 05/2014 –06/2016 **Senior Researcher**, Institute for International and Comparative Law in Africa, University of Pretoria
- 03/2013 – 04/2014 **Senior Research Fellow**, Max Planck Institute for Comparative Public and International Law (with Prof. Dr. von Bogdandy), Heidelberg

II. Degrees/Education

- January 2024 **Habilitation, Humboldt-University Berlin**, Venia (teaching qualification): German and Foreign Public Law, Public International and European Law, Comparative Law, Constitutional Theory
- September 28, 2013 **J.S.D. Yale Law School, United States (Ph.D. equivalent)**
Supervisor: Bruce Ackerman, Readers: Robert Post, James Whitman,
Dissertation Title: Beyond the Nazi Trauma: Value Formalism and the Rise of German Constitutionalism

June 2, 2010	LL.M., Yale Law School, United States (“Honors” in all graded classes)
May 29, 2009	Second German State-Exam
2007-2009	Practical Training (Referendariat), Berlin High Court (KG Berlin)
January 30, 2007	First German State-Exam
2001 – 2006	Law studies, University of Freiburg, Germany & Trinity College Dublin, Ireland (Sept. 2004 – March 2005).

III. Awards, research grants, scholarships etc.

2022-2026	DFG (Main German Research Network) Grant for a Research Project on Systemic Deficits in the Human Rights Protection of Migrants: <i>The Inter-American and the European Court of Human Rights Compared</i> (total funding: 417.916 Euro)
2018 – 2022	Selection for and membership of the “Zukunftsfakultät” (Future Faculty) , Institute for Advanced Studies (Wissenschaftskolleg), Berlin
2015	Inaugural Best Paper Prize , International Journal for Constitutional Law (ICON) for the best paper published in that journal in 2014, “Rethinking the rise of the German Constitutional Court: From Anti-Nazism to Value Formalism”
2015 –2016	Alexander von Humboldt-Foundation: Feodor-Lynen Postdoctoral Research Grant (18-month research stay in South Africa)
2011-2013	Studienstiftung des deutschen Volkes (German Academic Scholarship Foundation): Ph.D. Grant
2009 –2010	DAAD, Zempel-Stiftung & Freshfields: LL.M.-Grants
2001 –2006	Studienstiftung des deutschen Volkes (German Academic Scholarship Foundation): <i>Study Grant</i>

IV. Peer Review & Review of Grant Proposals

1. Books: Oxford University Press, Cambridge University Press, Edward Elgar
2. Academic Journals: European Journal of International Law, International Journal of Constitutional Law, Osgoode Hall Law Journal, Israel Law Journal, Stellenbosch Law

Journal, Vienna Journal of Constitutional Law, African Human Rights Law Journal, Verfassung und Recht in Übersee/World Comparative Law, Toronto Law Journal

3. Grant Proposals: European Research Council, Netherlands Institute for Advanced Studies, Austrian Academy of Sciences

V. Institutional commitments, mentorship and outreach

1. International Society of Public Law (ICON-S)

- 2018 Election to the Council
- 2020 Election as Deputy Secretary General (term 2021-2024)
- 2023 Election as Co-President (term starting in 2024-2027)
- Member of Book Prize Committee (2019) and Committee for Emerging Scholars (2019), involvement with drafting the ICON-S sexual harassment policy.

2. German Chapter of the International Society of Public Law (ICON-S): Co-Founder (with Christoph Möllers and Tim Wihl) and Acting Co-President

- Organization of inaugural conference in Berlin 2019 (see below) and several subsequent online workshops and panels, primarily tailored to assist emerging scholars.

3. Chairwoman, Advisory Board of the Minerva Centre for the Rule of Law under Extreme Conditions, Haifa, Israel (Jan. 2022 - Dec. 2024)

4. Mentor to emerging scholars with Justitia Mentoring, Freiburg University; Hessen Mentoring; Cornelia Harte Mentoring Program of Cologne University; DJB (German Female Lawyers Association)

5. Public engagement / communication (overview)

- Part of the **Good Lobby Profs Network** (led by Laurent Pech and Joelle Grogan) to provide academic support in the context of the rule of law crisis
- Several interviews with citations, inter alia in the **New York Times, Der Spiegel, Die Zeit** and several radio programs (Deutschlandfunk, WDR 5 etc.)
- Guest commentary **Süddeutsche Zeitung**, Podcast lecture with **Deutschlandfunk**, Nova

