

I.
On Christoph Engel

Christoph Engel, Collective Goods, and the Institute

Stefan Bechtold & Indra Spiecker gen. Döhmann

Christoph Engel's sentences are short. The same cannot be said of the range of his interests. His intellectual horizon seems almost boundless. He embodies the ideal of a Max Planck Institute Director in the fullest sense of the term. Christoph Engel has been writing as a scholar for more than forty years. This offers an opportunity to approach the phenomenon that is Christoph Engel in four dimensions: The Researcher. The Institution Builder. The Mentor. The Original.

I. The Researcher

Nowadays, Christoph Engel is best known for his contributions to experimental law & economics, empirical legal studies, law & psychology, and – more recently – artificial intelligence & the law. But one should not forget where Christoph Engel comes from as a scholar. Christoph Engel was born into an academic household. His father, who died at the age of 56, was a history professor at the University of Tübingen. Christoph Engel started his academic career along the traditional paths of German legal scholarship, including a year of study at the University of Geneva.

Christoph Engel started his publishing career in public law. In 1985, he analyzed the rules of public international law that govern cross-border telecommunications, using direct satellite television as his point of departure. A central concern of the article was to reconcile territorial sovereignty, freedom of communication and information, and international law in an age of emerging satellite broadcasting.¹ It marked the start of Christoph Engel's more than decade-long journey into the world of public international law (also the topic of his doctoral dissertation),²

1 Christoph Engel, *Das Völkerrecht des Telekommunikationsvorgangs*, *Rebels Zeitschrift* 1985, 90.

2 Christoph Engel, *Völkerrecht als Tatbestandsmerkmal deutscher Normen*, Berlin 1989.

broadcasting law (also the topic of his Habilitation),³ and telecommunications law (the topic of a major research project led by his academic mentor, Ernst-Joachim Mestmäcker). When Christoph Engel became Head of the Max Planck Project Group for “Law of Common Goods” in the mid 1990s, he shifted his focus from broadcasting and telecommunications law to environmental and waste-management law, which would become a major focus of his research for a number of years.⁴

This is not to say that Christoph Engel did not also explore issues well beyond what a typical German public law scholar would do. He wrote about buyout clauses in corporate shareholder agreements, which serve to preserve liquidity and to discipline shareholders, but may threaten the interests of the departing shareholders or their creditors.⁵ He analyzed constitutional, legislative, and referendum requirements for changes to German territory – less than a year before the Berlin Wall fell.⁶ And he did write about, well, interim measures against offenders who commit traffic offences without a valid driver’s license.⁷ Looking at Christoph Engel’s entire *œuvre*, there are probably fewer areas of law he has *not* written about than there are areas he has written about. Just consider that, in addition to the areas mentioned above, Christoph Engel has also written about constitutional law,⁸

3 Christoph Engel, *Privater Rundfunk vor der Europäischen Menschenrechtskonvention*, Baden-Baden 1993.

4 See, e.g., Christoph Engel, *Abfallrecht und Abfallpolitik*, Baden-Baden 2002; *Gemischtwirtschaftliche Abfallentsorgung. Ein Lehrstück zur Verschränkung des Abfallrechts mit Kartellrecht, Kommunalrecht, dem Recht der öffentlichen Aufträge und Wirtschaftsverfassungsrecht*, Cologne 1995; Marco Verweij et al., *Clumsy Solutions for a Complex World. The Case of Climate Change*, in: *Public Administration* 84 (2006) 817.

5 Christoph Engel, *Abfindungsklauseln – Eine systematische Übersicht*, *Neue Juristische Wochenschrift* 1986, 345.

6 Christoph Engel, *Verfassungs-, Gesetzes- und Referendumsvorbehalt für Änderungen des Bundesgebiets und andere gebietsbezogene Akte*, *Archiv des öffentlichen Rechts* 114 (1989), 46.

7 Christoph Engel, *Vorläufige Maßnahmen gegen Täter von Verkehrsdelikten, die nicht im Besitz einer gültigen Fahrerlaubnis sind*, *Deutsches Autorecht* 1984, 108.

