

Professor Dr. Jörg Fedtke

A.N. Yiannopoulos Professor in Comparative and International Law
Co-Director, Eason-Weinmann Center for International and Comparative Law
Director, Berlin Summer Program on Intercultural Negotiation and Mediation
Tulane Law School

Chair of Common Law
University of Passau

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Biography

Jörg Fedtke has held senior academic positions in Germany, the United Kingdom, and the United States. He is currently A.N. Yiannopoulos Professor in Comparative and International Law at Tulane Law School (New Orleans, USA) and holds the Chair of Common Law at the University of Passau (Passau/Germany).

Professor Fedtke was educated at schools in Zambia, the Philippines and Germany, where he went on to study law and political science at the University of Hamburg. He took the German bar exam in 2000 and earned a Ph.D. *summa cum laude* for an analysis of legal transplants in South Africa's post-apartheid constitutional transition (supervised by Professor Dr. Ingo von Münch at the Institute for International Affairs). His first academic appointment was a position as full-time researcher at the Institute for Foreign and International Private Law and Law of Procedure (Professor Dr. Ulrich Magnus). The focus of Professor Fedtke's work in Hamburg was comparative tort law and legal harmonization in Europe. He collaborated closely with the European Group on Tort Law and is a Fellow of the European Centre of Tort and Insurance Law (ECTIL) in Vienna.

Professor Fedtke joined University College London (UCL) two years later, where he moved from a DAAD/Clifford Chance Lectureship in German Law to a regular (tenured) Lectureship in 2002 and a Readership in 2004. He was appointed Professor of Comparative Law in 2007. At UCL, Professor Fedtke was for many years involved in the admission of students and the development of academic ties with universities in Europe, Australia, Hong Kong, and Singapore. He was Director of the Institute of Global Law from 2002 to 2008. In addition to his work in London, Professor Fedtke was a regular Visiting Professor at The University of Texas at Austin (UT) from 2003 to 2008, where he taught upper class courses on the European Union (EU) and comparative constitutional law.

Professor Fedtke joined Tulane Law School (New Orleans) as A.N. Yiannopoulos Professor in Comparative and International Law and Co-Director of the Eason-Weinmann Center for International and Comparative Law in January 2009. He subsequently became Director of Tulane's Summer Program in Intercultural Negotiation and Mediation in Berlin/Germany and Director of the LLM in International and Comparative Law.

Professor Fedtke joined the University of Passau in May 2014, where he holds the newly created Chair of Common Law. At central university level, he was Vice President for Quality Management and Diversity from 2017 to 2020. At the Faculty of Law, Professor Fedtke subsequently served as Vice Dean (2020–2022) and Dean (2022–2024).

Professor Fedtke's main research interests are constitutional law, societies in transition, election law, transnational law, the European Union, alternative dispute resolution, torts, comparative methodology and questions of law reform. He has provided advice on federalism, judicial review and human rights protection to members of the Iraqi National Assembly, and has on a number of occasions served as a foreign expert for UN- and EU-funded projects on various aspects of constitutionalism in the Arab region. He was key advisor to the initiative *Kirkuk and Beyond – Strengthening Multi-Level Governance and Service Provision in a Challenging Environment* funded by the German Foreign Office in Kirkuk/Iraq and assisted the International Institute for Democracy and Electoral

Assistance (IDEA) on missions supporting the constitution drafting processes in Tunisia, Egypt and Libya. Professor Fedtke has also been involved in collaborative research for the European Commission and the French Cour de cassation, and has given expert evidence to the House of Lords Select Committee on the Constitution in the United Kingdom. He was a key consultant for The Carter Center's field office in Egypt during the drafting of the 2014 Constitution and reported to the European Parliament on constitutional developments in the Arab region. Professor Fedtke was appointed National Reporter for the United States on the fight against poverty and the right to development at the XXth International Congress of Comparative Law in Fukuoka/Japan (2018) and was involved in research projects of the European Law Institute (ELI) in Vienna/Austria on *Freedom of Expression as a Common Constitutional Tradition in Europe* (2018–2022) and *Fundamental Constitutional Principles* (2021–2023).

Currently, Professor Fedtke serves as National Reporter for the United States on equitable access to medicines as a component of the right to health at the XXIIth General Congress of the International Academy of Comparative Law in Berlin (2026). He is editor of the *Elgar Concise Encyclopedia of Common Law* (Elgar 2026) and *Constitutional Cities* (Springer 2026). Other ongoing research projects include transformative constitutionalism, codification and statutory law, as well as the family as a factor in constitutional law. Professor Fedtke regularly advises clients on transnational tort claims.

Professor Fedtke's teaching portfolio includes courses on torts and contracts, constitutional law, civil procedure, the law of the European Union, public and private international law, comparative methodology, transnational law, election law and alternative dispute resolution. He supervises doctoral research students at Tulane Law School (SJD) and the University of Passau (PhD).

Jointly with Sir Basil Markesinis, Professor Fedtke received Tulane's John Minor Wisdom Award for Academic Excellence in Legal Scholarship in 2005. He was General Editor (with Sir Basil Markesinis) of *The University of Texas Studies in Foreign and Transnational Law* (Routledge-Cavendish) and Member of the Board of *Studies in Law and Social Sciences* (Roma Tre University Press). Professor Fedtke presented the German reports at ECTIL's Annual Conference on Developments in European Tort Law from 2001 to 2017. He serves as a Member of the Steering Committee and Fellow of the International Academy of the Belt and Road in Hong Kong and was called into the Crisis Response Unit of the United Nations Development Programme (UNDP) in 2017. He represented Tulane Law School on the Equivalency Panel of the Committee on Bar Admissions (Supreme Court of Louisiana) from 2010 to 2017.

Professor Fedtke is a member of the *Gesellschaft für Rechtsvergleichung*, the *Deutscher Hochschulverband*, the UK Constitutional Law Association, the Society of Legal Scholars (UK), and an associate member of the American Bar Association (ABA).

