

RESUMÉ

Professor Gábor HALMAI, D.sc., Ph.D., J.D.

Resumé summary statement

Gábor Halmai, professor of law, is the chair of of Constitutional Law at the European University Institute in Florence as of September 2016. His primary research interests are comparative constitutional law, and international human rights. He has published several books and articles, as well as edited volumes on these topics in English, German and Hungarian. He is joining the EUI after a teaching and research career (at the Eötvös Loránd University in Hungary, the Princeton University in the USA, the the European Masters Program in Human Rights and Democratization in Italy) as well as years of professional career as chief advisor to the President of the Hungarian Constitutional Court, member of the EU Fundamental Rights Agency's Management Board and numerous other civic activities.

Most recently Professor Halmai has worked on various research projects at the IWM in Vienna and the Woodrow Wilson School of Princeton University: Backsliding of liberal democracies within the European Union, with special focus on the development of constitutionalism and human rights in Hungary since its democratic transition in 1989-1990 till now; Models of state-church relations and religious freedom; Constitutionalism and transitional justice in Central and Eastern Europe. His most recent book, „Perspectives on Global Constitutionalism” deals with the use of foreign and international law by domestic courts (published by Eleven International Publishing in 2014). In addition to research, Professor Halmai has also been teaching and supervising students on the subjects of comparative constitutional law and human rights, as well as on rule of law.

Besides his academic work he has taken an active role in EU institutions (2007-2010 he was member of the EU Fundamental Rights Agency's Management Board based in Vienna, Austria), from 2003 he is the national director of the European Masters Program in Human

Rights and Democratization in Venice (Italy), and in public life in Hungary (2006-2010: vice-chair of the Hungarian National Election Commission; 1990-97 he was chief counsellor to the President of the Hungarian Constitutional Court) as well as numerous civic activities.

Gábor Halmai is a recognized public speaker (fluent English, German, Hungarian) and author of academic articles and public affairs commentaries.

CURRICULUM VITAE

EMPLOYMENT

Appointed from September 2016:

Chair of Constitutional Law at the European University Institute in Florence

2006 – 2015	Professor of Law at Eötvös Loránd University (ELTE), Budapest
2006 – 2011	Director of the Institute of International and International Studies at Eötvös Loránd University (ELTE), Budapest
2003 – present	National Director of the European Master's Program in Human Rights and Democratization
2004-2009	Executive Board member of the European Master's Program in Human Rights and Democratization
2001 – 2004	President of Hungarian Soros Foundation
1998 – present	Director of the Hungarian Human Rights Information and Documentation Centre Foundation, Budapest
1996 – 1997	Executive Director of the Human Rights Program at Central European University, Budapest
1995 – 2006	Professor and Chair of the Department of Constitutional Law at Széchenyi University, Győr
1990 – 1996	Chief Counsellor to the President of the Hungarian Constitutional Court

EDUCATION

1997	Doctor of the Hungarian Academy of Sciences
1997	Habil. in Law Loránd Eötvös University, Budapest
1983	Ph.D. in Law Loránd Eötvös University, Budapest
1976	J.D. Faculty of Law, Loránd Eötvös University, Budapest

RESEARCH AND OTHER PROFESSIONAL FELLOWSHIPS

2015/2016	EURIAS Senior Visiting Fellow at the Institut of Human Sciences (Vienna)
2014/2015	Research Scholar at the Center of Theological Inquiry (Princeton, N.J.)
2011 – 2014	Research scholar at the Princeton University (Princeton, N.J.)
2014	Reagan-Fascell Democracy Fellow, National Endowment for Democracy
2012	Senior Fellow, Transatlantic Academy (Washington D.C.)
2011	Fellow at the Max-Planck Institute for Foreign Public Law (Heidelberg Germany)
2000/2001	Fellow of Law and Public Affairs Program, Princeton University

	(Princeton, N.J.)
1996	Fellow, Fulbright Foundation at the University of Michigan Law School
1994	Fellow, Salzburg Seminar (Austria)
1992/1993	Fellow, Humboldt Foundation, University of Cologne (Germany)
1991	Visiting Scholar (USIA), USA
1990	Visiting Scholar, Japanese Association of Comparative Law, Tokyo (Japan)
1988/1989	Fellow, Humboldt Foundation, University of Cologne (Germany)
1986	Fellow, Swiss Institute of Comparative Law, [Lausanne] (Switzerland)
1984	Visiting Scholar, Faculty of Law, University Vienna (Austria)