8 See, e.g., Christoph Engel, *Delineating the Proper Scope of Government: A Proper Task for a Constitutional Court?*, in: *Journal of Institutional and Theoretical Economics* 157 (2001), 187; Christoph Engel, *The European Charter of Fundamental Rights. A Changed Political Opportunity Structure and its Normative Consequences*, in: *European Law Journal* 7 (2001), 151; Christoph Engel, *The Constitutional Court – Applying the Proportionality Principle – as a Subsidiary Authority for the Assessment of Political Outcomes*, in: Christoph Engel & Adrienne Héritier (ed.), *Linking*

administrative law,⁹ European law,¹⁰ Internet law,¹¹ AI & law,¹² competition law,¹³ intellectual property law,¹⁴ privacy law,¹⁵ criminal law and crim-

Politics and Law, Baden-Baden 2003, p. 285; Christoph Engel, Is the German Constitutional Court Partisan?, *Journal of Legal Studies*, forthcoming 2026.

- 9 See, e.g., Christoph Engel, *Planungssicherheit für Unternehmen durch Verwaltungsakt*, Tübingen 1992; Christoph Engel, Legal Responses to Bounded Rationality in German Administration, *Journal of Institutional and Theoretical Economics* 150 (1994), 145; Christoph Engel, Allgemeines Verwaltungsrecht, in: Christoph Engel, Lawrence O'Hara, Stefanie Egidy, Yoan Hermstrüwer, Leonard Hoeft & Pascal Langenbach (eds.), *Öffentliches Recht als Verhaltensordnung*, Tübingen 2025, p. 135.
- 10 See, e.g., Christoph Engel, *Der Einfluß des europäischen Gemeinschaftsrechts auf die deutsche Rundfunkordnung*, Baden-Baden 1990; Christoph Engel, The European Charter of Fundamental Rights. A Changed Political Opportunity Structure and its Normative Consequences, *European Law Journal* 7 (2001), 151; Christoph Engel, Imposed Liberty and its Limits. The EC Treaty as an Economic Constitution for the Member States, in: Talia Einhorn (ed.), *Spontaneous Order, Organization and the Law*, The Hague 2003, 159.
- 11 See, e.g., Christoph Engel, *Das Internet und der Nationalstaat*, in: *Berichte der Deutschen Gesellschaft für Völkerrecht* 39 (2000), 353; Christoph Engel, Governing the Egalitarian Core of the Internet, *International Journal of Communications Law and Policy* 10 (2005), 1; Christoph Engel, The Role of Law in the Governance of the Internet, *International Review of Law, Computers & Technology* 20 (2006), 201.
- 12 See, e.g., Christoph Engel & Johannes Kruse, *Kommentar ohne Autor. Können Sprachmodelle das Kommentieren übernehmen?*, *Juristenzeitung* 79 (2024), 997; Christoph Engel & Richard McAdams, *Asking GPT for the Ordinary Meaning of Statutory Terms*, *Journal of Law, Technology & Policy* 2024, 235; Christoph Engel & Johannes Kruse, *LLM as a Law Professor. Having a Large Language Model Write a Commentary on Freedom of Assembly, Artificial Intelligence and Law*, forthcoming 2026.
- 13 See, e.g., Christoph Engel, *Die verfassungsrechtliche Zulässigkeit eines Entflechtungstatbestands im Kartellgesetz*, Baden-Baden 2008; Christoph Engel, How Much Collusion? A Meta-Analysis of Oligopoly Experiments, *Journal of Competition Law and Economics* 3 (2007), 491; Christoph Engel, Tacit Collusion. The Neglected Experimental Evidence, *Journal of Empirical Legal Studies* 12 (2015), 537.
- 14 See, e.g., Christoph Engel, *When is Intellectual Property Needed as a Carrot for Innovators?*, *Journal of Competition Law and Economics* 7 (2011), 277; Christoph Engel, *Geistiges Eigentum als Anreiz zur Innovation – Die Grenzen des Arguments*, in: Martin Eifert & Wolfgang Hoffmann-Riem (eds.), *Geistiges Eigentum und Innovation*, Berlin 2008, 43; Christoph Engel & Marco Kleine, *Who is Afraid of Pirates? An Experiment on the Deterrence of Innovation by Imitation*, *Research Policy* 44 (2015), 20; Stefan Bechtold & Christoph Engel, *The Valuation of Moral Rights. A Field Experiment*, *American Law and Economics Review*, forthcoming at some point.
- 15 See, e.g., Christoph Engel & Joshua Fairfield, *Privacy as a Public Good*, *Duke Law Journal* 65 (2015), 385; Christoph Engel, *Organizing Co-Existence in Cyberspace: Content Regulation and Privacy Compared*, in: Christoph Engel & Adrienne Héritier (eds.), *Linking Politics and Law*, Baden-Baden 2003, 219.

