

CURRICULUM VITAE
Michaela Hailbronner, LL.M. & J.S.D. (Yale)

I. Teaching & Research Positions

08/2026	Senior Fellow (Melbourne Law Masters) , University of Melbourne
02/2026	Visiting Professor , NUS Singapore
03/2023 – 06/2023	Research Visitor , Bonavero Institute of Human Rights, University of Oxford (on sabbatical)
as of 01/2022	Chair of German and International Public Law and Comparative Law , University of Münster (Tenured Professorship, W3)
04/2019 – 03/2022	Professorship for Public Law and Human Rights , Justus-Liebig-University Gießen (Tenure Track W1-W2, Associate Prof. equivalent)
09/2019 – 10/2019	Visiting Professor , University of Wisconsin-Madison
10/2016 – 03/2019	Postdoctoral Researcher and Lecturer , Institute for Public Law, International and European Law and Empirical Approaches to Law, Prof. Dr. Niels Petersen, University of Münster: Postdoctoral Research and Teaching
01/2016	January-Term Visiting Professor , University of Ottawa
05/2014 – 06/2016	Senior Researcher , Institute for International and Comparative Law in Africa, University of Pretoria
03/2013 – 04/2014	Senior Research Fellow , Max Planck Institute for Comparative Public and International Law (with Prof. Dr. von Bogdandy), Heidelberg

II. Degrees/Education

January 2024	Habilitation, Humboldt-University Berlin , Venia (teaching qualification): German and Foreign Public Law, Public International and European Law, Comparative Law, Constitutional Theory
September 28, 2013	J.S.D. Yale Law School, United States (Ph.D. equivalent) Supervisor: Bruce Ackerman, Readers: Robert Post, James Whitman, Dissertation Title: Beyond the Nazi Trauma: Value Formalism and the Rise of German Constitutionalism

June 2, 2010	LL.M., Yale Law School, United States
May 29, 2009	Second German State-Exam
2007 – 2009	Practical Training (Referendariat), Berlin High Court (KG Berlin)
January 30, 2007	First German State-Exam
2001 – 2006	Law studies, University of Freiburg, Germany & Trinity College Dublin, Ireland (Sept. 2004 – March 2005).

III. Awards, research grants, scholarships etc.

2022-2026	DFG (German Research Foundation) Grant for a Research Project on Systemic Deficits in the Human Rights Protection of Migrants: <i>The Inter-American and the European Court of Human Rights Compared</i>
2018 – 2022	Selection for and membership of the “ Zukunftsfakultät ” (Future Faculty), Institute for Advanced Studies (Wissenschaftskolleg), Berlin
2015	Inaugural Best Paper Prize , International Journal of Constitutional Law (ICON) for the best paper published in that journal in 2014, “Rethinking the rise of the German Constitutional Court: From Anti-Nazism to Value Formalism”
2015 – 2016	Alexander von Humboldt-Foundation: Feodor-Lynen Postdoctoral Research Grant (18-month research stay in South Africa)
2011 – 2013	Studienstiftung des deutschen Volkes (German Academic Scholarship Foundation): Ph.D. Grant
2009 – 2010	DAAD, Zempelin-Stiftung & Freshfields: LL.M.-Grants
2001 – 2006	Studienstiftung des deutschen Volkes (German Academic Scholarship Foundation): <i>Study Grant</i>

IV. Peer Review & Review of Grant Proposals

1. Books: Oxford University Press, Cambridge University Press, Edward Elgar
2. Academic Journals: European Journal of International Law, Global Constitutionalism, International Journal of Constitutional Law, Comparative Constitutional Studies, Osgoode Hall Law Journal, Israel Law Journal, Stellenbosch Law Journal, Vienna Journal of

International Constitutional Law, African Human Rights Law Journal, Verfassung und Recht in Übersee/World Comparative Law, University of Toronto Law Journal

3. Grant Proposals: European Research Council, Netherlands Institute for Advanced Studies, Austrian Academy of Sciences

V. Institutional commitments, mentorship and outreach

1. International Society of Public Law (ICON-S)

- Co-President 2024 – 2027
- Deputy Secretary General 2021 – 2024
- 2018 Election to the Council
- Member of Book Prize Committee (2019) and Committee for Emerging Scholars (2019).

