



Visiting  
Professor

# Transformative Constitutionalism

## A Different Way to Read Judicial Activism

Sunday, January 7, 2024, 11:00

The Sonia and Edward Kossoy Conference Room (307), Buchmann Faculty of Law



### Prof. Armin von Bogdandy

Director at the Max Planck Institute for Comparative Public Law and International Law in Heidelberg and professor of law at Frankfurt University

Over the last 30 years, some courts from the Global South have added a new dimension to what might be the social role of courts: taking the lead in transformations that address systemic deficiencies. Recently, this phenomenon can be also observed in Europe in face on systemic deficiencies in some EU Member States, in particular in the reaction of the CJEU to systemic deficiencies in judicial independence in Poland. That process is of supreme importance as it affects and indeed transforms the constitutional fabric of the entire Union. The talk will present the phenomenon's theory and politics, and will convey the gist of the CJEU's jurisprudence. The talk will end by asking if the jurisprudence of the Israeli Supreme Court should be conceived as transformative constitutionalism, suggesting that any answer requires taking a position on a most fundamental issue.

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