VI. Editorships and Advisory Boards

2022- **Thüringen24-project of the Verfassungsblog** (assessing risks associated with the rise of far-right authoritarian parties in the state of Thüringen), Academic Advisory Board

2021 - **International Journal of Constitutional Law**, Editorial Board Member

- 2016 - **Verfassung und Recht in Übersee/World Comparative Law**, Editorial Board
- 2016 – 2021 Book Review Editor, **International Journal of Constitutional Law**, Edt. Board
- 2016 - 2021 **Verfassungsblog**, Associate Editor: in this capacity organization of, and participation in, three blog symposia:
- “Constitutional Courts and Populism” (with David Landau), 2017
 - “Gender Parity in Parliaments (with Ruth Rubio Marin), 2020
 - The Role of Public Lawyers in Politics (“Verfassungsrechtliche Expertise im politischen Raum”) (with Alexander Thiele), 2021, supported by a grant by the *Foundation for Democracy and Politics (SWUD)*.
- 2015 – 2016 **Younger Comparativists Committee (YCC)** of the American Society for Comparative Law, Scholarship Advisory Group Chair 2016 – 2017.
- 2015 **Stellenbosch Handbooks in African Constitutional Law**, Series Advisory Board
- 2014 – 2020 **Voelkerrechtsblog** (Public International Law Blog), Advisory Board
- 2014 – 2015 **Pretoria University Law Press**, Editorial Board

VII. Conference and workshop organization

1. **International Society of Public Law (ICON-S) Annual Conferences 2021-2024**: part of the organizing team
2. **German Chapter of the International Society of Public Law (Co-Organizer)**:
 - a. Conference, University of Gießen, 15-16 September 2022
 - b. Virtual works-in-progress workshop; workshop on publishing for emerging scholars, panel on public law implications of covid, 8 – 9 October 2020
 - c. Virtual workshop on dissertation-writing and book projects with Prof. Joseph Weiler, 3 December 2020 and 8 December 2020
 - d. Inaugural conference, Humboldt-University Berlin, 28 – 29 March 2019.
3. **International Conference: Global Canons Project**, Universidad de los Andes, Santiago de Chile, 30 June 2019; on the same project online workshop to provide guidance for authors, 22 – 26 February 2021 (Co-Organizer)
4. **Verfassung und Recht in Übersee/World Comparative Law Journal**, Annual Conference, University of Münster, Germany, 13 – 14 July 2018 (Co-Organizer)
5. **Challenges for Public Law in Modern Regulatory States**, University of Münster, Germany, 2 – 3 March 2018 (Co-Organizer)

6. **Yale Doctoral Conference**, Yale Law School, United States, 30 November – 1 December 2012 (Co-Organizer)

VIII. Publications

1. Books

1. *The Failures of Others: Justifying institutional expansion in comparative public and international law*, Cambridge Studies in Constitutional Law, Cambridge University Press, forthcoming 2025.

2. *Traditions and Transformations: The Rise of German Constitutionalism*, Oxford University Press, 2015 (PhD thesis).

Reviews: Florian Meinel, The Constitutional Miracle on the Rhine: Towards a history of West German constitutionalism and the Federal Constitutional Court (Review Essay), International Journal of Constitutional Law 14,1 (2016), pp. 277 ff.

Short reviews: Joseph Weiler, Ten Good Reads, European Journal of International Law Vol. 27, Heft 1, pp. 1–2 (2016) (see also: <https://www.ejiltalk.org/ten-good-reads-vol-27-1/>);

Alexandra Kemmerer, Warum die Welt nach Karlsruhe blickt, Frankfurter Allgemeine Zeitung, 06.07.2016.

2. Edited books / journal symposia

1. *The Cambridge Handbook on the Separation of Powers, Contract Offer*, Cambridge University Press, co-editor with Eoin Carolan, Cora Chan, Erin Delaney, David Kosar, Mathieu Leloup, Joana Mendes, Sergio Verdugo.

2. *Global Canons in an Age of Contestation - Debating Foundational Texts of Constitutional Democracy and Human Rights (with Sujit Choudhry and Mattias Kumm)*, Oxford University Press, forthcoming (2024).