2. German Chapter of the International Society of Public Law (ICON-S)

- Co-Founder (with Christoph Möllers and Tim Wihl)
- Co-Chair 2019 – 2022
- Organization of inaugural conference in Berlin 2019 (see below) and several subsequent online workshops and panels, primarily tailored to assist emerging scholars.

3. Chairwoman, Advisory Board of the Minerva Centre for the Rule of Law under Extreme Conditions, Haifa, Israel (Jan. 2022 – Dec. 2024)

4. Mentor to emerging scholars with Justitia Mentoring, Freiburg University; Hessen Mentoring; Cornelia Harte Mentoring Program of Cologne University, DJB (German Female Lawyers Association), Koerber-Foundation

5. Public outreach (selection)

- Several interviews with citations, inter alia in the **New York Times**, **Der Spiegel**, **Die Zeit** and radio programs (Deutschlandfunk, WDR 5 etc.)
- Guest commentary **Süddeutsche Zeitung**, **Die Welt**
- Podcast lecture with **Deutschlandfunk**, Nova

VI. Editorships and Advisory Boards

2022–2024 **Thüringen24-project of the Verfassungsblog** (assessing risks associated with the rise of far-right authoritarian parties in the state of Thüringen), Academic Advisory Board

2021 – ... **International Journal of Constitutional Law**, Editorial Board Member

2016 – ... **Verfassung und Recht in Übersee/World Comparative Law**, Editorial Board

- 2016 – 2021 Book Review Editor, **International Journal of Constitutional Law**
- 2016 - 2021 **Verfassungsblog**, Associate Editor: in this capacity organization of, and participation in, three blog symposia:
- “Constitutional Courts and Populism” (with David Landau), 2017
 - “Gender Parity in Parliaments (with Ruth Rubio Marin), 2020
 - The Role of Public Lawyers in Politics (“Verfassungsrechtliche Expertise im politischen Raum”) (with Alexander Thiele), 2021, supported by a grant by the *Foundation for Democracy and Politics (SWUD)*.
- 2015 – 2016 **Younger Comparativists Committee (YCC)** of the American Society for Comparative Law, Scholarship Advisory Group Chair 2016 – 2017.
- 2015 **Stellenbosch Handbooks in African Constitutional Law**, Series Advisory Board
- 2014 – 2024 **Völkerrechtsblog** (Public International Law Blog), Advisory Board
- 2014 – 2015 **Pretoria University Law Press**, Editorial Board

VII. Conference and workshop organization

1. **ICON-S Annual Conferences 2021-2025:** part of the organizing team
2. **International workshops/conferences at the University of Münster:** “Human Rights and Democracy - the Role of Supranational Courts”, 11.-12.09.2025; “The future of constitutional law and international law as a grammar of legitimacy”, 20.-21.11.2025 (research and teaching workshop); annual international works-in-progress workshop (since 2024) with Niels Petersen and James Fowkes (2024, 2025, 2026); “Challenges for Public Law in Modern Regulatory States” 2 – 3.03.2018 with James Fowkes
3. **German Chapter of the International Society of Public Law (Co-Organizer):**
 - a. Conference, University of Gießen, 15-16 September 2022
 - b. Virtual works-in-progress workshop; workshop on publishing for emerging scholars, panel on public law implications of covid, 8 – 9 October 2020
 - c. Virtual workshop on dissertation-writing and book projects with Prof. Joseph Weiler, 3 December 2020 and 8 December 2020
 - d. Inaugural conference, Humboldt-University Berlin, 28 – 29 March 2019.
4. **International Conference:** Global Canons Project, Universidad de los Andes, Santiago de Chile, 30 June 2019; on the same project online workshop to provide guidance for authors, 22 – 26 February 2021 (Co-Organizer)

5. **Verfassung und Recht in Übersee/World Comparative Law Journal**, Annual Conference, University of Münster, Germany, 13 – 14 July 2018 (Co-Organizer)
6. **Yale Doctoral Conference**, Yale Law School, United States, 30 November – 1 December 2012 (Co-Organizer)

VIII. Publications

1. Monographs

1. *The Failures of Others: Justifying Institutional Expansion in Comparative Public and International Law* (Cambridge Studies in Constitutional Law, Cambridge University Press 2025).