Professor Fedtke's working languages are English, German and French.

Academic Positions

Tulane University School of Law (2009–)

A.N. Yiannopoulos Professor in Comparative and International Law
Co-Director, Eason-Weinmann Center for International and Comparative Law
Director, Berlin Summer Program on Negotiation and Mediation

University of Passau/Germany, Law Faculty (2014–)

Dean, Faculty of Law (2022–2024)
Vice Dean, Faculty of Law (2020–2022)
Vice President for Quality Assurance and Diversity (2017–2020)
Chair of Common Law (2014–)

University of Texas at Austin, Law School (2003–2008)

Visiting Professor of Law

University College London, Faculty of Laws (2001–2008)

Professor of Comparative Law (2007–2008)
Reader (2004–2007)
Lecturer in Law (2002–2004)
DAAD/Clifford Chance Lecturer in German Law (2001–2002)
Director, Institute of Global Law (2002–2008)
Deputy Director, European Exchange Programs (2002–2008)

University of Hamburg (2000 –2001)

Institute for Foreign and International Private Law and Law of Procedure
Postdoctoral Researcher; European Group on Tort Law (DFG)

Education and Community Service

2000 Große Juristische Staatsprüfung (German Bar Exam)
1998 PhD in Law
1995 Erste Juristische Staatsprüfung (JD/LL.B)
1998 Ergänzungsstudium Wirtschaftsrecht (Certificate in Commercial Law)
1995 Vordiplom Politische Wissenschaft (Certificate in Political Science)

Professor Fedtke visited schools in Lusaka and Kabwe/Zambia (1972-1977), Manila/Philippines (1979-1981) and Norderstedt/Germany (1977-1979 and 1981-1985). He graduated from high school with the German *Abitur* in 1985 and went on to serve in an institution for mentally and physically handicapped persons until 1987.

He worked as a professional tennis coach from 1980 to 1997 (DTB-B).

Publications

Books

Engaging in Foreign Law (with Sir Basil Markesinis), Hart Publishing (Oxford 2009) [reviews: Carsten Gerner-Beuerle, King's Law Journal Vol. 20 No. 3 (2009), 527-534; Sebastian Martens, *Rabels Zeitschrift für ausländisches und internationales Privatrecht* 75 (2011), 160-165; P. Marchal, *Revue de droit international et comparé*, 2009, n° 4, 667-672]

Human Rights and the Private Sphere – A Comparative Analysis (co-edited with Dawn Oliver), Routledge-Cavendish (London 2007) [reviews: (121) 2008 Harvard Law Review 2271, online at: http://harvardlawreview.org/media/pdf/recent_pubs0608.pdf; Ruchira Goswami, 1 National University of Juridical Sciences L. Rev. (2008) 185-188, online at http://www.law.tulane.edu/uploadedFiles/Institutes_and_Centers/Eason_Weinmann/hrps-nujs.pdf]

Judicial Recourse to Foreign Law (with Sir Basil Markesinis and contributions by Laurie Ackermann, Aharon Barak, Brun-Otto Bryde, Guy Canivet, Sir Sydney Kentridge, Christof Rozakis, and Konrad Schiemann), Routledge-Cavendish (London 2006) [Italian edition: *Giudici e Diritto Straniero*, Società editrice il Mulino (Bologna 2009)]

Patterns of Regionalism and Federalism (co-edited with Sir Basil Markesinis), Hart Publishing (Oxford 2005)

Die Rezeption von Verfassungsrecht. Südafrika 1993-1996, Nomos Verlagsgesellschaft (Baden-Baden 2000) [reviews: Hanri Mostert, (2004) German Law Journal Vol. 04 No. 2, pp. 187-197, online at <http://www.germanlawjournal.com/article.php?id=236>; Edzard Schmidt-Jorzig, (2002) *Verfassung und Recht in Übersee* 35, pp. 327-330, online at http://www.vrue.nomos.de/fileadmin/vrue/doc/VRUE2002_Heft2.pdf; Silke Becker, *Portal für Politikwissenschaft* (01/2006), online at <http://www.pw-portal.de/rezension/12567-die-rezeption-von-verfassungsrecht>]

Articles and Book Chapters

‘A Tale of Three Cities – The Stadtstaat in German Constitutional Law’ in: Tilburg University, *European Yearbook of Constitutional Law, Volume 2 (2020)*, T.M.C. Asser Press/Springer (The Hague/Heidelberg/Dordrecht/New York 2021), pp. 135-153

‘Poverty and the Right to Development in the United States of America’ in: Mads Andenas/Jeremy Perelman/Christian Scharling (eds), *The Fight against Poverty and the Right to Development*, Springer Nature (Cham 2021), pp. 301-315

‘Prüfungen unter Computereinsatz aus U.S.-amerikanischer Sicht’ in: Michael Beurskens/Urs Kramer/Tomas Kuhn/Holm Putzke (eds), *Juristenausbildung 4.0* (Richard Boorberg Verlag (Stuttgart 2021), pp. 131-138

‘Recht und gesellschaftlicher Wandel’ in: *Triolog* 03/2020, pp. 59-61

‘Country Report German Tort Law 2016’ in: Ernst Karner/Barbara Steiniger (eds), *European Tort Law 2016*, de Gruyter (Berlin/Boston, 2017), pp. 214-230

‘Die Internationalisierung der Curricula in den Geisteswissenschaften’ (with Hiltraud Casper-Hehne), Hochschulrektoren-Konferenz (June 2016); available online at: https://www.hrk.de/fileadmin/redaktion/hrk/02-Dokumente/02-07-Internationales/Curricula_Geisteswissenschaften.pdf

‘Country Report German Tort Law 2015’ (with Felicitas Schad) in: Ernst Karner/Barbara Steiniger (eds), *European Tort Law 2015*, de Gruyter (Berlin/Boston, 2016), pp. 226-246

