



DEBRECENI EGYETEM
Állam- és Jogtudományi Kar

mtat**tk**jt*i*

HOW TO MEASURE THE QUALITY OF JUDICIAL REASONING

28-29 NOVEMBER 2014
DEBRECEN, HUNGARY



UNIVERSITY OF DEBRECEN
FACULTY OF LAW

HAS CENTRE FOR SOCIAL
SCIENCES INSTITUTE FOR
LEGAL STUDIES



2014



PROGRAM

Friday, 28 November 2014

Venue: Room II/228, 26 Kassai Street, Debrecen

- 10:00 **Welcome, opening remarks**
Mátyás Bencze: Vice Dean of the Law School of University of Debrecen
- 10:10 **Masters of Law: Judging and the Ethical Life (keynote speech)**
Prof. Zenon Bankowski (University of Edinburgh)
- 11:00 **Session 1**

Gar Yein Ng (Independent Researcher): England and Wales

Arthur Dyevre (Catholic University Leuven): France

11:40-12:00 Discussion
- 12:00-13:00 **Lunch**
- 13:00-15:00 **Session 2**

Prof. Norman Weiß (University of Potsdam): Germany

Markku Kiikeri (University of Lapland): Scandinavia

Francesco Contini (Research Institute on Judicial Systems): Italy

Zdeněk Kühn (Charles University in Prague): Central and Eastern Europe

14:20 – 15:00 Discussion
- 15:00-15:30 **Coffee Break**
- 15:30-17:00 **Roundtable Discussion on the General Methodological Problems of Measuring the Quality of Judicial Activity**

Participants:

Prof. Philip Langbroek (Utrecht University)
Prof. Zoltán Fleck (Eötvös Loránd University)
Nicolaas Bel (European Commission)
Prof. Mariusz J. Golecki (University of Debrecen; University of Łódź)
- 17:00-17:10 **Closing remarks**
- 19:30 **Dinner**

Saturday, 29 November 2014

Venue: Room II/228, 26 Kassai Street, Debrecen

9:30 – 10:50 **Session 3: Historical and theoretical background of quality assurance of judicial reasoning**

Mihály Maczonkai (University of Pécs): ‘Legal Argumentation – Is It a Science or Art?’

Zsolt Zódi (Institute for Legal Studies, Hungarian Academy of Science): ‘Citations and the Quality of Reasoning’

Levente Völgyesi (Eötvös Loránd University): ‘Historical Aspects of Quality Control of Judicial Reasoning’

10:30 – 10:50 Discussion

10:50 – 11:00 **Coffee Break**

11:00 – 12:50 **Session 4: European perspectives of controlling the quality of judicial reasoning**

Alina I. Szabó (Law Office, Toplita): ‘Legal Mechanisms to Assess Bad Quality of Legal Reasoning According to Romanian Legislation’

Alzbeta Kondelová – Libor Havelka – Katarina Sipulová (The Supreme Court of the Czech Republic): ‘Judicial Reasoning and Judicial Dialogue: The Application of EU law by National Civil Courts’

Ievgen Zvieriev (National University of “Kyiv-Mohyla Academy” / Central European University): ‘Legal Interpretation Theories As Applied by Ukrainian Courts – Past Experience and Current Tendencies’

Eszter Kirs (University of Miskolc): ‘Measuring the Quality of Judicial Reasoning at the ICTY with the Litmus Paper of Accessory Liability’

12:20 – 12:50 Discussion

12:50 – 14:00 **Lunch**

14:00 – 15:30 **Session 5: Requirements of judicial reasoning in constitutional cases**

Zoltán Pozsár-Szentmiklósy (Eötvös Loránd University): ‘The Principle of Proportionality and the Quality Control of Judicial Decisions in Fundamental Rights Disputes’

Kálmán Pócza (Hungarian Academy of Sciences Institute for Political Science): ‘Evaluating Judicial Activism from the Point of View of Democratic Theory’

András Molnár (University of Szeged): ‘Dogmatic and Social Scientific Activisms and Passivisms – A Framework to Assess Judicial „Activism”’

15:00 – 15:30 Discussion

15:30 – 15:50 **Coffee Break**

15:50 – 17:10 **Session 6: International experiences of measuring the quality of judicial reasoning**

Huang Gui (University of Debrecen): ‘On the Dilemma of Sentencing Justly in China and its Solutions’

Dodik Setiawan Nur Heriyanto (University of Debrecen): ‘Understanding of Judges. On the Annulment of International Arbitral Awards. Experiences from the Case of Karaha Bodas Company v. Pertamina’

Stephan Foldes (University of Miskolc): ‘Reasons for Conviction or Remand in Custody: Some Cases Before the EHCR’

16:50 – 17:10 Discussion

17:10-17:20 **Closing remarks**

20:00- **Social program**