Discussions and reviews

Rosalind Dixon, ‘Arguments from Failure: A New Theory of Judicial Review and Restraint’ (Jotwell, 20 October 2025) <<https://intl.jotwell.com/arguments-from-failure-a-new-theory-of-judicial-review-and-restraint/>> reviewing Michaela Hailbrunner, *The Failures of Others: Justifying Institutional Expansion in Comparative Public and International Law*.

Book Symposium at the Blog of the American Society of Comparative Law (ASCL), with contributions by Roberto Gargarella, Francisca Pou Giménez and David Landau; for the first post see Roberto Gargarella, ‘Arguments from Failure, Judicial Intervention and Democracy’ (ASCL Blog) <<https://ascl.org/arguments-from-failure-judicial-intervention-and-democracy/>>.

2. *Traditions and Transformations: The Rise of German Constitutionalism* (Oxford University Press 2015) (PhD thesis).

Reviews

Florian Meinel, ‘The Constitutional Miracle on the Rhine: Towards a History of West German Constitutionalism and the Federal Constitutional Court’ (Review Essay) (2016) 14 ICON 277.

Joseph Weiler, ‘Ten Good Reads’ (2016) 27 EJIL 1 <<https://www.ejiltalk.org/ten-good-reads-vol-27-1/>>.

Alexandra Kemmerer, ‘Warum die Welt nach Karlsruhe blickt’ Frankfurter Allgemeine Zeitung (Frankfurt, 6 July 2016).

2. Edited Books & Special Issues

1. *The Cambridge Handbook on the Separation of Powers* (Cambridge University Press, forthcoming 2026/27) (co-editor with Eoin Carolan, Cora Chan, Erin Delaney, David Kosar, Mathieu Leloup, Joana Mendes and Sergio Verdugo).

2. 'Human Rights and Democracy: The Role of Supranational Courts' (Special Issue, Comparative Constitutional Studies) (co-editor with Janneke Gerards).
3. 'Between Rights and Governance: Migration Experiences in Latin America and Europe' (Symposium/Special Issue, VRÜ/WCL) (co-editor with Sofia Reca Milanta and Giulia Santomauro).
4. *Global Canons in an Age of Contestation: Debating Foundational Texts of Constitutional Democracy and Human Rights* (Oxford University Press 2024) (co-edited with Sujit Choudhry and Matthias Kumm).
5. 'Ely in the World: The Global Legacy of Democracy and Distrust 40 Years On' (Symposium) (2021) 19(2) ICON (co-editor with Rosalind Dixon).

3. Peer-reviewed journal articles

1. 'Politically Responsive Review: Beyond the Democracy–Minority Rights Dichotomy in the European Convention' (2026) Global Constitutionalism (advance online publication).
2. 'Representation Reinforcement in the European Court of Human Rights' (2025) 14(2) Global Constitutionalism 396 (with Lisa Kujus).
3. 'Combating Malfunction or Optimizing Democracy? Lessons from Germany for a Comparative Political Process Theory' (2021) 19(2) ICON 495
<<https://academic.oup.com/icon/article-abstract/19/2/495/6295762?redirectedFrom=fulltext>>.
4. 'Constructing the Global Constitutional Canon: Between Authority and Criticism' (2019) 69(2) University of Toronto Law Journal 248
<<https://www.utpjournals.press/doi/abs/10.3138/utlj.2018-0024?journalCode=utlj>>.
5. 'Transformative Constitutionalism: Not Only in the Global South' (2017) 65(3) American Journal of Comparative Law 527
<<https://academic.oup.com/ajcl/article-abstract/65/3/527/4158464>>.