‘Evolutionary Mismatch and Responsibility’ in: Helmut Koziol/Ulrich Magnus (eds), *Essays in Honour of Jaap Spier*, Jan Sramek Verlag (Vienna 2016), pp. 91-101

‘The European End of the Silk Road – Current Perceptions and Future Prospects’ in: The Hong Kong WTO Research Institute/Guanghua Law School, Zhejiang University (eds), *International Law Perspectives on the Belt and Road Initiative*, Zhejiang University Press (2016), pp. 98-109

‘Country Report German Tort Law 2014’ in: Ernst Karner/Barbara Steiniger (eds), *European Tort Law 2014*, de Gruyter (Berlin/Boston, 2015), pp. 216-228

‘Country Report German Tort Law 2013’ (with Florian Wagner-von Papp) in: Ernst Karner/Barbara Steiniger (eds), *European Tort Law 2013*, de Gruyter (Berlin/Boston, 2014), pp. 253-271

‘The Changing Nature of U.S. (Common?) Tort Law’ in: Festschrift Ulrich Magnus (Sellier, Munich 2013), pp. 3-19

‘Country Report German Tort Law 2012’ (with Florian Wagner-von Papp) in: Ken Oliphant/Barbara Steiniger (eds), *European Tort Law 2012*, de Gruyter (Berlin/Boston, 2013), pp. 261-300

‘The Culture of German Tort Law’ in: (2012) 3 *Journal of European Tort Law* 183-209

‘Legal Transplants’ in: Jan Smits (ed), *Elgar Encyclopedia of Comparative Law* (2d edn, Cheltenham 2012), pp. 550-554

‘Privacy’ (with Colm O’Cinneide and Myriam Hunter-Henin) in: Jan Smits (ed), *Elgar Encyclopedia of Comparative Law* (2d edn, Cheltenham 2012), pp. 687-700

‘Country Report German Tort Law 2011’ (with Florian Wagner-von Papp) in: Ken Oliphant/Barbara Steiniger (eds), *European Tort Law 2011*, de Gruyter (Berlin/Boston, 2012), pp. 250-286

‘Electoral Reform in Egypt’ in: Friedrich Naumann Foundation for Liberty (ed), *Electoral Systems* (Cairo, 2011), pp. 85-117

‘Country Report German Tort Law 2010’ (with Florian Wagner-von Papp) in: Helmut Koziol/Barbara Steiniger (eds), *European Tort Law 2010*, de Gruyter (Berlin/Boston, 2011), pp. 200-246

‘The Protective Purpose of the Rule’ in: Attila Fenyves, Ernst Karner, Helmut Koziol and Elisabeth Steines (eds), *Tort Law in the Jurisprudence of the European Court of Human Rights* (2011), pp. 539-566

‘Country Report German Tort Law 2009’ (with Florian Wagner-von Papp) in: Helmut Koziol/Barbara Steiniger (eds), *European Tort Law 2009*, de Gruyter (Berlin/Boston, 2010), pp. 217-263

‘Damage Caused by GMOs under German Law’ in: B.A. Koch (ed.), *Damage Caused by Genetically Modified Organisms*, De Gruyter (Berlin/New York 2010), pp. 212-246

‘Economic Loss Caused by GMOs in Germany’ in: B.A. Koch (ed.), *Economic Loss Caused by Genetically Modified Organisms*, Springer (Vienna/New York 2010), pp. 213-232

‘Country Report German Tort Law 2008’ (with Florian Wagner-von Papp) in: Helmut Koziol/Barbara Steiniger (eds), *European Tort Law 2008*, Springer (Vienna/New York 2009), pp. 285-323

‘Country Report German Tort Law 2007’ in: Helmut Koziol/Barbara Steiniger (eds), *European Tort Law 2007*, Springer (Vienna/New York 2008), pp. 288-308

‘Constitutional Transplants – Returning to the Garden’ in: Jane Holder/Colm O’Cinneide (eds), *Current Legal Problems* (Volume 61), OUP (Oxford 2009), pp. 49-94

‘Economic Loss Caused by GMOs in Germany’ in: Bernhard A. Koch (ed): *Economic Loss Caused by Genetically Modified Crops. Liability and Redress for the Adventitious Presence of GMOs in Non-GM Crops*, Springer (Vienna/New York 2008), pp. 213-232

‘Country Report German Tort Law 2006’ in: Helmut Koziol/Barbara Steiniger (eds), *European Tort Law 2006*, Springer (Vienna/New York 2007), pp. 213-236

‘From Indirect to Direct Effect in South Africa: A System in Transition’ in: Dawn Oliver/Jörg Fedtke (eds), *Human Rights and the Private Sphere – A Comparative Analysis*, Routledge Cavendish (London 2007), pp. 351-377

‘Drittwirkung in Germany’ in: Dawn Oliver/Jörg Fedtke (eds), *Human Rights and the Private Sphere – A Comparative Analysis*, Routledge Cavendish (London 2007), pp. 125-156

‘Damages for the Negligence of Statutory Bodies. The Empirical and Comparative Dimension to an Unending Debate’ (with Sir Basil Markesinis) in: [2007] 52 *Public Law* 299-330

‘Authority or Reason? The Economic Consequences for Liability for Breach of Statutory Duty in a Comparative Perspective’ (with Sir Basil Markesinis) in: (2007) 18 *European Business Law Review*, 5-75

‘Identity Cards and Data Protection: Security Interests and Personal Freedom in Times of Crisis in: Jane Holder/Colm O’Cinneide (eds), *Current Legal Problems* (Volume 59), OUP (Oxford 2006), pp. 242-276

‘Country Report German Tort Law 2005’ in: Helmut Koziol/Barbara Steiniger (eds), *European Tort Law 2005*, Springer (Vienna/New York 2006), pp. 281-305