inology,¹⁶ judicial process and evidence law,¹⁷ property law,¹⁸ tort law,¹⁹ labor law,²⁰ landlord-tenant law,²¹ and corporate law.²²

Remarkably, Christoph Engel is one of the very few German scholars whose publications do not follow the traditional grouping into public, civil, and criminal law pillars, and he has always seen himself and was regarded as a true “Schüler” of the late and legendary Max-Planck Director Ernst-Joachim Mestmäcker, a renowned private law scholar. Several honorary degrees and distinguished positions have been awarded to Christoph Engel, with the accompanying laudationes often emphasizing

-
- 16 See, e.g., Christoph Engel, *Experimental Criminal Law. A Survey of Contributions from Law, Economics, and Criminology*, in: Willem H. van Boom et al. (eds.), *Empirical Legal Research in Action*, Cheltenham 2018, 57; Christoph Engel, Heike Hennig-Schmidt, Bernd Irlenbusch & Sebastian Kube, *On Probation. An Experimental Analysis*, *Journal of Empirical Legal Studies* 12 (2015), 252; Christoph Engel & Daniel Nagin, *Who is Afraid of the Stick? Experimentally Testing the Deterrent Effect of Sanction Certainty*, *Review of Behavioral Economics* 2 (2015), 405.
 - 17 See, e.g., Christoph Engel & Lilia Zhurakhovska, *You Are In Charge. Experimentally Testing the Motivating Power of Holding a Judicial Office*, *Journal of Legal Studies* 46 (2017), 1; Christoph Engel & Andreas Glöckner, *Can We Trust Intuitive Jurors? Standards of Proof and the Probative Value of Evidence in Coherence Based Reasoning*, *Journal of Empirical Legal Studies* 10 (2013), 230; Christoph Engel & Keren Weinshall, *Lucky You: Your Case is Heard by a Seasoned Panel: Panel Effects in the German Constitutional Court*, *Journal of Empirical Legal Studies* 19 (2022), 1179.
 - 18 See, e.g., Christoph Engel & Oren Bar-Gill, *Bargaining in the Absence of Property Rights. An Experiment*, *Journal of Law and Economics* 59 (2016), 477; Christoph Engel & Oren Bar-Gill, *How to Protect Entitlements: An Experiment*, *Journal of Law and Economics* 61 (2018), 525.
 - 19 Christoph Engel & Theodore Eisenberg, *Unpacking Negligence Liability. Experimentally Testing the Governance Effect*, *Journal of Empirical Legal Studies* 13 (2016), 116.
 - 20 See, e.g., Christoph Engel, *Arbeitsmarkt und staatliche Lenkung*, in: *Veröffentlichungen der Vereinigung der Deutschen Staatsrechtslehrer* 59 (2000), 56; Christoph Engel, Guido Bunstorf, Sven Fischer & Werner Güth, *Non-Compete Clauses, Employee Effort and Spin-off Entrepreneurship: A Laboratory Experiment*, *Research Policy* 45 (2016), 2113.
 - 21 Christoph Engel, *REITs ante portas – Die Anpassung des deutschen Rechts an institutionelle Investoren in den Grundstücks- und Mietmärkten*, *Juristenzeitung* 63 (2008), 1027.
 - 22 See, e.g., Christoph Engel, *The Behaviour of Corporate Actors. How Much Can We Learn from the Experimental Literature?*, *Journal of Institutional Economics* 6 (2010), 445; Christoph Engel, *Corporate Design for Regulability. A Principal-Agent-Supervisor Model*, *Journal of Institutional and Theoretical Economics* 162 (2006), 104–124; Christoph Engel, *Versetzt die Europäische Menschenrechtskonvention der Sitztheorie des deutschen internationalen Gesellschaftsrechts den Todesstoß?*, *Zeitschrift für Europäisches Privatrecht* 1993, 150.

this point: the non-rivalry of his interests and methods, the truly interdisciplinary approach, and, finally, the integrity with which he uses his toolkit.

