

Vienna Lecture Series on Comparative Constitutional Law & Theory



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How Courts Self-Empower: Strategic Judicial Empowerment in Comparative Perspective

Date: Tuesday, 12.03.2024, 6:00 p.m.

Venue: Room L619, 6th floor, Faculty of Law, Sigmund Freud University
Lassallestraße 3, 1020 Vienna

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When courts seek to strengthen their own institutional power, they often need to be strategic. In many fraught political contexts, judiciaries lack a history of asserting authority against powerful political actors. How can courts with fragile authority establish and enhance judicial power? Yvonne Tew discusses the phenomenon of strategic judicial empowerment, exploring how and when courts around the world employ particular strategies aimed at enhancing their institutional position vis-à-vis other branches of government. Drawing on examples from apex courts in Pakistan, Malawi, Malaysia, and the United Kingdom, she discusses the ways in which judges use tools of statecraft to enhance the court's role in the constitutional order.

This talk will be based on Professor Tew's forthcoming publication, *Strategic Judicial Empowerment* (American Journal of Comparative Law, forthcoming 2024).

Biography

Professor **Yvonne Tew** has expertise in constitutional law, globally and in the U.S., and law and religion in global perspective. She is a Professor of Law and Anne Fleming Research Professor at Georgetown University Law Center in Washington, D.C. She is also the Faculty Director and current Academic Co-Director (2023-2024) of the Center for Transnational Legal Studies in London. She is the author of *Constitutional Statecraft in Asian Courts* (Oxford University Press, 2020). Her scholarship has been published in the *American Journal of Comparative Law*, *Virginia Journal of International Law*, *Columbia Journal of Transnational Law*, and *Cambridge Law Journal*, amongst others, as well as in book collections from Oxford University Press, Cambridge University Press, Edward Elgar Publishing, and Routledge. She currently serves on the Executive Editorial Board of the *American Journal of Comparative Law*. She has advised international organizations and government officials on constitutional matters including judicial power, rights protection, and constitutional reform.

Professor Tew holds a Ph.D. from the University of Cambridge, where she was a Gates Cambridge Scholar. She received a B.A. in Law, with Double First Class Honours, from the University of Cambridge, and graduated with a Master of Laws (LL.M.) from Harvard Law School. She has held research fellowships at Columbia Law School and New York University School of Law.

The *Vienna Lecture Series on Comparative Constitutional Law & Theory* aims to organise a high-level exchange on current and fundamental questions in constitutional law from an international, comparative, interdisciplinary or theoretical perspective. International scholars are invited to present their current research. The Lecture Series takes place four times a year at one of the involved universities and welcomes everyone interested in this area of law.

The Vienna Lecture Series on Comparative Constitutional Law and Theory is organised by:

- Prof. Markus Böckenförde, Central European University
- Prof. Iris Eisenberger, University of Vienna
- Prof. András Jakab, University of Salzburg
- Prof. Konrad Lachmayer, Sigmund Freud University