‘State Liability in Times of Budgetary Crisis’ in: Helmut Koziol/Barbara Steiniger (eds), *European Tort Law 2005*, Springer (Vienna/New York 2006), pp. 42-54

‘Legal Transplants’ in: Jan Smits (ed), *Encyclopedia of Comparative Law* (2006), pp. 434-437

‘Privacy’ (with Colm O’Cinneide and Myriam Hunter-Henin) in: Jan Smits (ed), *Encyclopedia of Comparative Law* (2006), pp. 554-565

‘Human Rights in a Federal System’ in Jörg Fedtke/Sir Basil Markesinis (eds), *Patterns of Regionalism and Federalism*, Hart Publishing (Oxford 2005), pp. 91-107

‘The Judge as Comparatist’ (with Sir Basil Markesinis) in: [2005/2006] 1 *Tulane Law Review* 11-167

‘Country Report German Tort Law 2004’ in: Helmut Koziol/Barbara Steiniger (eds), *European Tort Law 2004*, Springer (Vienna/New York 2005), pp. 300-326

‘Concerns and Ideas About the Developing English Law of Privacy (And How Knowledge of Foreign Law Might Be of Help)’ (with Basil Markesinis, Colm O’Cinneide and Myriam Hunter-Henin), [2004] 52 *American Journal of Comparative Law* 133-208

‘Country Report German Tort Law 2003’ in: Helmut Koziol/Barbara Steiniger (eds), *European Tort Law 2003*, Springer (Vienna/New York 2004), pp. 180-211

‘Strict Liability for Car Drivers in Accidents Involving “Bicycle Guerrillas”? Some Comments on the Proposed Fifth Motor Directive of the European Commission’ in: [2003] *American Journal of Comparative Law* 941-957

‘Contributory Negligence under German Law’ (with Ulrich Magnus) in: Ulrich Magnus/Miquel Martín Casals (eds), *Unification of Tort Law: Contributory Negligence*, Kluwer International (The Hague 2003), pp. 75-98

‘Country Report German Tort Law 2002’ in: Helmut Koziol/Barbara Steiniger (eds), *European Tort Law 2002*, Springer (Vienna/New York 2003), pp. 206-230

‘The Reform of German Tort Law’ in: *European Review of Private Law* 4/2003, pp. 485-508

‘Liability for Damage Caused by Others under German Law’ (with Ulrich Magnus) in: Bernhard A. Koch (ed), *Liability for Damage Caused by Others*, Kluwer International (The Hague 2003), pp. 105-131

‘The Impact of Social Security Law on Tort Law in Germany’ (with Ulrich Magnus) in: Ulrich Magnus (ed), *The Impact of Social Security Law on Tort Law*, Springer (Vienna/New York 2003), pp. 86-115

‘Spreading the Gospel (and the name of the Evangelist)’ (with Sir Basil Markesinis and Jonathan Pratter) in: Sir Basil Markesinis, *Foreign Law and Comparative Methodology in the Courtroom and the Classroom. The Story of the Last Thirty-Five Years*, Hart Publishing (Oxford 2003)

‘Country Report German Tort Law 2001’ in: Helmut Koziol/Barbara Steiniger (eds), *European Tort Law 2001*, Springer (Vienna/New York 2002), pp. 229-268

‘Strict Liability under German Law’ (with Ulrich Magnus) in: Koziol (ed), *Strict Liability*, Kluwer International (The Hague 2002), pp. 147-176

‘Non-Pecuniary Loss under German Law’ (with Ulrich Magnus) in: Horton Rogers (ed), *Damages for Non-Pecuniary Loss in a Comparative Perspective*, Springer (Vienna/New York 2001), pp. 109-128

‘Das Recht auf Leben und Gesundheit, Patentschutz und das Verfahren des High Court of South Africa zur Verfassungsmässigkeit des südafrikanischen Medicines and Related Substances Control Amendment Act’ in: *Law and Politics in Africa, Asia and Latin America* 4/2001, pp. 489-519

‘Friedhofszwang in Schleswig-Holstein’ in: *Zeitschrift für öffentliches Recht in Norddeutschland* 12/2000, pp. 493-494

Research Papers – Translations – other Publications

‘Rechtswissenschaft’ in: Hochschulrektorenkonferenz (ed.), *Internationalisierung der Curricula* (2018), pp. 32-35

‘Germany’ (with Florian Wagner-von Papp) in: Ken Oliphant/Barbara Steininger (eds), *European Tort Law – Basic Texts* (2d edn), de Gruyter (Berlin/Boston 2018), pp. 141-153

‘Analysis of the Draft Constitution of Libya – Thematic Committees of the Constitution Drafting Assembly’ – International IDEA, 1 April 2015, available in English and Arabic via CONSTITUTIONNET at: <http://www.constitutionnet.org/vl/item/analysis-draft-constitution-libya-thematic-committees-constitution-drafting-assembly-status> and <http://www.constitutionnet.org/ar/vl/item/thlyl-mswd-ldstwr-llyby-lljn-lnwy-fy-lhyy-ltsysy-lsyg-ldstwr-lwd-kwn-wldysmbr-2014>

Leading Author of The Carter Center’s March 12, 2014 Statement, available in English and Arabic at: <http://www.cartercenter.org/resources/pdfs/news/pr/egypt-constitution-031214.pdf> and <http://www.cartercenter.org/resources/pdfs/news/pr/egypt-constitution-031214-arabic.pdf>

‘Tunisian Constitutional Reform and Decentralisation: Reactions to the Draft Constitution of the Republic of Tunisia’ – International IDEA and The Center for Constitutional Transitions at NYU Law Working Papers Series: Consolidating the Arab Spring – Constitutional Transition in Egypt and Tunisia, Working Paper No. 3, May 2013, available at <http://constitutionaltransitions.org/working-paper-no3/>