3. *Symposium: Ely in the World: The Global Legacy of Democracy and Distrust 40 Years On*, Co-Editor with Rosalind Dixon, International Journal of Constitutional Law, Vol. 19-2, 2021).

3. Peer-reviewed journal articles

1. *Combating malfunction or optimizing democracy? Lessons from Germany for a comparative political process theory*, International Journal of Constitutional Law, Vol. 19:2 (2021), pp. 495 ff. (<https://academic.oup.com/icon/article->

abstract/19/2/495/6295762?redirectedFrom=fulltext).

2. *Constructing the Global Constitutional Canon: Between Authority and Criticism*, University of Toronto Law Journal, Vol. 69:2 (2019), pp. 248 ff. (<https://www.utpjournals.press/doi/abs/10.3138/utlj.2018-0024?journalCode=utlj>).
3. *Transformative Constitutionalism: Not only in the Global South*, American Journal of Comparative Law, Vol. 65:3 (2017), pp. 527 ff. (<https://academic.oup.com/ajcl/article-abstract/65/3/527/4158464>).
4. *Decolonizing Eastern Europe: A global perspective on 1989 and the world it made*, International Journal of Constitutional Law, Vol. 17:2 (2019), pp. 497 ff. (with James Fowkes) (<https://academic.oup.com/icon/article/17/2/497/5523753?login=true>).
5. *Overcoming Obstacles to North-South dialogue: Transformative Constitutionalism and the Fight against Poverty and Institutional Failure*, Verfassung und Recht in Übersee 3 (2016), pp. 253 ff. (<https://www.nomos-elibrary.de/10.5771/0506-7286-2016-3-253/overcoming-obstacles-to-north-south-dialogue-transformative-constitutionalism-and-the-fight-against-poverty-and-institutional-failure-jahrgang-49-2016-heft-3>).
6. *Laws in Conflict. The Relationship between Human Rights and International Humanitarian Law under the African Charter on Human and Peoples' Rights*, African Human Rights Law Journal, Vol. 16:2 (2016), pp. 339 ff. (<https://www.ahrlj.up.ac.za/hailbronner-m>).
7. *Rethinking the Rise of the German Constitutional Court: From Anti-Nazism to Value Formalism*, International Journal of Constitutional Law, Vol. 12:3 (2014), pp. 626 ff. (<https://academic.oup.com/icon/article/12/3/626/763768>).
 – *Inaugural Best Paper Prize 2014, International Journal of Constitutional Law*.
8. *The European Court of Justice and Citizenship of the European Union: New Developments towards a Truly Fundamental Status*, Vienna Journal of International Constitutional Law, Vol. 5:4 (2011), pp. 498 ff. (with Sara Sanchez Iglesias) (<https://www.degruyter.com/document/doi/10.1515/icl-2011-0403/html>).

4. Further articles and book chapters

1. *Verfassungsvergleichung*, in Julian Krüper, Mehrdad Payandeh, Heiko Sauer (eds.), *Grundlagen des Verfassungsrechts*, Mohr Siebeck, forthcoming 2025.

