

Henning Glaser (ed.)

Constitutional Jurisprudence

Function, Impact and Challenges



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Preface

Constitutional courts and constitutional adjudication continue to provide crucial topics for the scholarly debate on constitutional politics and constitutional law. With an increasing number of states adopting the continental European model of specialized constitutional review, many of them in contexts more or less different from those of the countries usually attributed with specialized constitutional review, new perspectives and theoretical approaches have been developed. While newly emerging forms of institutional design and judicial performance enrich the debate, basic questions of the ‘classical’ discourse on constitutional jurisprudence remain vividly discussed. With the present volume on the issue which is the third of the *CPG Series of Comparative Constitutional Law, Politics and Governance* we would like to contribute to the ongoing debate on constitutional jurisprudence from both, theoretical and practical perspectives.

The work on and with constitutional courts is indeed an important part of our Center’s academic and professional engagement which is reflected by the fact that besides a number of distinguished scholars, also justices and former justices from three constitutional courts contributed to this publication. Two of them are senior research fellows of the CPG, the other one an old partner and friend since our establishment. All in all, with the 15 papers collected in this volume, studies on nine jurisdictions and courts in Asia and Europe are presented – among them Croatia, Cambodia, Germany, Indonesia, Japan, Poland, South Korea, Spain and Taiwan. They are complemented by articles reflecting on general theoretical or genuine comparative aspects.

Along the way, a number of individuals and institutions have continuously enabled our work and the completion of the present book. First and foremost, particular thanks are owed to the authors for their time and efforts to make this collection possible, especially for their willingness to timely respond to our editorial requests. Moreover, the work of our Center is only possible due to the generous support of the German Foreign Ministry, the Federal Foreign Office, and the German Academic Exchange Service (DAAD) for which we extend our gratitude. Formed by the German Universities of Frankfurt, Münster and Passau and Thammasat University in Thailand as the host of CPG, the enriching academic

cooperation between Germany and Thailand behind it has been owed during the last years especially to the steady support of Prof. Narong Jaiharin, Dean of Thammasat's Faculty of Law, Prof. Dr. Ingwer Ebsen (Frankfurt), Prof. Dr. Dr. hc. Dirk Ehlers (Münster), Prof. Dr. Robert Esser (Passau), Assist. Prof. Dr. Kittisak Prokati (Thammasat), and Assoc. Prof. Dr. Worachet Pakeerut (Thammasat). We would like to thank them all for their constant endorsement of the work of our joint institution. Among our Asian colleagues for whose opinion and advice we owe thanks particular in our work on constitutional jurisprudence we would like to express our acknowledgement to Prof. Dr. Yueh-sheng Weng, Dr. Warawit Kanithasen, Prof. Dr. Boonsri Mewongukote, Prof. Dr. Widodo Ekatjahjana and Prof. Dr. Seog-Yun Song.

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Henning Glaser

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