‘Tunisian Constitutional Reform and Fundamental Rights: Reactions to the Draft Constitution of the Republic of Tunisia’ – International IDEA and The Center for Constitutional Transitions at NYU Law Working Papers Series: Consolidating the Arab Spring – Constitutional Transition in Egypt and Tunisia, Working Paper No. 4, May 2013, available at <http://constitutionaltransitions.org/working-paper-no4/>

‘Germany’ (with Florian Wagner-von Papp) in: Ken Oliphant/Barbara Steininger (eds), *European Tort Law – Basic Texts*, Jan Sramek Verlag, Vienna 2011, pp. 91-103

Foreword: ‘The European Union 20 Years After Maastricht: Transatlantic Perspectives,’ 20 Tul. J. Int’l & Comp. L. (2011), pp. i-iv

Foreword to Stuart A. Scheingold, *The Law in Political Integration* (Quid Pro Books, New Orleans 2011), pp. v-ix

Contribution to *Les limites de la réparation du préjudice*, Séminaire « risqué, assurances, responsabilités » coorganisé par la Cour de cassation, l’Ordre des avocats au Conseil d’Etat et la Cour de cassation, l’Institut des haut études pour la justice, l’Ecole nationale supérieure de sécurité sociale et le Centre des hautes études de l’assurance, available at http://www.courdecassation.fr/colloques_activites_formation_4/2007_2254/intervention_m_fedtkc_9824.html (the results of the project were published as *Les limites de la réparation du préjudice*, Dalloz, Paris 2009)

‘Constitution Building in Iraq’ – Paper presented at the Friedrich Naumann Conference *Constitutions: Approaches, Content and Implementation* (Amman/Jordan, 1-3 June 2005), available at <http://www.niqash.org/articles/?id=607>

Rechtsvergleichung in Theorie und Praxis. Ein Beitrag zur rechtswissenschaftlichen Methodenlehre, Sellier European Law Publishers (Munich 2004) from: Sir Basil Markesinis, *Comparative Law in the Courtroom and Classroom. The Story of the Last Thirty-Five Years*, Hart Publishing (Oxford 2003) [reviews: Helmut Koziol, *Juristische Blätter* 2005, p. 544; Johannes Köndgen, *Archiv für die civilistische Praxis*, 209. Band, H. 1 (Februar 2009), pp. 130-133]

Book Reviews

Maurice Adams and Dirk Heirbaut (eds.), *The Method and Culture of Comparative Law - Essays in Honour of Marc Van Hoecke* (2014) in: *Comparative Legal History* (2016), pp. 255-259

Charles Mitchell and Paul Mitchell (eds.), *Landmark Cases in the Law of Torts* in: 2 *Journal of European Tort Law* (2011), pp. 330-333

Christian Tomuschat, *Human Rights: Between Realism and Idealism* in: (2008) 1 *UCL Human Rights Review*, pp. 199-201

Christoph Herrmann, *Richtlinienumsetzung durch die Rechtsprechung* in: (2005) 30 *European Law Review*, pp. 150-152

Florian Kutz, *Amnestie für politische Straftäter in Südafrika* in: *Law and Politics in Africa, Asia and Latin America* 4/2002, pp. 614-617

Obeng Mireku, *Constitutional Review in Federalised Systems of Government* in: *Law and Politics in Africa, Asia and Latin America* 1/2002, pp. 151-153

Jutta Kramer, *Verfassung und Apartheid* in: *Law and Politics in Africa, Asia and Latin America* 2/2001, pp. 259-261

Work in Progress

- 1) *Elgar Concise Encyclopedia of Common Law* (Elgar/2026)
- 2) *Constitutional Cities* (Springer/2026)
- 3) *Einführung in das anglo-amerikanische Recht* (Beck/2026)
- 4) ‘Ingredients of Transformative Constitutionalism’ (submitted to I.CON 2025)
- 5) *Western Constitutionalism in the Arab World*
- 6) *Constitutional Legal Transplants*
- 7) *Rethinking Responsibility*
- 8) ‘The Family in Constitutional Law’

Selected Presentations and Speaking Engagements

‘Der Rechtsstaat unter Druck: Die USA nach der Wiederwahl von Donald J. Trump’ – Stiftung Forum Recht, Der Rechtsstaat zum Anfassen. Herne, 14 November 2024.

‘Rethinking Responsibility’ – Central States Law Schools Association (CSLSA), 2023 Annual Scholarship Conference. Oklahoma University College of Law, 23 September 2023.

‘A Tribute to Sir Basil Markesinis’ – Grey’s Inn. London, 21 September 2023.

‘January 6th, 2021: Can Committees Protect a Constitution? A Comparative Analysis between German and U.S. Constitutional Law’ – Deutsch-Amerikanische Juristenvereinigung (DAJV). Online, 19 September 2022.

‘Ingredients of (Environmental) Transformative Constitutionalism?’ – Transformative Constitutionalism: Common Pathway for a Sustainable Future? 6th Biannual German-South African Dialogue on Democracy. Leuphana University, 8 July 2022

‘Fault in Book Seven (Tort Liability) of the Chinese Civil Code’ – Bocconi School of Law, The Making of the Chinese Civil Code: Promises and Persistent Problems. Milan, 23 June 2021.

‘Jörg Fedtke *over* Ulrich Magnus’ – Vereniging voor Aansprakelijkheids- en Schadevergoedingsrecht, Amsterdam, 7 November 2019.

‘Traditions constitutionnelles nationales, traditions constitutionnelles communes. Nouveaux enjeux de l’état de droit en Europe?’ (Discussant) – Aix-Marseille University, 21 June 2019.

‘Meaningful Votes beyond Brexit – Parliamentary Authority v Parliamentary Duty’ - ICON-S British-Irish Chapter Annual Conference, The United Kingdom's Withdrawal from the European Union (?) Domestic and European Constitutional Implications. University of Strathclyde/Glasgow, 25 April 2019.

