

Constitutional governance: Authoritarian pushback and workable solutions

Workshop co-hosted by the Centre for Fundamental Rights, Hertie School, and Re:constitution

Instructors: Dr. Ivo Gruev (Postdoctoral Researcher, Hertie School) and Dr. Zuzana Vikarska (Assistant Professor, Masaryk University Brno)

Date and venue: 26.11.2022, Hertie School, Alexanderstraße 3, 10178 Berlin

The aim of this workshop is to establish what platforms, actors, and mechanisms are employed to resist the erosion of rule of law and liberal constitutionalism on a global scale, drawing on examples from Central and Eastern Europe (CEE). In addition to offering comparative ways for understanding the origins, workings and implications of these practices, this workshop also seeks to distil lessons and workable solutions for tracing and tackling rule of law challenges that could be applied beyond the CEE context.

The workshop further aims to:

- Equip the participants with a toolkit for understanding the workings and mechanisms of constitutional governance (e.g., separation of powers, checks and balances, rule of law, fundamental rights, judicial review) and for applying them in real-life scenarios.
- Comparatively establish common patterns of democratic backsliding and potential resistance strategies.
- Provide an opportunity for networking and exchange between students based at academic institutions in Berlin/Germany that are interested in the topics of rule of law, democratic backsliding and illiberal governance on a European and global level.

Programme:

9:00 – 9:30: Welcome and registration

9:30 – 10:30: Plenary: The toolkit of constitutional governance and the authoritarian playbook

In this session the instructors will give a basic historical and theoretical introduction to the toolkit of liberal constitutional governance focusing on principles such as separation of powers, the rule of law, judicial independence, fundamental rights, judicial review, supranational and regional mechanisms for rights protection. The second half of this session will focus on how to identify and differentiate authoritarian threats by using the so-called 'authoritarian playbook' – a comparatively informed set of steps that (aspiring) autocrats may apply to cement themselves in power.

10:30 - 10:45: coffee break

10:45 – 12:15: Group work: Applying the toolkit/playbook

The second session will revolve around specific examples and case studies from the CEE region provided by the instructors. The following themes/cases will be discussed:

- Fundamental rights vs. “Gender ideology” (Bulgaria, Romania and Czechia)
- Constitutional overhaul to establish an “illiberal democracy” (Hungary)
- Targeting judicial independence (Poland)

The workshop participants will work in small groups to identify similar or other practices from the authoritarian playbook that are taking place in the national and regional contexts that they are familiar with.

12:15 – 13:00: Lunch break

13:00 – 14:00: Comparative discussion

Application process:

The workshop is open to students with a background in law, political science, and social sciences, as well as students from other disciplines with a strong interest in the topics of democratic backsliding and (re)emerging authoritarianism.

Due to the comparative nature of the workshop, we strongly encourage applications from people who have knowledge about and interest in comparable processes and challenges that are taking place both within and outside of CEE, e.g., in Brazil, India, the US, Italy, Sweden, and other countries.

To apply please send a short statement (ca. 300 words) outlining your motivation to participate in the workshop, your educational background (e.g., law, political science, social sciences), the course and institution that you are currently enrolled in, and the (inter)national jurisdiction(s) that you are familiar with to fundamentalrights@hertie-school.org by 18.11.2022.

A maximum of 20 participants will be admitted into the workshop. Successful candidates will be notified by 21.11.2022.

The workshop will be catered. There is no participation fee.

Additional information:

Participants will receive a **certificate of attendance**. An audio-visual team will record parts of the workshop. For more information, please see our [privacy policy](#).