

Towards Illiberal Constitutionalism in East Central Europe: Historical Analysis in Comparative and Transnational Perspectives

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In recent years, the rise of authoritarian governments in East Central Europe and far right and populist movements across Europe has sparked concern that the liberal democratic order established after 1989 is falling apart. The project team will attempt to answer the question why illiberal constitutional architects of today were also in the front lines of the democratization movement in the 1980s and of the liberal transformation of the 1990s. They aim to introduce a historical, interdisciplinary, practice-oriented and comparative perspective to academic engagement with illiberal and authoritarian challenges to constitutional democracy. The project stretches from the post-war era with emphasis on the period since 1968, comprising the era of late state socialism, post-communist liberal transformation, into the present day. The project team consists of historians, scholars of law and sociology of law as well as political scientists. While all of the case studies share the same general approach, the theory and methodology employed by each will vary in order to adapt to the specificity of the local conditions. The following case studies are planned: - an investigation of references to the interwar regimes and their institutional setup in the political discourse of Poland, Czechia, Slovakia and Hungary. - a study on the intellectual sources of the rejection of liberal constitutionalism in Poland. - an examination of post-1989 conflicts over the far-right and the policing of the boundaries of democracy by the Office for the Protection of the Constitution in Eastern Germany. - a study of the normalization of illiberal constitutionalism - a tracing down of the various critiques of "juristocracy" and "judicialization" of politics. The project team supports junior researchers to focus on research on this challenge, to form a transnational network and to prepare the ground for their long-term academic engagement in the field.

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