‘Prüfungen unter Computereinsatz aus U.S.-amerikanischer Sicht’ – University of Passau, Institut für Rechtsdidaktik, Juristenausbildung 4.0. Passau, 19 February 2019.

‘Unconstitutional Constitutional Amendments. The Limits of Amendment Powers’ (Discussant) – University of Turin, Collegio Carlo Alberto. Turin, 3 December 2018.

‘Constitutional Traditions in Germany’ – University of Turin, Collegio Carlo Alberto, Common Constitutional Traditions in Europe. Turin, 14 November 2018.

‘Agent Orange, 9/11, Deepwater Horizon, Wall Street Crash, VW Gate – Kenneth Feinberg’s unorthodox solutions for large-scale disasters’ (moderator) – Munich Center for Dispute Resolution (LMU). Munich, 6 June 2018.

‘Common Constitutional Principles’ (panelist) – European Law Institute (ELI), Annual Conference. Vienna, 6 September 2017.

‘A Compass for Democracy: Legitimacy and Policy-Making’ (panelist) – European University Institute (EUI)/University of Portsmouth/University of Exeter, *Human Dignity and the Constitutional Crisis in Europe: Humanity, Democracy, Social Europe*. Florence/Italy, 15/16 June 2017.

‘Human Dignity and Public Policy’ – Zhejiang University Guanghua Law School/Yale University Law School/Tulane Law School, *The 8th International Conference on the New Haven School of Jurisprudence*. Hangzhou, 8 December 2016.

‘The Limitations Clause in the Tunisian Constitution’ (discussant) – International IDEA. Tunis, 25/26 November 2016.

‘Belt and Road and TTIP, EU and EEU’ (discussant) – International Academy of the Belt and Road, *The Third International Forum of the Belt and Road*. Hong Kong, 12 June 2016.

‘European Free Trade and OBOR: Bridging the Gap’ – The Hong Kong WTO Research Institute/Hong Kong Commerce & Industry Associations, *Belt and Road International Forum 2016*. Hong Kong, 29 January 2016.

‘Political Decentralization and Financial Arrangements’ – *Libyan Draft Constitution: Analysis and Review Conference*. Atlantic Council, Rafik Hariri Center for the Middle East/Libyan American Public Affairs Council. Washington D.C., 13 January 2016.

‘Challenges and Successes in Tunisia’s Democratic Transition’ (discussant) – Research Group Tunisia in Transition. Passau, 16 October 2015.

Identifying Mediation Entry Points (closed expert meeting) – German Federal Foreign Office/Initiative Mediation Support Germany (IMSD). Berlin, 5 October 2015.

‘The European End of a New Silk Road – Current Perceptions and Future Perspectives’ (keynote speaker) – The Hong Kong WTO Research Institute/Guanghua Law School, Zhejiang University, *One Belt One Road International Forum*. Hong Kong, 24 July 2015.

‘Internationalisierung des Curriculums’ (panelist) – Hochschulrektorenkonferenz (HRK), HRK-Audit Internationalisierung der Hochschulen, Fachkonferenz 2014: Wie kann Internationalisierung zu Hause gelingen? Berlin, 2 December 2014.

‘Comparative analysis between the constitutional processes in Egypt and Tunisia – lessons learnt/Overview of the constitutional situation in Libya’ – European Parliament, Committee for Foreign Affairs. Brussels, 31 April 2014.

‘Introduction to Alternative Conflict Resolution’ – The Payson Center for International Development, Tulane University. New Orleans, 16 April 2014.

‘The Legal Plumbing Continues – Federalism in Iraq a Decade after the Transitional Administrative Law’ – *Global Justice Summit*. University of California, Irvine School of Law Irvine. 1 February 2014.

‘Competitive versus Cooperative Federalism’ (panelist) – Federalist Society 2013 National Lawyers Convention. Washington D.C., 14 November 2013.

Tahrir Dialogues (Panel Discussion Number 34), ‘Writing a Constitution for Egypt: Comparative Insights from Kenya, Germany and South Africa’ – The American University in Cairo (AUC), School of Public Affairs and Foreign Policy. Cairo, Tahrir Square Campus, 11 November 2013 (see the panel discussion on YouTube at: <http://www.aucegypt.edu/GAPP/Pages/Tahrir%20Dialogue.aspx>).

‘Mediating Political Conflict’ – Humboldt University. Berlin, 2 August 2013.

‘The Tunisian Constitutional Process and Decentralization’ – International Institute for Democracy and Electoral Assistance (IDEA). Tunis, 1 December 2012.

‘The Tunisian Constitutional Process and Fundamental Rights’ – International Institute for Democracy and Electoral Assistance (IDEA). Tunis, 1 December 2012.

‘The Battle over Damages: Legislative Intervention in American Common (Tort) Law’ – University of Passau, Faculty of Law. Passau, 19 October 2012.

‘The Culture of German Tort Law’ – *11th Annual Conference on European Tort Law*. European Center for Tort and Insurance Law (ECTIL). Vienna, 14 April 2012.

German Reporter, *Annual Conference on European Tort Law*. European Center for Tort and Insurance Law (ECTIL). Vienna (2001 to 2008, 2012).

‘The Euro-Crisis and Multi-Level Constitutionalism’ – *The Euro-Crisis*. Symposium. Texas International Law Journal. Austin, 10 February 2012.

‘State Liability in a Comparative Perspective’ – *Bi-Annual Meeting of the Australian Bar Association*. Australian Bar Association. Berlin, 4 July 2011.

‘Why Election Systems Matter’ – *Electoral Systems and Democratic Transitions: International Experiences and Possible Lessons for Egypt*. Egyptian Organization for Human Rights/Friedrich Naumann Foundation. Cairo, 6 April 2011.

‘Local and Regional Governance’ – *Strengthening Governance and Administration in Kirkuk*. Friedrich Naumann Foundation. Amman, 2-5 April 2011.

