

Curriculum Vitae

Personal Information

David Kosař, Date of birth: 26/07/1979; Nationality: Czech; <http://www.muni.cz/people/4775/cv?lang=cs>

Education

- 2013 NYU School of Law (New York), J.S.D. in Law, *The Least Accountable Branch* (supervisors: Stephen Holmes, Tom Ginsburg and Ran Hirschl)
- 2009 Masaryk University (MUNI), Ph.D. in Public International Law, *Non-state Actors in the Refugee Definition* (supervisor: Dalibor Jílek)
- 2007 CEU (Budapest), LL.M. in Human Rights Law, *Freedom of Speech and Permissible Degree of Criticism of Judges* (supervisor: Aharon Barak), highest GPA in the class (3.80)
- 2004 Masaryk University, Mgr. in Law, *with honours* (approximately top 5%)

Areas of Expertise

Comparative Constitutional Law, Constitutional Theory, Judicial Studies (Courts and Judges), Transitional Justice, Freedom of Speech, Human Rights Law, Refugee Law, Selected Issues in EU Law and General International Law

Current Position

2023 – Full Professor of Constitutional Law at the Department of Constitutional Law and Political Science and the Judicial Studies Institute (JUSTIN), Faculty of Law, MUNI

Previous Positions

- 2021 – 2025 Head of the Department of Constitutional Law and Political Science, MUNI
- 2017 – 2023 Associate Professor of Constitutional Law, MUNI (Habilitation thesis: *Judicialization of Judicial Politics by the European Court of Human Rights*)
- 2016 – 2021 Head of the Judicial Studies Institute, Masaryk University
- 2012 – 2016 Assistant Professor at the Department of Constitutional Law, Masaryk University
- 2013 – 2016 Senior Law Clerk to Justice of the Czech Constitutional Court (now an ECtHR judge)
- 2007 – 2012 Supreme Administrative Court of the Czech Republic (SAC)
- 2012 – 2013 Law Clerk to Vice-President of the SAC (part-time)
- 2008 – 2012 Law Clerk to Judge of the SAC
- 2007 – 2008 EU and Foreign Law Specialist
- 2005, 2007 Faculty of Law, Masaryk University Brno, Junior Lecturer (part-time)

Research Visits (beyond education listed above)

UNSW, Sydney (2017 & 2024, with Rosalind Dixon); iCourts, Copenhagen (2019 & 2024, with Mikael Rask Madsen); College of Law and Business, Tel Aviv (2020); Max Planck Heidelberg (summer of 2014/2015/2016/2017, spring of 2019, spring 2025 with Armin von Bogdandy); Aix-Marseille-Université (08-09/2013; with Thierry Renoux); NYU Berlin (06-07/2012), EUI Florence (07/2006&03/2007)

Supervision of graduate students

I am supervising 4 PhD researchers and have successfully supervised 2 PhD researchers and >50 M.A. students

Major Grant Awards

- 2021-2026 (5 years) **ERC Consolidator Grant** “INFINITY – Informal Judicial Institutions: Invisible Determinants of Democratic Decay” (€2 million)
- 2016-2021 (5 years) **ERC Starting Grant** “JUDI-ARCH – The Rise of Judicial Self-Government: Changing the Architecture of Separation of Powers without an Architect” (€1.5 million)
- 2016-2018 (3 years) **Czech Grant Agency Grant**, “BeCOM – Beyond Compliance: Implementation of decisions of international human rights bodies” (3.000.000 CZK, approx. €120,000)
- 2014-2017 (3 years) **Jean Monnet Module** for a course “European Constitutional Law & Politics” (€17,976)
- 2012-2014 (2 years) **Marie Curie Career Integration Grant** (CIG), “JANE – Judicial Accountability in New Europe”, Marie Curie Actions, Grant No.: PCIG10-GA-2011-303933 (€50,000)

Commissions of Trust

Reviewer for Oxford University Press; Cambridge University Press; Edward Elgar; Eleven Publishers; European Constitutional Law Review; European Political Science Review; German Law Journal; Global Constitutionalism; Government & Opposition; Hague Journal of the Rule of Law; Heidelberg Journal of International Law; Human Rights Law Review; International Journal of Constitutional Law; International Journal of Transitional Justice; Law & Society Review; Law & Social Inquiry; Regulation and Governance

Scientific Evaluator for the European Commission, and Marie Curie-Sklodowska Grant Actions

Editorial Board Member of European Constitutional Law Review, German Law Journal, Jurisprudence

Member of the scientific board of Masaryk University Faculty of Law, and Charles University Faculty of Law