2. *Krise des globalen Konstitutionalismus*, Aus Politik und Zeitgeschichte (APuZ) 2024, <https://www.bpb.de/shop/zeitschriften/apuz/inguterverfassung-2024/545650/krise-des-globalen-konstitutionalismus/> (with James Fowkes).
3. *Effectiveness and output-legitimacy in crisis*, in: Anika Klafki (ed.), *Patterns of Legitimacy*, Nomos, forthcoming 2024.
4. *A view from Western Europe*, in: Conrado Hübner-Mendes, Roberto Gargarella & Sebastián Guidi (Ed.), *Oxford Handbook of Constitutional Law in Latin America*, Oxford University Press 2022, pp. 886 ff.
5. *Ely in the World: The Global Legacy of Democracy and Distrust 40 Years On (Introduction Symposium)*, *International Journal of Constitutional Law*, Vol. 19:2 (2021), pp. 427 ff. (with Rosalind Dixon) (<https://academic.oup.com/icon/article/19/2/427/6275480?login=true>).
6. *Political Process Review: Beyond Distrust*, *International Journal of Constitutional Law (ICON Debate Section)* 18(4) (2021), pp. 1458 ff. (<https://academic.oup.com/icon/article-abstract/18/4/1458/6156764>).
7. *Order in Diversity, Political Parties and Social Movements in the European Union and India*, in: Philipp Dann & Arun Thiruvengadam (Ed.), *Democracy in Diversity – Democratic Constitutionalism in India and the European Union*, Elgar, 2021, pp. 162 ff. (with Naveen Thayyil).
8. *Yes We Can! Mehr Rechtsvergleichung wagen*, in: Sebastian Bretthauer et al. (Ed.), *Wandlungen im Öffentlichen Recht: Festschrift zu 60 Jahren Assistententagung*, Nomos 2020, pp. 409 ff.
9. *Verfassung als Programm: Das Bundesverfassungsgericht und die Verfassungsgerichtsbarkeit des Globalen Südens*, in: Florian Meinel (Ed.), *Verfassungsgerichtsbarkeit in der Bonner Republik*, Mohr Siebeck 2019, pp. 411 ff.
10. *Kanon, Verfassung, Steuerung: Ein Einwurf zur Bedeutung von Martin Drath*, in: Nikolaus Marsch, Laura Münkler & Thomas Wischmeyer (Ed.), *Apokryphe Schriften. Rezeption und Vergessen in der Wissenschaft vom Öffentlichen Recht*, Mohr Siebeck 2019, pp. 191 ff.
11. *All Same-Sex Marriage is not the Same: Obergefell from a Comparative Perspective*, in: Anna-Bettina Kaiser, Niels Petersen & Johannes Saurer (Ed.), *The Supreme Court and Contemporary Constitutional Law: The Obama Era and Its Legacy*, Nomos 2018, pp. 133 ff.
12. *Beyond Legitimacy: Europe's Crisis of Constitutional Democracy*, in: Mark Graber, Sandy Levinson & Mark Tushnet (Ed.), *Constitutional Democracy in Crisis*, Oxford

University Press, 2018, pp. 277 ff.

13. *German Federal Constitutional Court*, in: Andras Jakab, Arthur Dyevre & Giulio Itzcovich (Ed.), *Comparative Constitutional Reasoning*, Cambridge University Press, 2017, pp. 323 ff. (with Stefan Martini).

14. *Constitutional Legitimacy and the Separation of Powers in Africa: Looking forward*, in: Charles Fombad (Ed.), *Stellenbosch Handbooks in African Constitutional Law*, Vol. 1: *The Separation of Powers*, Oxford University Press, 2016, pp. 385 ff.

15. *We the Experts. Die geschlossene Gesellschaft der Verfassungsinterpreten*, *Der Staat*, Vol. 53:3 (2014), pp. 425 ff. (<https://elibrary.duncker-humboldt.com/zeitschriften/id/20/vol/53/iss/1683/art/7359/>).

16. *Wer hat Angst vorm Kollektiv? Deutsche Erscheinungen von Kollektivität im internationalen Vergleich*, in: Junge Wissenschaft im öffentlichen Recht e. V. (Ed.), *Kollektivität – Öffentliches Recht zwischen Gruppeninteressen und Gemeinwohl*, 52. Assistententagung Öffentliches Recht, Nomos, 2012, pp. 51 ff.

17. *Zuviel Vertrauen, zu wenig Kritik? Das Bundesverfassungsgericht im parlamentarischen Diskurs*, in: Georg Jochum, Wolfgang Fritzemeyer & Marcel Kau (Ed.), *Crossing Frontiers. Festschrift für Kay Hailbronner*, Nomos, 2013, pp. 713 ff.

18. *Courts as the Nation's Conscience: Empirically testing the intuitions behind the ethicalization of law*, in: Silja Vöneky et al. (Ed.), *Ethics and Law – The Ethicalization of Law*, Springer, 2013, pp. 395 ff. (with James Fowkes).

19. *Die Justiziabilität des Subsidiaritätsprinzips im Lichte der Subsidiaritätsprotokolle*, in: Ingolf Pernice (Ed.), *Der Vertrag von Lissabon, Reform der EU ohne Verfassung?*, Nomos, 2008, pp. 135 ff.

5. Varia

1. *The German Constitutional Court*, in Husa/Smits/Valcke (Ed.): *Elgar Encyclopedia of Comparative Law*, 2023.