– Reprinted in Armin von Bogdandy and Eberhard Schmidt-Aßmann (eds), *Theorising Comparative Public Law* (Nomos 2024).
6. 'Decolonizing Eastern Europe: A Global Perspective on 1989 and the World it Made' (2019) 17(2) ICON 497 (with James Fowkes)
<<https://academic.oup.com/icon/article/17/2/497/5523753?login=true>>.
7. 'Overcoming Obstacles to North-South Dialogue: Transformative Constitutionalism and the Fight against Poverty and Institutional Failure' (2016) 3

Verfassung und Recht in Übersee 253 <<https://www.nomos-elibrary.de/10.5771/0506-7286-2016-3-253/overcoming-obstacles-to-north-south-dialogue-transformative-constitutionalism-and-the-fight-against-poverty-and-institutional-failure-jahrgang-49-2016-heft-3>>.

8. ‘Laws in Conflict: The Relationship between Human Rights and International Humanitarian Law under the African Charter on Human and Peoples’ Rights’ (2016) 16(2) African Human Rights Law Journal 339
<<https://www.ahrlj.up.ac.za/hailbrunner-m>>.

9. ‘Rethinking the Rise of the German Constitutional Court: From Anti-Nazism to Value Formalism’ (2014) 12(3) ICON 626
<<https://academic.oup.com/icon/article/12/3/626/763768>>.

– Inaugural Best Paper Prize 2014, International Journal of Constitutional Law.

10. ‘The European Court of Justice and Citizenship of the European Union: New Developments towards a Truly Fundamental Status’ (2011) 5(4) Vienna Journal of International Constitutional Law 498 (with Sara Sanchez Iglesias)
<<https://www.degruyter.com/document/doi/10.1515/icl-2011-0403/html>>.

4. Other Articles and Book Chapters

1. ‘Right-Wing Extremism and Militant Democracy in Germany’ in Antonia Baraggia and others (eds), *Constitutional Democracy in Crisis II* (forthcoming) (with Felix Oldenburg).

2. ‘Introduction: Human Rights and Democracy – The Role of Supranational Courts’ Comparative Constitutional Studies (forthcoming) (with Janneke Gerards).

3. ‘Between Rights and Governance: Migration Experiences in Latin America and Europe’ (Introduction, Special Issue) (2026) 59 VRÜ/WCL 3
<<https://doi.org/10.5771/0506-7286-2026-1-3>>.

4. § 6 ‘Verfassungsvergleichung’ in Julian Krüper, Mehrdad Payandeh and Heiko Sauer (eds), *Grundlagen des Verfassungsrechts* (Mohr Siebeck 2026) 318.

5. ‘Der amerikanische Rechtsstaat unter Druck: Justiz und Supreme Court in den USA’ (2026) NJW 2227.

6. ‘Krise des globalen Konstitutionalismus’ Aus Politik und Zeitgeschichte (APuZ) (2024) (with James Fowkes)
<<https://www.bpb.de/shop/zeitschriften/apuz/inguterverfassung-2024/545650/krise-des-globalen-konstitutionalismus/>>.