‘Transatlantic Trade – What Scope for Harmonization?’ (panel chair) – *The European Union 20 Years after Maastricht – Transatlantic Perspectives*. Symposium, Tulane Journal of International and Comparative Law. New Orleans, 25 March 2011.

‘Transferring Legal Ideas between Societies – Opportunities and Pitfalls’ – *Doctoral Student Research Colloquium*. Payson Center for International Development/Tulane University Law School. New Orleans, 3 December 2010.

‘Grundlagen der Staatshaftung in Großbritannien’ – *State Liability in Europe*. University of Osnabrück, European Legal Studies Institute, Department of European Public Law and Comparative Law. Osnabrück, 6 May 2010.

‘Non-Proliferation, Arms Control and Disarmament’ (panel chair) – *Changing Course: The United States’ Evolving Approach to International Law*. Symposium, Tulane Journal of International and Comparative Law. New Orleans, 19 March 2010.

‘Time to Move On. Challenging a Tired Distinction – Common Law Methods in a Civil Law System’ – *Civil Law Workshop, Saül Litvinoff Series*. Louisiana State University, Center of Civil Law Studies. Baton Rouge, 13 January 2010.

‘Freedom of Association and Political Parties’ – *2nd International Conference on Promoting Government – Civil Society Dialogue and Reforming Laws*. Arab League/Friedrich Naumann Foundation. Cairo, 15-18 January 2008.

‘Constitutional Transplants – Returning to the Garden’ (inaugural lecture) – University College London. London, 8 January 2008.

‘Iraq: Freedom of Political Speech in the Armed Forces’ – *The Protection of Constitutional Rights in Modern Democracies: A Comparative Perspective*. Università degli studi G. d’Annunzio Chieti – Pescara, Facoltà di Economia, Dipartimento di Scienze Giuridiche. Pescara, 11/12 December 2007.

‘Political Party Laws’ – *Law Reform: Between Aspiration and Reality*. Arab League/Friedrich Naumann Foundation/The Arab Center for the Rule of Law and Integrity (Beirut). Cairo, 27/28 June 2007.

‘Freedom of Association and Political Parties’ – *1st International Conference on Promoting Government – Civil Society Dialogue and Reforming Laws*. Arab League/Friedrich Naumann Foundation. Amman, 28-30 March 2007.

‘Dual and Unitary Court Systems’ – *Mapping out a new federal judicial system for Iraq*. United Nations Assistance Mission for Iraq (UNAMI). Cairo, 21-23 January 2007.

‘The Role of Regions at the National Level’ – *Multi-Party Dialogue on Federal Arrangements under the new Iraqi Constitution*. Centro de Estudios Políticos y Constitucionales (Spain)/United Nations Assistance Mission for Iraq (UNAMI)/Forum of Federations (Canada). Madrid, 12/13 June 2006.

‘State Liability in Times of Budgetary Crisis’ – *5th Annual Conference on European Tort Law*. European Center for Tort and Insurance Law (ECTIL). Vienna, 22 April 2006.

‘Constitution Building in Iraq’ – *International Conference on the Future of Iraq*. Friedrich Naumann Foundation for Liberty. Amman, 1-3 June 2005.

‘Of Constitutional Engineering and Quick Plumbing’ – *Constitutionalism and Democratic Transitions: Lessons from South Africa*. Università degli studi di Firenze, Dipartimento di Diritto Pubblico. Florence, 5 December 2005.

‘Identity Cards and Data Protection: Security Interests and Personal Freedom in Times of Crisis’ – *Current Legal Problem Lecture*. University College London. London, 3 November 2005.

‘Federalism in Iraq – A Comparative Survey of Federal Systems’ – *Constitution Building in Iraq*. Internationale Akademie für Führungskräfte (Theodor-Heuss-Akademie). Gummersbach/Germany, 14 July 2005.

‘Human Rights in a Federal System’ – *Patterns of Federalism and Regionalism*. Clifford Chance/University College London. London, 7 November 2003.

Selected Academic and Consultancy Work

European Law Institute (ELI)

Charter of Fundamental Constitutional Principles of a European Democracy

Project Team Member

<https://www.europeanlawinstitute.eu/projects-publications/current-projects/current-projects/fundamental-constitutional-principles/>

Vienna 2021-2024

United Nations Development Programme (UNDP)

Guidance Note on Constitutional Fundamental Rights

Constitutional Expert

June 2018

European Law Institute (ELI)

Freedom of Expression as a Common Constitutional Tradition in Europe

National Correspondent

See <https://www.europeanlawinstitute.eu/projects-publications/current-projects/current-projects/cct-in-europe/>

Vienna 2018-2022

International Academy of Comparative Law

XXth International Congress of Comparative Law 2018

National Reporter, United States

The fight against poverty and the right to development

German Foreign Office/International Institute for Democracy and Electoral Assistance (IDEA)

Youth Dialogues on Constitutional Reform in Lebanon

Constitutional Expert

Beirut 2017/2018

Libyan American Public Affairs Council

A Constitution for Libya

Washington D.C. 2017

International Institute for Democracy and Electoral Assistance (IDEA)

The Reform of Administrative Law in Tunisia

Tunis 2017

International Academy of the Belt and Road

Belt and Road Initiative (China)

Member of the Steering Committee and Fellow

Hong Kong 2015–

Hochschulrektorenkonferenz (HRK)

Arbeitsgruppe *Internationalisierung des Curriculums*

Peer contributor

See https://www.hrk.de/fileadmin/redaktion/hrk/02-Dokumente/02-01-Beschluesse/Internationalisierung_Curricula_Empfehlung_09.05.2017.pdf
Bonn/Berlin 2016

Association Tunisienne pour l'intégrité et la démocratie des élections (ATIDE)

Le projet décentralisation

Legal expert

Tunis 2015

Democracy Reporting International (DRI)/International Institute for Democracy and Electoral Assistance (IDEA)