2. *Editorial: Gender in academic publishing*, *International Journal of Constitutional Law*, Vol. 17:4 (2019), pp. 1025 ff. (with Grainne de Burca und Marcela Prieto Rudolph), (<https://academic.oup.com/icon/article/17/4/1025/5710843?login=false>).

3. *Editorial: Es kommen härtere Tage – Rough days are coming*, *International Journal of Constitutional Law*, Vol. 17:1 (2019), S 1 ff., (<https://academic.oup.com/icon/article/17/1/1/5485966?login=true>).

4. *Das letzte Wort im Vergleich. Rechtsvergleichende Reflexionen zur 53. Assistententagung Öffentliches Recht im Lichte des Wissenschaftsrat-Berichts zur*

Rechtswissenschaft in Deutschland, Rechtswissenschaften 1 (2013), pp. 102 ff. (with Michael Riegner).

5. *Book Review: Werner Heun, The Constitution of Germany: A contextual analysis*, Hart 2011, Vienna Journal of International Constitutional Law 7 (2013), pp. 267 ff.

6. Blog posts

1. *Wehrhafte Demokratie light oder doch Verbotsverfahren?*, Verfassungsblog 31.3.2024, (<https://verfassungsblog.de/wehrhafte-demokratie-light-oder-doch-verbotsverfahren/>).

2. *Comparative Law for a Post-Hegemonic World*, Contribution to the Max Planck Institute's Centenary, 9.2.2024, <https://mpil100.de/2024/02/comparative-law-for-a-post-hegemonic-world/>.

3. *Mehr Ely im deutschen Verfassungsrecht: Entscheidungen in eigener Sache und die Political Process Theory*, Verfassungsblog 8.9.2023 (<https://verfassungsblog.de/mehr-ely-im-deutschen-verfassungsrecht>).

4. *Verfassungsmäßigkeit einer Impfpflicht: Plädoyer für eine prozedurale Perspektive*, Verfassungsblog 5. 12. 2021 (<https://verfassungsblog.de/verfassungsmasigkeit-einer-impfpflicht/>) (with Lisa Lührs und Leon Züllig).

5. *Zum Glück der Vereinigten Staaten*, Verfassungsblog 21. 1. 2021, (<https://verfassungsblog.de/zum-glueck-der-vereinigten-staaten/>) (with James Fowkes).

6. *Parität in Deutschland und Europa*, Verfassungsblog, 20. 7. 2020, (<https://verfassungsblog.de/paritaet-in-deutschland-und-europa/>, deutsch & englisch, siehe ebenfalls *Einführung zum Symposium*) (beides with Ruth Rubio Marin).

7. *How Can a Democratic Constitution Survive an Autocratic Majority? A Report on the Presentations on the Judiciary*, Verfassungsblog, 8. 12. 2018, (<https://verfassungsblog.de/how-can-a-democratic-constitution-survive-an-autocratic-majority-a-report-on-the-presentations-on-the-judiciary/>).

8. *Fake News, Backlash and the Rise of the German Populist Right – An Update on German Developments*, Int'l J. Const. L. (ICONnect) Blog, 14. 10. 2018 (<https://www.iconnectblog.com/2018/10/fake-news-backlash-and-the-rise-of-the-german-populist-right-an-update-on-german-developments>).

9. *Caviar, Corruption and Compliance – New Challenges for the Council of Europe*, Verfassungsblog, 23. 5. 2018 (<https://verfassungsblog.de/caviar-corruption-and-compliance-new-challenges-for-the-council-of-europe/>).

10. *On Book Reviews: Why, when and how to write them*, Völkerrechtsblog, 9. 8. 2017, <https://voelkerrechtsblog.org/de/on-book-reviews-why-when-and-how-to-write-them/>.

12. *Introduction to the Symposium: Constitutional Courts and Populism*, Verfassungsblog, 22. 4. 2017, (<https://verfassungsblog.de/introduction-constitutional-courts-and-populism/>) (with David E. Landau).

12. *On the courage to be wrong*, Verfassungsblog, 22. 2. 2014, (<https://verfassungsblog.de/on-the-courage-to-be-wrong/>).

13. *Rescue package for fundamental rights*, Verfassungsblog, 17. 4. 2012 (<https://verfassungsblog.de/rescue-package-fundamental-rights-comments-michaela-hailbronner/>).