

von Bogdandy | Schmidt-Aßmann [Eds.]

Theorising Comparative Public Law

A Reader from Germany



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Armin von Bogdandy | Eberhard Schmidt-Aßmann [Eds.]

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Preface

This reader presents contributions that help theorize comparative public law. Its main aim is to advance the transnational field of comparative public law by reflecting on its rationales, methods, and practices. Focusing on comparative *public* law is to showcase its specificities. We do not deny the many commonalities with private comparative law nor the general field of comparative law *tout court*.

When selecting among the many possible contributions, nationality was a key criterion. Indeed, presenting contributions from Germany is this reader's second aim. Comparative public law scholarship (as public international law or European public law) continues to be influenced by national traditions and contexts. Reflecting those traditions and contexts, disputed as they are, helps building a transnational, but rooted field of comparative public law. Such rootedness is valuable in a world that celebrates diversity and self-determination.

The contributions come in three groups according to their main theoretical thrust. Those of the first group mainly reflect *rationales* of comparative public law, while the second are more reflective of *methods* and the third theorizes specific *practices*. Of course, the lines between rationales, methods and practices are rather blurred and many contributions traverse through these categories. Therefore, the presentation under the broad categories of 'rationales', 'methods' and 'practices' is not meant to pigeonhole them into sealed compartments. So the texts could be classified differently. Indeed, academic work, including editorial work, is always a reflection of the situatedness of the scholar, an insight best proven by reflecting on comparative public law.

Table of Contests

Reflecting Rationales

Karl-Peter Sommermann

The Germanic Tradition of Comparative Administrative Law 11

Peter Häberle

The Rationale of Constitutions from a Cultural Science Viewpoint 41

Markus Kotzur

Understanding the Law in a Wider Context:
On the Value of Comparative Law 67

Anne Peters and Heiner Schwenke

Comparative Law Beyond Post-Modernism 89

Philipp Dann, Michael Riegner and Maxim Bönnemann

The Southern Turn in Comparative Constitutional Law 131

Armin von Bogdandy

Comparative Public Law for European Society 175

Reflecting Methods

Uwe Kischel

Method in Comparative Law – The Contextual Approach 225

Rainer Grote

Contextual Comparison and Shifting Paradigms in Comparative
Public Law 247

Table of Contests

Christoph Schönberger

Comparative Administrative Law:
Particularities, Methodologies, and History 275

Eberhard Schmidt-Aßmann

Comparative Administrative Law: Concepts and Topics 333

Reflecting Various Practices

Günter Frankenberger

Legal Transfer 381

Peter M. Huber

The Constitutional Traditions Common to the Member States:
Identification and Concretisation 405

Andreas Voßkuhle

Constitutional Comparison by Constitutional Courts
– Observations from Twelve Years of Constitutional Practice 423

Susanne Baer

Comparing Courts 443

Michaela Hailbronner

Transformative Constitutionalism: Not Only in the Global South 469