



**MAX PLANCK INSTITUTE**

FOR COMPARATIVE PUBLIC LAW  
AND INTERNATIONAL LAW

# **10th Max Planck Masterclass in International Law**

**Professor Dr. Daniel Halberstam**

**University of Michigan Law School**

**The Construction and De(con)struction of  
Rights in America: Practice and Anti-Practice  
from Madison to Trump**

**24 – 27 April 2023**

**Max Planck Institute for Comparative Public Law  
and International Law**

**Im Neuenheimer Feld 535, 69120 Heidelberg,  
Conference Room 037/038**

# PROGRAMME

MONDAY, 24 APRIL 2023

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|---------|--|
| 14.30 h | Registration   |
| 15.00 h | <b>Welcome</b><br>Armin von Bogdandy<br>Max Planck Institute for Comparative<br>Public Law and International Law, Heidelberg   |
| 15.15 h | <b>Introduction and<br/>Session I: Constitutional Principles<br/>(from the first Founding to Reconstruction)</b><br>Daniel Halberstam<br>University of Michigan Law School, USA<br>Comment by Christoph Krenn (CJEU) |
| 16.30 h | Coffee Break   |
| 16.45 h | <b>Session I: Constitutional Principles<br/>(Part II)</b>  |
| 18.00 h | Dinner at the Institute (Buffet)   |

## TUESDAY, 25 APRIL 2023

- 09.15 h Morning Coffee
- 09.45 h **Session II: Canon and Anti-Canon**  
*(from Reconstruction to the Warren Court)*  
Comment by Dana Schmalz (Germany)
- 11.00 h Coffee Break
- 11.15 h **Session II: Canon and Anti-Canon**  
*(Part II)*
- 12.30 h Lunch (optional)  
Bräustadel Heidelberg  
Berliner Straße 41, 69120 Heidelberg
- 14.00 h Joint Tour to the Philosophenweg and the Old Town of Heidelberg

## WEDNESDAY, 26 APRIL 2023

- 09.15 h Morning Coffee
- 09.45 h **Session III: The Modern Construction of Rights**  
*(from the Warren Court to the Kennedy Court)*  
Comment by Sabrina Ragone (Italy)
- 11.00 h Coffee Break
- 11.15 h **Session III: The Modern Construction of Rights**  
*(Part II)*
- 12.30 h Lunch (optional)  
Bräustadel Heidelberg  
Berliner Straße 41, 69120 Heidelberg
- 15.00 h - 17.00 h **Presentation of Projects**  
**Jonas Philip Neumann (Münster):**  
Questioning the Methodological Exceptionalism of US Constitutional Law – Proportionality Analysis in the Rights Jurisprudence of the US Supreme Court  
**Anna C. Conley (Montana):**  
Injunctions through a Comparative Lens – A Challenge to “History and Tradition”  
**Marcin Barański (Warsaw):**  
The Axiological Turn of the European Court of Justice: Towards a New Federal Balance in the European Union?

## THURSDAY, 27 APRIL 2023

09.15 h Morning Coffee

09.45 h **Session IV: Abortion, Guns, Politics...**  
*(the Roberts Court and beyond)*  
Comment by Manuel José Cepeda (Colombia)

11.00 h Coffee Break

11.15 h **Session IV: Abortion, Guns, Politics...**  
*(Part II)*

12.30 h Conclusions/Farewell

20.00 h **Public Presentation:**  
Daniel Halberstam and Christoph Möllers  
„Abortion, Guns, and Politics: Is the U.S.  
Supreme Court’s jurisprudence bankrupt?“  
Deutsch-Amerikanisches Institut Heidelberg (DAI)  
Sofienstraße 12, 69115 Heidelberg

**Photos will be taken during the event for the Institute's and possibly also for the DAI's (Deutsch-Amerikanisches Institut) internal and external communications!**

**Conveners:**

Armin von Bogdandy  
Silvia Steininger

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