7. 'Leistungsfähigkeit des Verhältnismäßigkeitsprinzips' (2024) 139 DVBl 17.
8. 'Verfassungskitsch? Zum legal constitutionalism der Bundesrepublik und der Zukunft des Grundgesetzes' in Hans Hofmann (ed), *Zeiten der Bewährung: Festschrift 75 Jahre Grundgesetz* (Heymanns 2024) 375.
9. 'Effectiveness and Output-Legitimacy in Crisis' in Anika Klafki (ed), *Patterns of Legitimacy* (Nomos 2024).
10. 'A View from Western Europe' in Conrado Hübner Mendes, Roberto Gargarella and Sebastián Guidi (eds), *Oxford Handbook of Constitutional Law in Latin America* (Oxford University Press 2022) 886.
11. 'Ely in the World: The Global Legacy of Democracy and Distrust 40 Years On' (Introduction, Symposium) (2021) 19(2) ICON 427 (with Rosalind Dixon) <<https://academic.oup.com/icon/article/19/2/427/6275480?login=true>>.
12. 'Political Process Review: Beyond Distrust' (2021) 18(4) ICON 1458 (ICON Debate Section) <<https://academic.oup.com/icon/article-abstract/18/4/1458/6156764>>.
13. 'Order in Diversity: Political Parties and Social Movements in the European Union and India' in Philipp Dann and Arun Thiruvengadam (eds), *Democracy in Diversity: Democratic Constitutionalism in India and the European Union* (Edward Elgar 2021) 162 (with Naveen Thayyil).
14. 'Yes We Can! Mehr Rechtsvergleichung Wagen' in Sebastian Bretthauer and others (eds), *Wandlungen im Öffentlichen Recht: Festschrift zu 60 Jahren Assistententagung* (Nomos 2020) 409.
15. 'Verfassung als Programm: Das Bundesverfassungsgericht und die Verfassungsgerichtsbarkeit des Globalen Südens' in Florian Meinel (ed), *Verfassungsgerichtsbarkeit in der Bonner Republik* (Mohr Siebeck 2019) 411.
16. 'Kanon, Verfassung, Steuerung: Ein Einwurf zur Bedeutung von Martin Drath' in Nikolaus Marsch, Laura Münkler and Thomas Wischmeyer (eds), *Apokryphe Schriften: Rezeption und Vergessen in der Wissenschaft vom Öffentlichen Recht* (Mohr Siebeck 2019) 191.
17. 'All Same-Sex Marriage is not the Same: Obergefell from a Comparative Perspective' in Anna-Bettina Kaiser, Niels Petersen and Johannes Saurer (eds), *The Supreme Court and Contemporary Constitutional Law: The Obama Era and Its Legacy* (Nomos 2018) 133.
18. 'Beyond Legitimacy: Europe's Crisis of Constitutional Democracy' in Mark

Graber, Sandy Levinson and Mark Tushnet (eds), *Constitutional Democracy in Crisis* (Oxford University Press 2018) 277.

19. ‘German Federal Constitutional Court’ in András Jakab, Arthur Dyeve and Giulio Itzcovich (eds), *Comparative Constitutional Reasoning* (Cambridge University Press 2017) 323 (with Stefan Martini).

20. ‘Constitutional Legitimacy and the Separation of Powers in Africa: Looking Forward’ in Charles Fombad (ed), *Stellenbosch Handbooks in African Constitutional Law*, vol 1: *The Separation of Powers* (Oxford University Press 2016) 385.

21. ‘We the Experts: Die geschlossene Gesellschaft der Verfassungsinterpreten’ (2014) 53(3) *Der Staat* 425 <<https://elibrary.duncker-humboldt.com/zeitschriften/id/20/vol/53/iss/1683/art/7359/>>.

22. ‘Wer hat Angst vorm Kollektiv? Deutsche Erscheinungen von Kollektivität im internationalen Vergleich’ in Junge Wissenschaft im öffentlichen Recht eV (ed), *Kollektivität: Öffentliches Recht zwischen Gruppeninteressen und Gemeinwohl* (52. Assistententagung Öffentliches Recht, Nomos 2012) 51.

23. ‘Zuviel Vertrauen, zu wenig Kritik? Das Bundesverfassungsgericht im parlamentarischen Diskurs’ in Georg Jochum, Wolfgang Fritzemeyer and Marcel Kau (eds), *Crossing Frontiers: Festschrift für Kay Hailbronner* (Nomos 2013) 713.

24. ‘Courts as the Nation’s Conscience: Empirically Testing the Intuitions behind the Ethicalization of Law’ in Silja Vöneky and others (eds), *Ethics and Law: The Ethicalization of Law* (Springer 2013) 395 (with James Fowkes).

25. ‘Die Justiziabilität des Subsidiaritätsprinzips im Lichte der Subsidiaritätsprotokolle’ in Ingolf Pernice (ed), *Der Vertrag von Lissabon: Reform der EU ohne Verfassung?* (Nomos 2008) 135.

5. Varia

1. ‘Review of Martin Loughlin, *Against Constitutionalism*’ (2023) 21(4) *ICON* 1229 <<https://doi.org/10.1093/icon/moad098>>.

2. ‘The German Constitutional Court’ in Jaakko Husa, Jan Smits and Catherine Valcke (eds), *Elgar Encyclopedia of Comparative Law* (Edward Elgar 2023).