Selected Professional Affiliations and Memberships

Member of the Advisory Board of the Resisting Rule of Law Backsliding Project: The Role of the Legal Profession since 2024; Member of the Advisory board of the TRIIAL project (co-funded by the European Union's Programme); Member of the ELI-Mount Scopus European Standards of Judicial Independence Advisory Board since 2021; Member of the Justice Administration Research Association since 2021; Member of the European Consortium for Political Research since 2016; International Society of Public Law (Member since 2017; Co-Chair of the Central and Eastern European Section 2018-2024; Member of the New Chapter Vetting Committee 2018-2024; Member of the General Committee 2017-2022); Member of the Law and Society Association since 2017; International Political Science Association (IPSA) 2010-2012; External Member of the Teaching Staff of the Slovak Academy of Justice since 2010; ODYSSEUS Network: An Academic Network for Legal Studies on Asylum and Immigration in Europe (permanent member elected for the Czech Republic) since 2008; Czech Society for European and Comparative Law (member of the Executive Board) since 2007; American Society of International Law 2005-2019; European Society of International Law (member of "IG on Intl. Courts)

Awards

2024 South Moravian Region Award for Contributions to Science, 2024; I-CON Best Paper Prize 2024 for the best paper (together with Katarína Šipulová for the publication *Comparative court-packing*), Editors of the International Journal of Constitutional Law, 2024; MUNI Scientist Award 2023 for excellence and significant achievements in research (together with Mařina Urbániková, awarded for the publication *The Art of Waiting Humbly: Women Judges Reflect on Vertical Gender Segregation*; and together with Katarína Šipulová for the publication *Judicial Self-Governance Index: Towards better understanding of the role of judges in governing the judiciary*), 2023; MUNI Scientist Award 2022 for excellence and significant achievements in research (together with Ladislav Vyhnánek, awarded for the publication *The Constitution of Czechia. A Contextual Analysis*), 2022; Rector's Award for Extraordinary Achievement in the International Grant Competition, Masaryk University, Brno, Czech Republic, 2021; Canada Prize delivered by The International Academy of Comparative Law for my work *Perils of Judicial Self-Government in Transitional Societies*, 2018; Neuron Award for Young Scientists, Benevolent Fund for Support of Science, Prague, 2018; Rector's Award for Outstanding Creative Activity, Masaryk University, Brno, Czech Republic, 2017; Lawyer of the Year 2016 in *Constitutional Law and Human Rights*, Prague, 2017; Rector's Award for Extraordinary Achievement in the International Grant Competition, Masaryk University, Brno, Czech Republic, 2016

Selected presentations (the most recent mentioned, for a full list see <https://is.muni.cz/person/4775#cv>)

- *The Future of Judicial Governance in Times of Polarization: New Dimensions* (co-presented with K. Šipulová), **TRIIAL workshop** "Rule of Law and the Future of Judicial Governance: Digitalisation, Communication, and Extrajudicial Activities", Masaryk University, Prague, Czech Republic, 27-28 February 2025
- *Why Court Communication Matters*, **SPSA Annual Conference**, University of Puerto Rico School of Law, San Juan, 8-11 January 2025
- *Judicial Overstay* (co-authored with Patrick Leisure), **Comparative Constitutional Law Roundtable**, University of New South Wales, 5 December 2024
- *Judicial Overstay* (co-presented with P. Leisure), **IPSA Research Committee 09 Interim Meeting**, University of Texas, Austin, 24-26 October 2024
- *The experience with judicial governance: institutional setups and major problems*, ECPR General Conference, University College Dublin, Ireland, and a panel chairing *Author-meets-the-critic: Perceptions of Judicial Self-Governance in Europe*, 12-15 August 2024
- *Judicial Underreach: Pros and Cons*, **ICON-S Conference**, IE Uni. Law School, Madrid, Spain, 8-10 July 2024
- *Judicial Overstay: Meddling with the Tail End of Judicial Career*, **iCourts**, Uni. of Copenhagen, Denmark, 7 March 2024
- *Chief Justices in Central Europe – Activation of the Supranational Level as a Gamechanger?*, **Islands of Institutional Integrity Workshop**, University of Chicago Law School, Chicago, Illinois, USA, 10 November 2023
- *The Case for Judicial Councils as Fourth Branch Institutions*, **The Foundations of Institutional Authority**. University College Dublin, Dublin, Ireland, 9-10 October 2023
- *Internal judicial independence at international courts*, **Judicial Independence of International Courts**, Pompeu Fabra University Barcelona, Barcelona, Spain, 5-6 October 2023
- *Court-Hoarding*, **ICON-S Conference**, Wellington, New Zealand, 3-5 July 2023
- *Informal Judicial Institutions and Democratic Decay* (with Katarína Šipulová), **Joint Sessions of Workshops**, ECPR, Sciences Po Toulouse, France, 25-28 April 2023
- *Court Presidents, Informality and Power* (co-authored Katarína Šipulová), **Judging and the Judiciary Workshop**, Murray Edwards College, University of Cambridge, UK., 18-19 April 2023
- *Comparative court-packing*, **Symposium on Authoritarian Populism Courts, and Democratic Erosion**, Occidental College, Los Angeles, California, USA, 16-17 December 2022

