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)
            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 Ződi* (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’


*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**
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

Coffee Break

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

Closing remarks

Social program