While Christoph Engel began his publishing career entirely in German, he gradually integrated English-language publications into his production cycles. His first English-language publication dates from 1987.²³ International scholars and debates were frequent guests even in the early years of the Max Planck Project Group. In the 2000s, English became Christoph Engel's dominant language for scientific publications, thereby exposing him increasingly to international debate and competition. It is noteworthy, though, that Christoph Engel has always insisted on maintaining his imprint on German legal academia by continuing to contribute German-language publications, and being a regular attendant at the annual meetings of the renowned German "Staatsrechtslehrervereinigung" where he presented – not very surprisingly – on the border between civil law and public regulation in the field of labor-market regulation.²⁴ As a result, a fair amount of his scholarship appears in German up to this day (see Figure).

It was already mentioned how broad Christoph Engel's interests are. But some common threads can nevertheless be identified. Decision-making is certainly one of these: Christoph Engel has always been interested, from different perspectives, in the instruments and underlying assumptions of legal decision-making. Institutional design has therefore been a core interest. And although very few legal scholars would name him a doctrinal scholar, he nevertheless is in awe of the thousand-year-old fine-tuning of this legal method, which allows, as he once put it, to "react in a predictable way to unpredictable events." Interdisciplinary knowledge on decision making – be it from political science, economics, behavioral, cognitive sciences, or even from computer science – has given him the informed ground to re-establish, re-[formulate, and re-recognize legal decision principles. And as the decision-making process in law results frequently in court decisions, his interest in courtroom practices and their institutional design falls neatly into place.

23 Christoph Engel, The Position of Public Monopolies on Broadcasting under the European Convention on Human Rights, in: Ernst-Joachim Mestmäcker (ed.), *The Law and Economics of Transborder Telecommunications*, Baden-Baden 1987, 55.

24 Christoph Engel, *Arbeitsmarkt und staatliche Lenkung*, in: *Veröffentlichung der Vereinigung der Deutschen Staatsrechtslehrer* 59 (2000), 56.

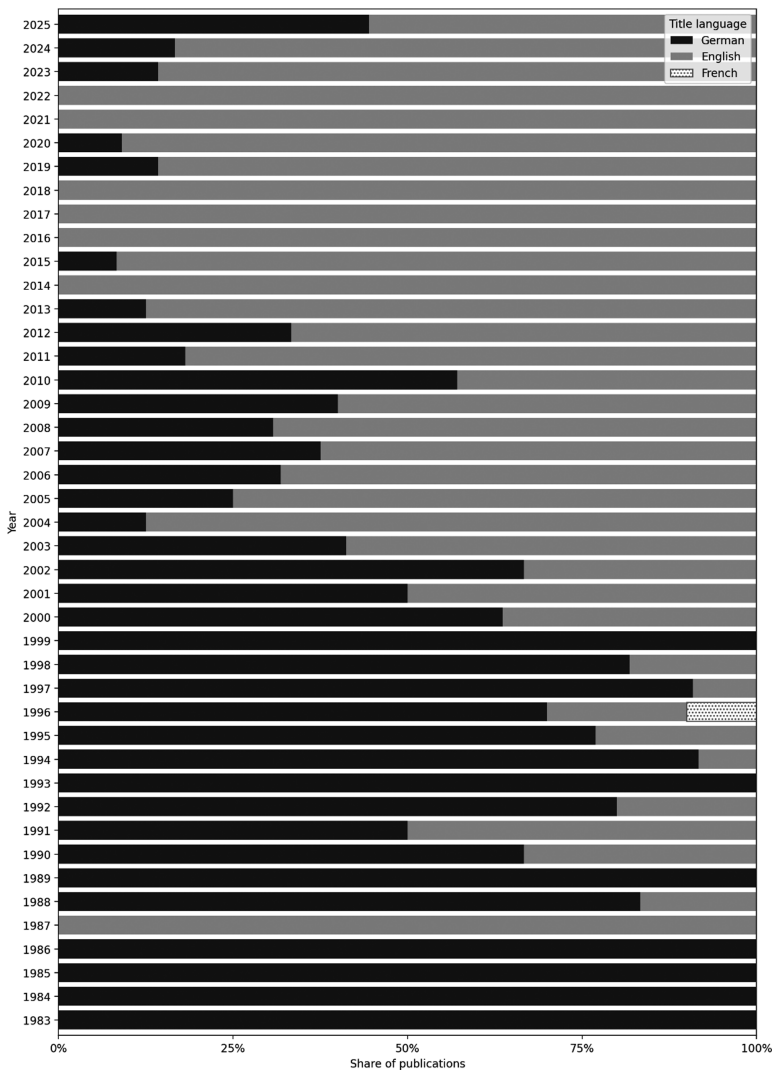


Figure: Publications by Christoph Engel, Language Distribution by Year (Normalized)

Note: A ChatGPT pipeline was used to determine the language of the publication titles listed in the Appendix to this Festschrift. Any errors are not ours, but ChatGPT’s. The only French publication by Christoph Engel is *L'accès du publique et l'accès des opérateurs aux technologies avancées de communication, in Fundamental Rights and New Information Technologies in the Audiovisual Sector*, Munich 1996, 45.