3. ‘Editorial: Gender in Academic Publishing’ (2019) 17(4) *ICON* 1025 (with Grainne de Búrca and Marcela Prieto Rudolphy) <<https://academic.oup.com/icon/article/17/4/1025/5710843?login=false>>.

4. 'Editorial: Es kommen härtere Tage – Rough Days are Coming' (2019) 17(1) ICON 1 <<https://academic.oup.com/icon/article/17/1/1/5485966?login=true>>.
5. 'Das letzte Wort im Vergleich: Rechtsvergleichende Reflexionen zur 53. Assistententagung Öffentliches Recht im Lichte des Wissenschaftsrat-Berichts zur Rechtswissenschaft in Deutschland' (2013) 1 Rechtswissenschaft 102 (with Michael Riegner).
6. Review of Werner Heun, *The Constitution of Germany: A Contextual Analysis* (Hart 2011) (2013) 7 Vienna Journal of International Constitutional Law 267.

6. Blog posts

1. 'Wehrhafte Demokratie Light oder doch Verbotsverfahren?' (Verfassungsblog, 31 March 2024) <<https://verfassungsblog.de/wehrhafte-demokratie-light-oder-doch-verbotsverfahren/>>.
2. 'Comparative Law for a Post-Hegemonic World' (Max Planck Institute Centenary Blog, 9 February 2024) <<https://mpil100.de/2024/02/comparative-law-for-a-post-hegemonic-world/>>.
3. 'Mehr Ely im deutschen Verfassungsrecht: Entscheidungen in eigener Sache und die Political Process Theory' (Verfassungsblog, 8 September 2023) <<https://verfassungsblog.de/mehr-ely-im-deutschen-verfassungsrecht>>.
4. 'Verfassungsmäßigkeit einer Impfpflicht: Plädoyer für eine prozedurale Perspektive' (Verfassungsblog, 5 December 2021) <<https://verfassungsblog.de/verfassungsmasigkeit-einer-impfpflicht/>> (with Lisa Lühns and Leon Züllig).
5. 'Zum Glück der Vereinigten Staaten' (Verfassungsblog, 21 January 2021) <<https://verfassungsblog.de/zum-glueck-der-vereinigten-staaten/>> (with James Fowkes).
6. 'Parität in Deutschland und Europa' (Verfassungsblog, 20 July 2020) <<https://verfassungsblog.de/paritaet-in-deutschland-und-europa/>> (with Ruth Rubio Marin).
7. 'How Can a Democratic Constitution Survive an Autocratic Majority? A Report on the Presentations on the Judiciary' (Verfassungsblog, 8 December 2018) <<https://verfassungsblog.de/how-can-a-democratic-constitution-survive-an-autocratic-majority-a-report-on-the-presentations-on-the-judiciary/>>.
8. 'Fake News, Backlash and the Rise of the German Populist Right: An Update on German Developments' (ICONnect Blog, 14 October 2018)

<<https://www.icconnectblog.com/2018/10/fake-news-backlash-and-the-rise-of-the-german-populist-right-an-update-on-german-developments>>.

9. ‘Caviar, Corruption and Compliance: New Challenges for the Council of Europe’ (Verfassungsblog, 23 May 2018) <<https://verfassungsblog.de/caviar-corruption-and-compliance-new-challenges-for-the-council-of-europe/>>.

10. ‘On Book Reviews: Why, When and How to Write Them’ (Völkerrechtsblog, 9 August 2017) <<https://voelkerrechtsblog.org/de/on-book-reviews-why-when-and-how-to-write-them/>>.

11. ‘Introduction to the Symposium: Constitutional Courts and Populism’ (Verfassungsblog, 22 April 2017) <<https://verfassungsblog.de/introduction-constitutional-courts-and-populism/>> (with David E Landau).

12. ‘On the Courage to be Wrong’ (Verfassungsblog, 22 February 2014) <<https://verfassungsblog.de/on-the-courage-to-be-wrong/>>.

13. ‘Rescue Package for Fundamental Rights’ (Verfassungsblog, 17 April 2012) <<https://verfassungsblog.de/rescue-package-fundamental-rights-comments-michaela-hailbrunner/>>.