MEMBERSHIP

2008 – present	Member of the Scientific Advisory Board of the European Yearbook on Human Rights
2007 – 2010	Member of the Management Board of the EU Fundamental Rights Agency, Vienna
2005 – 2010	Executive Committee Member, European Masters Program in Human Rights and Democratization, Venice
2006 – 2010	Vice President, Hungarian National Election Committee
2005 – 2011	Member of the Commission of Legal Sciences to the Hungarian Academy of Sciences
2001- 2004	President, Board of the Hungarian Soros Foundation
2000 – 2003	Advisory Board Member, Interights's Freedom of Expression Panel
1999 – 2003	Board Member, European Roma Rights Centre
1999 – present	Board Member, Hungarian Helsinki Committee
1998 – present	Board Member of the Institute of Law on Parties, University of Hagen, Germany
1997 – present	Founder and Editor-in-Chief, Human Rights Quarterly "Fundamentum"
1994 – present	National Editor, East European Case Reporter of Constitutional Law, BookWorld Publications, The Netherlands
1993 – present	National Editor, Journal of Constitutional Law in Eastern and Central Europe, BookWorlds Publications, The Netherlands
1988 – present	Founding Member of Publicity Club, a free speech protection NGO

LANGUAGES

Hungarian (native fluency)
German (fluent)
English (fluent)
Russian (research fluency)
French (research fluency)

CONTACT INFORMATION

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LIST OF THE MOST IMPORTANT PUBLICATIONS

1. Constitutionalism and the New Constitutional Law in Hungary. *Juristo* (Japan), 1989/12
3. The Freedom of Assembly and Association, in: *Human Rights in Today's Hungary*, Mezon 1990.
4. Von der gelebten Verfassung bis zur Verfassungsstaatlichkeit in Ungarn. (From the Living Constitution to the Constitutional State in Hungary) *Osteuropa-Recht*, 1990/1
5. Ein neues Menschenrechtsverständnis in Ungarn. *Jahrbuch des öffentlichen Rechts der Gegenwart*. (A New Concept of Human Rights in Hungary) *Neue Folge*, Band 39. 1990.
6. Schutz der Grund- und Menschenrechte in Ungarn: Vergangenheit und Gegenwart. In: *For the Protection of Human Rights. The Japanese Association of Comparative Constitutional Law*. Tokyo, 1990.
7. Verfassungsgerichtsbarkeit und gelebte Verfassung. Beispiel Ungarn. In: *40 Jahre Grundgesetz. Entstehung, Bewährung und internationale Ausstrahlung*. C.H. Beck München, 1990.
8. Regeneration of Civil Society in Hungary. *Law and Policy*. Volume 13. No. 2. 1991.
9. Hongrie. In: *Annuaire International de Justice Constitutionnelle*. VI. 1990. Groupe d'Etudes et de Recherches sur la Justice Constitutionnelle Equipe associée au CNRS, Aix-en-Provence, 1992.
10. Die Verfassungsgerichtsbarkeit in Ungarn. *Recht in Ost und West. Zeitschrift für Ostrecht und Rechtsvergleichung*. 1993/1
11. Das Parteienrecht in Ungarn. In: *Parteienrecht in mittel- und osteuropäischen Staaten*. Hrsg. Prof. Dimitris Th. Tsatsos. Nomos Verlag, 1994.
12. Die zweijährige Erfahrungen des ungarischen Verfassungsgerichtes. In: *Recht und Gerechtigkeit. Internationale Gedächtnisschrift für Georg Tagami*. Seiko-Priplan Verlag, Tokyo 1993.
13. Protection of Human Rights in Poland and Hungary. In: *Human Rights in Eastern Europe*. Edward Elgar Publishing Limited, Coventry, 1995.
14. Juristische Bewältigung des kommunistischen Unrechts in Ungarn. (Co-author: Georg Brunner) In: *Juristische Bewältigung des kommunistischen Unrechts in Osteuropa und Deutschland. Veröffentlichung der Deutschen Gesellschaft für Osteuropakunde*. Berlin Verlag, Berlin, 1995.