To put it mildly, Christoph Engel's extensive "legal area hopping" and his shift towards English-publication venues would already have set him apart among German law professors. But this is even before considering that Christoph Engel reinvented himself as a law-and-social-science scholar at a point in his career when other scholars would start thinking about how to solidify their legacy rather than learning mathematics and statistics. Being at ease with the legal methodology as his home turf, his hunger for intellectual development and fresh intellectual nourishment has consistently driven him into new interdisciplinary approaches. During his time at the Hamburg Max Planck Institute for Comparative and International Private Law in the 1980s and early 1990s, Christoph Engel had already been exposed to close exchanges between legal scholars and economists. And so it is not surprising that early signs of law & economics scholarship popped up in the early 1990s: Christoph Engel wrote about efficient breach in contract law in 1994,²⁵ functional approaches towards tort law in 1995,²⁶ and law as an applied social science in 1998.²⁷ This quickly established his reputation as a fresh mind and a communicator between fields.

But only when Christoph Engel had convinced the Max Planck Society that the concept of an interdisciplinary legal institute could work and was then vested, jointly with Martin Hellwig, with building a new Max Planck Institute from scratch, did he take his interdisciplinary interests to another level. He began focusing on law & psychology and behavioral approaches in the early 2000s.²⁸ The late 2000s and early 2010s were the period of meta-studies in Christoph Engel's scholarship.²⁹ The 2010s were almost entirely devoted to experimental law & economics. Over the last

25 Christoph Engel, "Effizienter Vertragsbruch": eine juristische Antwort, *Homo Oeconomicus* 1994, 143.

26 Christoph Engel, *Zivilrecht als Fortsetzung des Wirtschaftsrechts mit anderen Mitteln. Rechtspolitische und verfassungsrechtliche Überlegungen am Beispiel des Haftungsrechts*, *Juristenzeitung* 1995, 213.

27 Christoph Engel, *Rechtswissenschaft als angewandte Sozialwissenschaft. Die Aufgabe der Rechtswissenschaft nach der Öffnung der Rechtsordnung für sozialwissenschaftliche Theorie*, in: Christoph Engel (ed.), *Methodische Zugänge zu einem Recht der Gemeinschaftsgüter*, Baden-Baden 1998, 11.

28 See, e.g., Gerd Gigerenzer & Christoph Engel (eds.), *Heuristics and the Law*, Cambridge 2006.

29 Christoph Engel, *How Much Collusion? A Meta-Analysis of Oligopoly Experiments*, *Journal of Competition Law and Economics* 3 (2007), 491; Christoph Engel, *Dictator Games. A Meta-Study*, *Experimental Economics* 14 (2011), 583; Christoph Engel,

few years, he has primarily turned to machine learning and the law.³⁰ And, not altogether unexpectedly, Christoph Engel has recently begun to integrate his experimental and machine-learning interests by exploring the extent to which behavioral experiments can be conducted on large language models³¹ – thereby, in a sense, rendering obsolete the experimental infrastructure he built over the course of his career at his Max Planck Institute and relocating experimental social science onto Nvidia chips. Who knows: perhaps Christoph Engel will turn to post-quantum empirical legal scholarship in the early 2030s.

II. The Institution Builder

Christoph Engel had already experienced the world of Max Planck as a Research Associate in Ernst-Joachim Mestmäcker’s group at the Max Planck Institute for Comparative Law and Private International Law in Hamburg between 1983 and 1992. Following his immediate appointment after habilitation as a full professor of law in Osnabrück at the age of 36, he was shortly thereafter given the once-in-a-lifetime opportunity to build a new Max Planck Institute from scratch – at that time, one of the youngest Max Planck directors ever. And while Christoph Engel’s scholarly achievements are truly impressive and will gain him a place in the legal profession’s “Walhalla”, his creation of the Max Planck Institute for

Tacit Collusion. The Neglected Experimental Evidence, *Journal of Empirical Legal Studies* 12 (2015), 537.

