



## **Masterclass September 10-13, 2018**

### Transformative Constitutionalism

The central theme will be transformative constitutionalism: how it was born, what it seeks to achieve, what its instruments are, how it has worked, what impact it has had, and what challenges it has faced. The fundamental purpose is to analyze the different dimensions of transformative constitutionalism based on the Colombian experience. This will allow emphasis to be placed on general problems about the functioning of democracy and the institutional capacity of the State in a very unequal society that, to a different degree, have also manifested themselves in other countries.

The experience in Colombia since 1991 will be the starting point for a general reflection on the conditions, potentialities and limitations of transformative constitutionalism. Latin American countries, as well as states on other continents showing significant instances of transformative constitutionalism, will be in the background of the general reflection.

The sessions are organized around four subjects. The first will deal with constitutional design in order to analyze the importance of the context, the process, and the conception of the Constitution, as well as the instruments and strategies for its defense and development. The second will discuss the effects of transformative constitutionalism on the separation of powers and on the functioning of the main institutions. The third will address the transformative impact of constitutional rights when they are interpreted within a vision of responsive judicial review. The fourth will focus on the different types of challenges transformative constitutionalism has to face, as well as the conditions under which it can be sustainable.



Professor Manuel José Cepeda received his law degree from the Universidad de los Andes (1986, Cum Laude), and a Master of Laws degree from Harvard Law School (1987). He is currently Director of the Program on Public Policies, Constitutional

Rights and Regulations at the Law School of the *Universidad de los Andes* (Bogotá, Colombia), where he was also the Dean (1996-2000). He has been Justice (2001-2009), as well as President of the Colombian Constitutional Court (2005-2006). He has also been the President of the International Association of Constitutional Law (2014-2018), and a member of the Court of Arbitration, Chamber of Commerce of Bogotá (2010-2018). He was part of the Colombian peace negotiations team on transitional justice (2015-2016).

He has authored several constitutional law books, the most recent one being *Colombian Constitutional Law: Leading Cases* (with David Landau), Oxford University Press, 2017.

He was also Ambassador of Colombia at UNESCO (1993-1995), and thereafter to the Swiss Confederation (1995-1996). He received the Order of Boyacá, in the highest degree of Great Cross, granted by the President of the Republic of Colombia (1993), as well as other prizes throughout his career.

Deadline for submitting applications is on **31 July, 2018**. Please register online at <https://bewerbung.mpil.de/Vacancies/277/Application/CheckLogin/2?lang=eng>