Selected publications (full list available at <https://is.muni.cz/person/4775#cv>; * equal contributions)

Books

1. **KOSAŘ, D.***, VYHNÁNEK, L.*: *The Constitution of Czechia. A Contextual Analysis*. Oxford: Hart Publishing, 2021. 256 pp. Constitutional Systems of the World.
2. **KOSAŘ, D.***, PETROV, J.*, ŠIPULOVÁ, K.*, SMEKAL, H.*, VYHNÁNEK, L.*, JANOVSKEÝ, J.*: *Domestic Judicial Treatment of European Court of Human Rights – Beyond Compliance*. Routledge, 2020. 306 pp.

3. **KOSAŘ, D.** *Perils of Judicial Self-Government in Transitional Societies*. New York: Cambridge University Press, 2016. Comparative Constitutional Law and Policy Series, 488 pp. (won the **2018 Canada Prize of the International Academy of Comparative Law**)

Articles and Book Chapters

1. LEISURE, P. C.*, **KOSAŘ, D.***. Court-hoarding: Another method of gaming judicial turnover. *Law & Policy*. John Wiley & Sons and the University of Denver, 2024, vol. 46, No 4, p. 328-348. ISSN 0265-8240.
2. **KOSAŘ, D.***, **SPÁČ, S.***. Judicial Independence. In Richard Bellamy and Jeff King. *The Cambridge Handbook of Constitutional Theory*. 1st ed. Cambridge: Cam. UP., Cambridge Law Handbooks, p. 867-883 (2025).
3. ŠIPULOVÁ, K.*, **KOSAŘ, D.***. Purgings the Judiciary After a Transition: Between a Rock and a Hard Place. *Hague Journal Rule Law* 17, p. 61–93 (2025).
4. **KOSAŘ, D.***, ŠIPULOVÁ, K.*, KADLEC O*. The Case for Judicial Councils as Fourth-Branch Institutions. 20 *European constitutional law review* 82, p. 82-119 (2024).
5. **KOSAŘ, D.***, VINCZE, A*. Constitutional Conventions Concerning the Judiciary beyond the Common Law. 24 *German Law Journal* 8. Cambridge University Press, p. 1503-1519 (2023).
6. **KOSAŘ, D.***, ŠIPULOVÁ, K.*, URBÁNIKOVÁ, M*. Informality and Courts: Uneasy Partnership. 24 *German Law Journal* 1239, p. 1239-1266 (2023).
7. **KOSAŘ, D.***, ŠIPULOVÁ, K*. Court-Unpacking: A Preliminary Inquiry. In Michal Bobek, Adam Bodnar, Armin von Bogdandy, Pál Sonnevend (eds.). *Transition 2.0 Re-establishing Constitutional Democracy in EU Member States*. 320. Baden-Baden: Nomos Verlagsgesellschaft mbH & Co. KG, p. 323-360(2023).
8. **KOSAŘ, D.***, ŠIPULOVÁ, K*. Comparative court-packing. 21 *Journal of Constitutional Law* 80, p. 80-126 (2023) (won the **I-CON Best Paper Prize 2024**).
9. **KOSAŘ, D.***, BOBEK, M*. Please, Disregard Us: When a Minority of the European Court of Human Rights Declares its own Court to be Ultra Vires. 48 *European Law Review* 281, p. 281-311 (2023).
10. **KOSAŘ, D.***, URBÁNIKOVÁ, M*, HAVELKOVÁ, B*. The Art of Waiting Humbly: Women Judges Reflect on Vertical Gender Segregation. *Feminist Legal Studies*. Netherland: Springer, vol. 32, p. 259-284. ISSN 0966-3622 (2023).
11. **KOSAŘ, D.***, KADLEC, O*. Romanian version of the rule of law crisis comes to the ECJ: The AFJR case is not just about the Cooperation and Verification Mechanism. 59 *Common Market Law Review* 1823, p. 1823-1852 (2022).
12. **KOSAŘ, D.***, ŠIPULOVÁ, K*, SPÁČ S*, PAPOUŠKOVÁ T*, and DERKA V*. Judicial Self-Governance Index: Towards Better Understanding of the Role of Judges in Governing the Judiciary. 17 *Regulation & Governance* 22, p. 22-42 (2022).
13. **KOSAŘ, D.***, HAVELKOVÁ, B* and URBÁNIKOVÁ, M*. The Family Friendliness That Wasn't: Access, but Not Progress, for Women in the Czech Judiciary. 47 *Law & Social Inquiry* 1106, p. 1106-1136 (2021).