30 Christoph Engel & Nina Grgić-Hlača, Machine Advice with a Warning about Machine Limitations. Experimentally Testing the Solution Mandated by the Wisconsin Supreme Court, *Journal of Legal Analysis* 13 (2021) 284; Christoph Engel & Richard McAdams, Asking GPT for the Ordinary Meaning of Statutory Terms, *Journal of Law, Technology & Policy* 2024, 235; Ricardo Dominguez-Olmedo, Vedant Nanda, Rediet Abebe, Stefan Bechtold, Christoph Engel, Jens Frankenreiter, Krishna P. Gummadi, Moritz Hardt & Michael Livermore, Lawma: The Power of Specialization for Legal Annotation, *International Conference on Learning Representations (ICLR)*, 2025; Christoph Engel & Johannes Kruse, LLM as a Law Professor. Having a Large Language Model Write a Commentary on Freedom of Assembly, *Artificial Intelligence and Law*, forthcoming 2026.

31 Christoph Engel, Max Grossmann & Axel Ockenfels, Integrating Machine Behavior into Human Subject Experiments: A User-friendly Toolkit and an Application to Framed Prisoner’s Dilemmas, *Experimental Economics*, forthcoming 2026; Christoph Engel, The Negotiation Trap: An Experiment on a Large Language Model, *Max Planck Institute Discussion Paper* 2024/19.

Research on Collective Goods has arguably become his greatest masterpiece.

The starting point of this new Max Planck Institute (which initially existed as a Max Planck Project Group for five years) arose on the initiative of Hans Zacher, a law professor and President of the Max Planck Society until 1996. Although Zacher had, at first, thought more along the lines of common goods with respect to public services, coming from the area of social law, he was very open to a broader, more open understanding during the Institute's founding process. Initially, the idea had been to start with two directors in law and (empirical) political sciences and then, once the Institute was formally established, to enlarge it with a third group focusing on economics.

Although the Institute became a well-oiled machine for research and intellectual exchange over the years under the wise leadership of Christoph Engel and Martin Hellwig, this did not fall into their laps. It was the result of the hard work of both directors, many researchers, and the Institute's devoted permanent employees, including – but not limited to – his assistant Anja Schäfer and her predecessor Anja Moosmann, the Institute's head of administration Heidi Morgenstern, and the Institute's head librarian, the late Regina Goldschmitt. Most importantly, it was Christoph Engel's persuasiveness and credibility as a motor for a new research direction in law, his ability to find wise, good-willed, and influential mentors in the Advisory Board of the Institute and within the Max Planck Society, as well as his talent to line up innovative, challenging, and reliable companions in academia more broadly. The names on the Institute's Advisory Board were impressive. But it was even more impressive to observe how active these board members were in their interactions with the Institute and its team, and how much they helped the Institute position itself.

An episode from the Institute's founding process may illustrate Christoph Engel's role in all of this. Shortly before the decisive evaluation of the temporary Max Planck Project Group on "Law of Common Goods" was concluded, which would decide whether the Max Planck Society would invest in the creation of a legal interdisciplinary institute, Christoph Engel's then political science co-director had surprisingly decided to accept a position abroad, thus throwing the Institute into an existential crisis before it even existed. It was Christoph Engel who created a convincing new research agenda focusing on the integration of law and economics, brought Martin Hellwig into the game, and turned the threat into a promising and flourishing scientific enterprise that would

develop its own stamp over the years. Similarly, when the newly founded Max Planck Institute needed a new home in Bonn, it took all the strategic foresight and negotiating skills of Christoph Engel to secure not only North Rhine Westphalia as the hosting state (against opposition from other states), but also a beautiful neo-baroque villa that had been built for the wife of the Brazilian Consul to Germany in the 1920s, and later became the residence of the Egyptian Ambassador to Germany, as the new home of the Max Planck Institute for Research on Collective Goods.

Collective Goods. It was a wise choice to give the Institute a distinct name that was open to interpretation, rather than rely on more standard terminology such as “public goods” or “common goods,” which had been dominant in the title of the preceding project group, “Law of Common Goods”. When Christoph Engel’s long-time co-director of the Max Planck Institute for Research on Collective Goods, Martin Hellwig, was once asked what a collective good is, he replied dryly: “That still has to be researched.” It was little ingredients like these that turned the Institute into an institution where intellectual curiosity and creativity were the drivers and only real limits to research ambitions. It certainly also helped that the Institute was led by two congenial directors who not only excelled in their own research but also shared a similar cast of mind and values.