15. Die Rolle der Verfassungsgerichtsbarkeit in der ungarischen "Verfassungsrevolution". In: Der Europäische Verfassungsraum. Schulthess, 1993.
16. The Constitutional Court. In: Lawful Revolution in Hungary, 1989-1994. Atlantic Research and Publications, Inc. 1996.
17. Living Well is the Best Revenge: The Hungarian Approach to Judging the Past (Co-author: Kim Lane Scheppele) In: Transitional Justice and the Rule of Law in New Democracies. University of Notre Dame Press. Notre Dame and London, 1997.
18. The New Types of the Media and the State or the End of Liberalism. In: Rights of Access to the Media. Kluwer Law International. 1995.
19. Establishing a State Governed by the Rule of Law in Hungary. Review of Central and East European Law, 1996/4.
20. Constitutional Protection for Homosexuality in Hungary. (Co-author: Kim Lane Scheppele) East European Human Rights Review. 1997/3.
21. Free Speech in the New Hungarian Constitutional Practice. International Journal of Sociology. 1997/4.
22. Die Meinungsfreiheit in der Rechtsprechung des ungarischen Verfassungsgerichts. In: Verfassungsstaatlichkeit. Festschrift für Klaus Stern zum 65. Geburtstag. C.H. Beck, München 1997.
23. Criticizing Public Officials in Hungary. In: Michael K. Addo (ed.): Freedom of Expression and the Criticism of Judges. Ashgate, Dartmouth, 2000.
24. The Role of the Constitutional Courts in the Development of Legal Systems, in: Burton M. Leiser/Tom D. Campbell (Eds.), Human Rights in Philosophy and Practice, Ashgate/Dartmouth, 2001.
25. Changing Patterns and Measures. The Freedom of Expression in the Jurisprudence of the Hungarian Constitutional Court. In: Gábor Halmai (ed.), Constitution Found? The First Decade of the Hungarian Constitutional Review on Fundamental Rights. (Ed. by Gábor Halmai) BookWorld Publications, The Netherlands, 2002.
26. The Hungarian Approach of Constitutional Review. In: Wojciech Sadurski (ed.), Constitutional Justice: East and West. Kluwer Law International, 2002.
27. The Making of the Hungarian Constitution. In: A. Sajó (ed.), Out of and into Authoritarian Law. Kluwer Law International. 2002.
28. The Unmaking of Hungarian Constitutionalism? In: A. Sajó (ed.), Out of and into Authoritarian Law. Kluwer Law International. 2002.
29. Who is the Main Protector of Fundamental Rights in Hungary? The Role of the Constitutional Court and the Ordinary Courts. In: Jiri Priban, Pauline Roberts, James Young (eds.), Systems of Justice in Transition, Ashgate, 2003.

30. Constitutions and constitutional adjudication after post-communist transitions. *International Journal of Constitutional Law*. 2005/1.
31. The Third Party Effect in Hungarian Constitutional Adjudication. In: András Sajó and Renáta Uitz (ed.): *The Constitution in Private Relations. Expanding Constitutionalism*. Eleven International Publishing, 2005.
32. Facing with the Legacy of Human Rights Violations. Post-communist Approaches to Transitional Justice. In: Felipe Gómez Isa and Koen de Feyter (eds.), *International Protection of Human Rights: Achievements and Challenges*. University of Deusto in Bilbao. 2006.
33. Public Order and Security versus Rule of Law in Transition Countries. In: Gábor Halmai (ed.), *Hungary. Human Rights in the Face of Terrorism*. Vanderplas Publishing, US, 2006.
34. Grundstrukturen staatlichen Verfassungsrechts: Ungarn. In: *Ius Publicum Europaeum*. C.F. Müller Verlag, Heidelberg. 2007.
35. The Transition of Hungarian Constitutional Law from 1985 to 2005. In: *The Transformation of the Hungarian Legal Order 1985-2005*. Kluwer International. 2007.
36. Lustration and Access to the Files in Central Europe. In: Vladimira Dvorakova-Andelko Milardovic (eds.): *Lustration and Consolidation of Democracy and the Rule of Law in Central and Eastern Europe*. Series of Political Research Centre Forum Book 5. Zagreb, 2007. 17-46.
37. Freedom to Know the Present and the Past – The Hungarian Approach. *Journal of Parliamentary and Political Law*. (Canada) 1/2008. 483-504.
38. Chapter XIII. Country Report for Hungary (together with Eszter Polgári and Balázs D. Tóth). In: Jan Barcz (ed.): *Fundamental Rights Protection in the European Union*. C.H. Beck, Warszawa, 2009. 327-355.
39. Referendum and Representative Democracy. *Fundamentum, English Edition*, 5/2008. 5-21.
40. The Neighbours' Fear. Anti-Semitism in Poland Before and After World War II. *Fundamentum, English Edition*, 5/2008. 82-87.
41. Hungary: Impact on the Freedom of Expression (together with Eszter Polgári) In: Vinodh Jaichand - Markku Suksi (eds.): *60 Years of UDHR in EU Member States*. Intersentia, 2009.
42. Vergangenheitsbewältigung im Kontext posttotalitärer Gesellschaften in Ost-Mittel-Europa. In: *Erinnerungskonflikte und demokratische Kulturen in Europa. Beiträge zur transnationalen Europadebatte*. Band 8. Lit-Verlag, 2009.
43. From the “Rule of Law Revolution” to an Illiberal Democracy in Hungary. In: *Festschrift für Klaus Stern*. Duncker & Humblot, 2011.
45. Argumentation auf historischer Grundlage – das Beispiel des ungarischen Verfassungsgerichts, in *Bewusstes Erinnern und bewusstes Vergessen*. Mohr Siebeck, 2011.

