In recent years, we have seen a growing trend of political leaders attempting to undermine the independence of judiciaries through various means, such as court-curbing and court-packing. This is particularly prevalent in authoritarian regimes, where courts are often already under significant pressure from the government. Additionally, some countries have withdrawn from international human rights courts or threatened to withdraw from international treaties.

In light of these challenges, this seminar will explore the role of courts and the strategies employed by judges to maintain their independence in the face of political pressure. How do courts navigate political pressure and maintain their independence in various political regimes? What techniques do judges utilize to resist efforts to curb their independence? In what ways do civil society and international actors play a role in protecting the rule of law and judicial independence? What are the broader effects on human rights and public trust in political institutions when the judiciary is not independent?

We will start by looking at judicial independence in a comparative perspective and examining the differences across political regimes. Through case studies, we will explore how political leaders attempt to constrain courts in both democratic and authoritarian contexts, and whether these strategies are successful. After this, we will explore the dynamics of courts, including how courts can sustain or acquire their independence, even in authoritarian regimes. We will also examine the role of courts in different policy fields, such as trade and investment, human rights, electoral disputes, or administrative lawsuits. Furthermore, we will look at possible motivations of judges, whether as promoters of ideology, societal norms, or their own career. We will delve into the role of lawyers, citizen groups, and civil society in promoting political, economic, and social rights through the legal system, both on a domestic and an international level. As part of the seminar, we will explore the backlash against international courts and the factors contributing to it. Additionally, we will discuss public attitudes towards the judiciary across political regimes. The seminar concludes by exploring the strategies that such actors as the public, media, or international community could employ to safeguard judicial independence.
The seminar is addressed to students of the Schwerpunktbereichs VI, Law and Economics, but is also open to students from other specializations or departments, especially those interested in comparative judicial politics, international law, human rights law, authoritarian regimes, empirical social science or international relations. I also welcome international or exchange students.

To pass the course you are required to prepare a term paper and give an oral presentation. The seminar will consist of five sessions, each held on Thursday, from 14-18.

**Session I, 6 April:** introduction to the seminar. There, I will provide an overview of the seminar and topics to be covered, as well all discuss expectations regarding a term paper and oral presentation. There will also be a session on academic writing in English.

**Session II, 4 May:** this session is devoted to the discussion of paper outlines, individual questions and feedback. To prepare for this session, you should submit your outline by Monday, 1 May. The outline should include the title of your paper and a short abstract (no longer than 500-600 words). My goal is to help you succeed in writing an excellent final paper – thus, this session will focus on providing helpful feedback at an initial stage and working through any challenged you may be facing.

**Sessions III-IV, 29 June, 6 July, 13 July:** The substantive part of the seminar is held on three Thursdays. The seminar will be based on your presentations (15-20 minutes), which shall provide the input for a subsequent discussion among other participants. Deadline for submitting the actual paper is the end of the summer term.

Students are expected to write a paper covering on one of the topics (or choose their own), that could potentially be published in a law journal (approx. 10-15 pages) [for students outside of law, the paper can be aimed at non-law journals as well]. For each topic, I will provide readings that should guide you throughout the preparations. However, you can decide to focus on other materials as well.

Research topics will be distributed based on individual interests. Below is a list of suggested topics, and I will cover them in the introductory lecture, including posing possible term paper topics. However, you can suggest your own topic related to the general theme of this seminar – please talk to me about it beforehand.

1. Judicial independence across political regimes
2. Courts and judges in authoritarian regimes
3. Democratic backsliding and the rule of law
4. Attacks on the judiciary: domestic perspectives
5. Backlash against international courts
6. Judicial decision-making
7. Legal mobilization
8. Public opinion in times of backlash
9. Strategies of resistance: judges, civil society, international organizations, and the public

The following certificates can be acquired: seminar certificate (Seminarschein), proof of foreign language proficiency (Fremdsprachennachweis), or Schwerpunktbereichshausarbeit.

If you are interested in the seminar, please register by sending an email to my address (yulia.khalikova@uni-hamburg.de) and indicating two topics you are most interested in. Please feel free to email me with any questions or suggestions.