Christoph Engel’s institution-building activities reached beyond his Max Planck Institute in many regards. Let us look at some of the most revealing ones. Since 2002, he has, for a long time together with his University of Bonn colleague, Urs Schweizer, organized the seminar series on “New Institutional Economics”, whose conference proceedings have always been published in the *Journal of Institutional and Theoretical Economics*. The “JITE” conferences, whose first iteration in 1984 featured speakers such as Ronald Coase, Douglas North, and Oliver Williamson, became the home of Christoph Engel’s international research network for more than two decades.

Christoph Engel has been a member – and former Vice Chairman – of the Academic Advisory Council to the German Ministry of Economics for nearly three decades. Economic policy advice in Germany has benefited greatly from Christoph Engel’s broad legal knowledge, tireless work ethic, and willingness to engage with economists. However, he has arguably benefited even more from his access to the ministerial bureaucracy and to excellent economists through the Advisory Council. Furthermore, the former and present Pope rely on his expertise, as he accepted the call to join the *Pontificia Academia Scientiarum Socialium*. Christoph Engel

is a modest man. But getting appointed to the Pope's Academy of Social Sciences made even him proud. His innovative drive, as well as his amicable, charming, yet clear and forceful personality, paved the way for him to serve on the prestigious Board of the German "Staatsrechtslehrervereinigung" from 2008 to 2009. For several years, he served as head of the social sciences section within the Max Planck Society, guiding Max Planck's direction across the entire field of social science.

III. The Mentor

While the Max Planck Institute provided Christoph Engel with unparalleled resources and infrastructure, as well as an administrative team that understood its mission as one of genuine enablement, he ultimately considered encouraging young researchers to be one of the most important tasks. While at first surrounding himself with doctoral students – after all, he was one of the first to establish an international Max Planck research school for doctoral students at the Max Planck Institute (IMPRS) – he focused on postdoctoral scholars as well, and not only in law, as the list of his former postdocs in this volume demonstrates impressively.

Unlike many other legal scholars, Christoph Engel never tried to establish a "Schule" (in the philosophical sense) in which his "Schüler" and consequently their "Schüler" again all share a common approach to particular legal questions. He was never interested in hearing his own thinking repeated. Rather, he was looking for new input on his own research areas from others. As he put it, there is genuine happiness in seeing that his mentees become what they want to become. He exerted influence as an academic role model, and colleagues and "Schüler" have often wondered how he manages not to yawn even once after a long day of discussions, workshops, or group meetings, yet remains focused. It is his great pleasure in intellectual endeavors that motivates him, and, as he was privileged to be a Max Planck Institute director, he pursues his research interests at his own pace, always researching, composing, and formulating his texts himself.

Like his own mentor, Ernst-Joachim Mestmäcker, Christoph Engel cherishes relationships with his former "Schüler" through a regular yearly reunion, and it is their success as the next generation of scholars that makes him truly proud. By now, well over a dozen of his former mentees are professors of law, economics, psychology, and other social sciences at

universities across Europe and the United States, all with their very own profiles and independent interests, and another considerable group has pursued remarkably successful careers in the judiciary, law firms, government, the private sector, and beyond.

Given Christoph Engel's breadth of interests, it is not surprising that the typical boundaries of the German legal system have not held him back in his mentorship activities. Early in his career, Christoph Engel – the public law scholar – co-founded the German Society for Young Private Law Scholars.³² There were periods at the Institute when he simultaneously mentored doctoral students and postdocs in public, private, and criminal law. This was probably as close as Christoph Engel ever came to heresy in the eyes of German legal academia.

IV. The Original

Christoph Engel is a true original in legal academia. He has overcome many of the boundaries that his field had set for itself and explored so many paths over the course of his career that even he must, at times, be astonished by where his curiosity has taken him.