46. Opinion on the Fundamental Law of Hungary, Andrew Arato, Gábor Halmai and János Kis (ed.), with Zoltán Fleck, Gábor Gadó, Gábor Halmai, Szabolcs Hegyi, Gábor Juhász, János Kis, Balázs Majtényi, Gábor Attila Tóth. Available in English from the page of the Law and Public Affairs, Princeton University: <http://lapa.princeton.edu/hosteddocs/amicus-to-vc-english-final.pdf>; and ConstitutionMaking.org, Resources for Constitutional Design: <http://www.comparativeconstitutions.org/2011/06/hungary-petition.html>
47. Hochproblematisch. Ungarns neues Grundgesetz, Osteuropa, 11/2011.
48. Towards an Illiberal Democracy. Hungary's New Constitution. Eurozine, 2012-01-25. <http://www.eurozine.com/articles/2012-01-25-halmai-en.html>
49. Opinion on Hungary's New Constitutional Order: Amicus Brief for the Venice Commission on the Transitional Provisions of the Fundamental Law and the Key Cardinal Laws, Gábor Halmai and Kim Lane Scheppele (ed.), with Miklós Bánkuti, Tamás Dombos, Zoltán Fleck, Gábor Halmai, Krisztina Rozgonyi, Balázs Majtényi, László Majtényi, Eszter Polgári, Kim Lane Scheppele, Bernadette Somody, Renáta Uitz. Available both in English and Hungarian at <http://sites.google.com/site/amicusbriefhungary>
50. From Separation of Powers to a Government without Checks: Hungary's Old and New Constitutions (together with Miklós Bánkuti and Kim Lane Scheppele), In: Constitution for a Disunited Nation. On Hungary's 2011 Fundamental Law, CEU Press, 2012.
51. The Use of Foreign Law in Constitutional Interpretation. In: Oxford Handbook of Comparative Constitutional Law. Oxford University Press, 2012. 1328-1348.
52. From the "Rule of Law Revolution" to the Constitutional Counter-Revolution in Hungary, European Yearbook on Human Rights, 2012.
53. Unconstitutional Constitutional Amendments: Constitutional Courts as Guardians of the Constitution? Constellations, 2/2012.
54. Disabling the Constitution (together with Miklós Bánkuti and Kim Lane Scheppele), Journal of Democracy, Vol. 23, No. 3 July 2012.
55. Die Abschaffung der Medienfreiheit in Ungarn? Meinungsfreiheit – Quo Vadis? Jahrbuch der Menschenrechte. 2012/2013. Böhlau Verlag, 2013. 244-255.
56. Amicus Brief for the Venice Commission on the Fourth Amendment to the Fundamental Law of Hungary. <https://sites.google.com/site/amicusbriefhungary> (In Hungarian language see Fundamentum, 2013/3.)
57. The Rise and Fall of Hungarian Constitutionalism, The Democratic Disconnect. Citizenship and Accountability in the Transatlantic Community, Transatlantic Academy, 2013.
58. Alkotmány – emberi jogok – globalizáció. Az alkotmányos eszmék migrációja. (Constitution – Human Rights – Globalization. The Migration of Constitutional Ideas. L'Harmattan, 2013.

59. Perspectives on Global Constitutionalism. The Use of Foreign and International Law by Domestic Courts, Eleven International Publishing, 2014.
60. Constitutionalism and Democracy. The Case of the New Fundamental Law of Hungary. This Century's Review, 1/2014.
61. Domestic Courts and International Human Rights. In: SAGE Handbook of Human Rights (eds. A. Mihr and M. Gibney), 2014. 749-767.
62. An Illiberal Constitutional System in the Middle of Europe. European Yearbook of Human Rights, 2014. 497-514.
63. An Illiberal Polity in the Euro-Atlantic World Lessons from Hungary's Backsliding, in The State of the Transatlantic World, The Transatlantic Academy, 2015.
64. Auswirkungen einer Übergangsjustiz auf die demokratische Konsolidierung in Mittel- und Osteuropa (Impact of Transitional Justice on democratic consolidation in Central and Eastern Europe), in Handbuch der Grundrechte in Deutschland und Europa Band IX: Die Grundrechte in Ostmitteleuropa und Osteuropa, C.F. Müller, 2015.
65. Judicial Review of Constitutional Amendments and New Constitutions in Comparative Perspective, 50 Wake Forest L. Rev. 951 (2015).
66. Varieties of State-Church Relations and Religious Freedom Through Three Case Studies, Oxford Journal of Law and Religion, 2/2016. Forthcoming 65. Religion and Constitutionalism, in Constitutional Acceleration within the European Union and Beyond, Routledge Constitutional Series, Forthcoming
67. The Case of the Retirement Age of Hungarian Judges, in EU Law Stories, Cambridge University Press, Forthcoming
68. Internal and External Limits of Constitutional Amendment Sovereignty, in Identity Politics, Indiana University Press, Forthcoming