Selected substantive and procedural aspects of the constitution-making process in Libya

Legal expert

Tunis 2014

European Parliament (Committee for Foreign Affairs)

Transition in Tunisia, Egypt and Libya

Legal expert

New Orleans/Brussels 2014

See the written reports published online by the Directorate-General for External Policies (Policy Department) at:

[http://www.europarl.europa.eu/RegData/etudes/note/join/2014/433840/EXPO-AFET_NT\(2014\)433840_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/note/join/2014/433840/EXPO-AFET_NT(2014)433840_EN.pdf) (in English) and

[http://www.europarl.europa.eu/RegData/etudes/note/join/2014/433840/EXPO-AFET_NT\(2014\)433840_FR.pdf](http://www.europarl.europa.eu/RegData/etudes/note/join/2014/433840/EXPO-AFET_NT(2014)433840_FR.pdf) (in French)

The Carter Center

Democracy Program (Egypt)

Legal consultant and leading author of the March 12, 2014 Statement:

<http://www.cartercenter.org/resources/pdfs/news/pr/egypt-constitution-031214.pdf>

Cairo 2013-2014

Faculty of Law, University of Kirkuk/Iraq

The Kirkuk Public Law Project

Key advisor

New Orleans/Erbil 2013-2014

International Institute for Democracy and Electoral Assistance (IDEA)

Tunisian Constitutional Reform and Decentralization

Tunisian Constitutional Reform and Human Rights

Legal consultant

Tunis 2012

German Foreign Office/Friedrich Naumann Foundation (FNF)
Strengthening Governance and Administration in Kirkuk
Key advisor
Erbil/Beirut/Amman/Berlin 2010-2013

Al-Jedda v Secretary of State for Defense
[2009] EWHC 397 (QB) and [2010] EWHC Civ 758 (CA)
Plaintiff's team
London 2009

House of Lords
Select Committee on the Constitution
Surveillance: Citizens and the State
Legal expert
London 2008
<http://www.publications.parliament.uk/pa/ld200809/ldselect/ldconst/18/8060402.htm>

Friedrich Naumann Foundation
Federalism in Practice
Legal expert
Berlin 2007

Cour de cassation
Les limites de la réparation du préjudice
Member for the UK
Paris 2006-2007
https://www.courdecassation.fr/IMG/File/pdf_2007/cycle_assurance_2007/25-01-2007/25-01-07_fedtke_eng.pdf

European Group on Tort Law
Unification of Tort Law
Reporter for Germany
Hamburg/Vienna/London 2000-2004

Accreditation

- 1) Universitas Nusa Cendana Indonesia (FIBAA 2024)
- 2) Universitas Katolik Atma Jaya Indonesia (FIBAA 2024)
- 3) Universitas Negeri Yogyakarta Indonesia (FIBAA 2023)
- 4) M. Narikbayev KAZGUU University Kasachstan (FIBAA, 2021)
- 5) Leuphana University (ACQUIN, 2019/2020)
- 6) University of Luxembourg (FIBAA, 2019)
- 7) University of Cologne/University College London (FIBAA, 2018/2019)

Teaching

U.S. Products Liability (Passau)
U.S. Constitutional Law (Passau)
The Common Law Tradition (Passau)
U.S. Tort Law (Passau)
U.S. Contract Law (Passau)
U.S. Civil Procedure (Passau)
International Sales Law/CISG (Passau)
Comparative Introduction to German Law (Passau)

UK Public Law (University of London)

Torts (Tulane)
Comparative Tort Law Seminar (Tulane)
Comparative Constitutional Law (Tulane)
European Union: Constitutional Law (Tulane)
European Union: Business Law (Tulane)
Election Law (Tulane)
U.S. Law in Context (Tulane)
American and European Constitutional Law in Comparative Perspective (Tulane)
Negotiation and Mediation (Tulane)
Comparative Law in Action (Tulane)
Transatlantic Trade (Tulane)
Socio-Economic Rights (Tulane)
Transnational Law (Tulane)

Comparative Constitutional Law (UT Austin)
European Union Law (UT Austin)

Schuldrecht I + II (UCL)
Staatsrecht I + II (UCL)
European Legal Studies (UCL)
LLM: Comparative Tort Law (UCL)
LLM: Comparative Constitutional Law (UCL)

Schuldrecht BT (University of Hamburg)

Academic Service

Dean (Faculty of Law)	Passau 2022–2024
Vice Dean (Faculty of Law)	Passau 2020–2022
Vice President (Quality Management and Diversity)	Passau 2017–2022
Auslandsausschuss (Deputy Chair/Chair)	Passau 2014–2017
Institut für internationales und ausländisches Recht	Passau 2015–
Länderbeauftragter U.S.A., GB, India, Australia	Passau 2014–
International Programs Committee	Tulane
Graduate Affairs Committee	Tulane
Experiential Learning Committee (Chair)	Tulane
1L Global Perspectives Committee	Tulane
Law School Faculty Executive Committee (Elected Member)	Tulane
Communications and Website Committee (Chair)	Tulane
Senate Committee on Academic Freedom	Tulane
Intellectual Life Committee (Chair)	Tulane
Appointments Committee	Tulane
1L Curriculum Reform Committee (Chair)	Tulane
Co-Director, Eason-Weinmann Center for Comparative Law	Tulane 2009–
Co-Director, Berlin Program on Negotiation and Mediation	Tulane 2012–2015
Director, Berlin Program on Negotiation and Mediation	Tulane 2015–
Director, LLM in International and Comparative Law	Tulane 2010–
Supreme Court of Louisiana:	
Committee on Bar Admissions, Equivalency Panel (Member)	NO/LA 2010–2017
Director, Institute of Global Law	UCL 2002–2008
Deputy Director, European Exchange Programmes	UCL 2002–2008
Deputy Faculty Tutor for Student Admissions	UCL 2005–2007
International Links Committee	UCL 2002–2007

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