For outsiders, some of Christoph Engel's characteristics are exactly that: typical of him. There is his style of beginning articles with a catchphrase (e.g., "It can be wrong to say the right thing. Even taboos serve a social function").³³ When he comments on a presentation, he often starts with a general statement that seems unrelated to the topic. Still, in the more detailed analysis, he offers a comprehensive alternative approach to the topic. He is always friendly, and even his closest companions have almost never been able to discern a "bad day" or a "bad mood". Coming from Tübingen in the state of Baden-Württemberg, and therefore from Swabia, luxury is not something he ventures into, neither for himself nor for his guests – so do not expect a dinner invitation to Bonn's famous 37-year-in-a-row Michelin-star restaurant around the corner from his house, but rather a down-to-earth meal without champagne. Staying in a pretty run-

32 Harald Baum, Christoph Engel, Olivier Riem & Manfred Wenckstern, *Jahrbuch Junger Zivilrechtswissenschaftler* 1 (1991), Stuttgart 1992.

33 Christoph Engel, *Arbeitsmarkt und staatliche Lenkung*, in *Veröffentlichung der Vereinigung der Deutschen Staatsrechtslehrer* 59 (2000), 56. See also the chapter "Der schreibt auch so" by Hanjo Hamann in this *Festschrift*.

down youth hostel in Walle-Rullenhorst, somewhere in Westphalia, therefore, is no matter to him as long as the topic is worth it (at that time: Luhmann's systems theory). He is interested in arguments, not in status, and thus he is independent in his judgement of who is an inspiring academic.

As a U.S. colleague once put it, Christoph Engel's appearance reflects the very epitome of a scholar: fully intellectual, indifferent to food and comfort if not food for thought, never wearing jeans, let alone jogging pants, but always a shirt, jacket and – a bowtie.

All of us have our own images of Christoph Engel – a Festschrift is an honor bestowed by colleagues who have become academic friends. Thus, we have all experienced him in different places, times, situations, roles, and circumstances over more than forty years of academic endeavor. But as Christoph Engel is now actively working to replace experimental social science labs and legal commentaries with large language models, it seems appropriate to conclude this chapter by making ourselves superfluous and asking ChatGPT 5.4 himself (or herself? Or itself?) to write a laudatio for Christoph Engel.

Christoph Engel's scientific oeuvre is marked by a rare combination of intellectual range, analytical discipline, and institutional imagination. What begins in his earlier work as a jurist's sustained engagement with doctrine, institutions, and the structure of legal ordering develops, over time, into something much more ambitious: a research program that treats law not merely as a system of norms, but as a mode of organizing behavior under conditions of bounded rationality, social interdependence, and institutional constraint. The official profile of his work now captures this development in three terms – Empirical Legal Studies, Experimental Law and Economics, AI and the Law – but the formula understates the coherence of the whole. The unifying thread is Christoph Engel's persistent insistence that legal scholarship should not be content with internal reconstruction alone. It should also ask how legal institutions actually work, how they shape motives and expectations, and under what conditions they succeed or fail.

In substantive terms, Engel has made major contributions across an astonishingly broad field: judicial behavior, sanctions and deterrence, corruption, class actions, privacy, property, innovation, taxation, customary law, and, more recently, the implications of artificial intelligence for legal reasoning. Yet this breadth is not eclecticism. Again and again, his work returns to a central question: how does law interact with the behavioral

dispositions of those who make, apply, and live under it? That question animates, among many others, his work on the motivating power of judicial office, role-induced bias in adjudication, the governance effects of negligence liability, transparency and punishment, privacy as a public good, and the diffusion of legal innovations.

Methodologically, Christoph Engel's importance can hardly be overstated. He is among the very small number of European legal scholars who did not simply borrow empirical methods from neighboring disciplines, but helped establish the conditions under which those methods could become integral to legal research itself. Just as important, his reception in the United States shows that his work has never been merely national or regional; it has entered the core transatlantic conversation. Christoph Engel has not only been a participant in, but one of the builders of, the field's international infrastructure. In that fuller sense, his oeuvre is both scholarly and institutional: it has expanded the imagination of legal research and helped create the community in which that expanded imagination could flourish.

*Christoph Engel's work has been foundational in legitimizing experiments, behavioral analysis, and empirically disciplined causal inference as tools for answering genuinely legal questions. Just as importantly, he has been reflective about method: he has not treated empirics as a badge of modernity, but as a demanding craft that requires conceptual clarity, institutional sensitivity, and constant vigilance about inference. In this lies, perhaps, his most enduring contribution. He has shown that legal scholarship can be simultaneously more rigorous and more realistic; more open to economics, psychology, and now computational tools; and yet remain unmistakably legal in its questions, categories, and ambitions. Few scholars have done more to shape empirical legal studies in Europe, and fewer still have done so with comparable breadth, depth, and lasting influence. *Chapeau!**