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**Analysis of competences of constitutional courts in a comparative law
context**

Thesis of the PhD dissertation

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I. Brief summary of the research objective set forth

One of the most important, determining occurrences of the past decades in the bourgeois democracies was the broadening of the role of constitutional jurisprudence. In the background of this occurrence could be mentioned the comprehensive changes of political systems. These circumstances demand a higher level of protection of citizens' human rights.¹

Constitutional jurisdiction is a relatively new instrument of the organization of the state. This legal instrument fringes upon the constitutional law, the legal philosophy and the political science. In the aspect of the relationship with politics, the activity of constitutional courts reveals close connection with their impartiality of operation. The most important, sovereign goal of the operation of a constitutional court is protecting the constitutional order and guaranteeing the emergence of the system of checks and balances. Enforcing the guarantees of rule of law could have a political content in certain contexts.²

Several changes can be noticed in point of – both domestic and foreign – constitutional courts and their competences, just like by other legal instruments. These changes had a synallagmatic effect on the regulations of certain countries as well as the practice of constitutional courts. The doctoral dissertation deals with issues that concern these changes and the potential challenges that may arise in the future, especially and primarily referring to the Hungarian constitutional jurisprudence. The dissertation also seeks the causes, the legal historical and legal philosophical antecedents that led to the evolution of the current frames of constitutional jurisdiction. What kind of concrete constitutional rules gave a hand to this? What kind of backgrounds gave reasons to the evolving of the competences of constitutional courts? In what kind of range can constitutional courts (Supreme Courts) exercise their competences, indirectly the function of the interpretation of the constitution? How did these circumstances affect the Hungarian constitutional jurisprudence, its progression as well as the competences of the Hungarian Constitutional Court?

In my dissertation, starting from the definition of the constitutional court, the legal historical and legal philosophical antecedents of constitutional jurisprudence, and the experiences of the development, I examined several functions and competences of constitutional courts. In this

¹ Béla POKOL: *Politikaelmélet*. Századvég Kiadó, Budapest, 2006, 289.

² István BALSZAI: A magyar Alkotmánybíróság a kormányzat szemszögéből. *Jogtudományi Közlöny*, 1992/6. szám, 283.

regard, I analyzed the following competences: the classical competences of Kelsenian model, so the – preliminary, *ex ante* and posterior, *ex post* – norm control (judicial review) – covering the examination of conflicts with international treaties –, the constitutional complaint, furthermore the interpretation of the constitution, the judicial review of constitutional amendments, and the resolving conflicts of competence. It follows from this that the topic of the dissertation was an excessively complex task.

According to the exposition I wrote above, the first major chapter of the dissertation I present is the conceptual framework of constitutional court as well as the historical and philosophical aspects of constitutional jurisprudence, highlighting the determining elements, which also have relevance to the constitutional problems outlined in subsequent chapters. The presentation of certain functions and competences of a constitutional court mentioned above stays in the focus of the dissertation. The dissertation analyzes all examined competences separately in each chapter, extending it to the laws and constitutions which regulate the competences and practice of foreign constitutional courts, and their influence to the Hungarian Constitutional Court. In point of the order of the analysis of competences, I paid respect to the importance of the competences in the light of constitutional jurisprudence on the one hand, and to the evolution of constitutional regulations of Hungary on the other hand. In my view, in order to understand the characteristics of the competences of a constitutional court, the traditional features of a competence in the practice of different constitutional courts have to be highlighted and detailed in one concrete chapter. Then, using the comparative legal method, I compared these features in connection with the Hungarian Constitutional Court. Closing the dissertation, I drew conclusions and summarized the potential orientations of the competences of the Hungarian Constitutional Court that might be relevant in the future.

After the democratic transition, constitutional jurisprudence has acquired an important role in the Hungarian public law system, the Constitutional Court has become a determining element of our constitutional system over the past few decades. At the beginning, the normative regulation and the decisions of Constitutional Court were in the limelight of the legal literature. When the Fundamental Law came into effect, it caused numerous changes which differently affected the competences of the Constitutional Court. Nevertheless, the occurrence of constitutional jurisprudence was not questioned.

In summary, the primary objective of my dissertation that constitutional jurisprudence and the Constitutional Court is a necessary element of the Hungarian legal order, the existence of the

Constitutional Court is valid in Hungary, and the Constitutional Court can attend to its sovereign goal, the protection of the constitutional order and guaranteeing the emergence of the system of checks and balances. Another goal of the dissertation is to examine whether the regulations of the Fundamental Law meet and fit the expectations of international trends. The inferences and suggestions formulated in the dissertation are intended to guide the legislator in addressing specific issues affecting the competences of the Constitutional Court and consenting to the realization of an independent constitutional jurisdiction which also rests on natural law.

II. Brief description of the research performed, method of research

In order to achieve the goals set forth during the completion of the dissertation, I used the available Hungarian as well as international literature relevant for scientific research on the topic. I primarily relied on foreign authors in establishing the research and presenting the historical and legal philosophical antecedents of constitutional jurisprudence as well as revealing the examined competences in the practice of foreign constitutional courts.

I believe that in order to prepare a scientific research of any legal institution, first of all, it is necessary to explore the historical and legal philosophical backgrounds and the conflicting views. The development of a constitutional organ or a legal institution, in this particular case the competences of constitutional courts, can only be emphasized with knowing these sources. Hence, I paid great attention to interpreting several opinions and to create a synthesis from their positions (e. g. argument between Kelsen and Schmitt, judicial review of constitutional amendments, *actio popularis* versus constitutional complaint). I drew my inferences and conclusions in the light of these circumstances.

In point of examining the competences of constitutional courts, research and analysis of legal sources played a major role. In this aspect, the dissertation considered primarily the domestic and foreign countries' constitutions and constitutional court acts as well as the decisions and judicial practice of constitutional courts and Supreme Courts, including countries outside Europe to a lesser extent. Therefore, the horizon of the research does not cover only the classical European constitutional courts. The primary reason of this is that questions related to the Kelsenian model's constitutional courts' competences and functions examined in the dissertation reveal parallelisms or rather differences in connection with the Hungarian regulation and practice. In this regard, the constitutional problems in connection with the examination of the competences of the Constitutional Court of South Korea – which was established on the grounds of the German model – are also deemed to be interesting. However, the dissertation mentions special legal institutions which are uncharacteristic in the practice of European constitutional courts (e. g. the *basic structure* doctrine elaborated by the Indian Supreme Court or the Mexican antitype of *amparo* procedure). By right of this, the assignments could be compared considering the rules of the comparative legal method. In order to explore the issues examined more thoroughly, the dissertation also applies a comparative legal viewpoint, in analyzing some of the competences of constitutional courts, it describes, categorises and compares the judicial practices of various constitutional courts. I

utilised the inferences drawn on the grounds of the comparative law in the aspect of Hungarian regulation and legal practice.

My approach is one of jurisprudence, but the constitutional courts are (independent) parts of the organization of the state, I marginally concerned the political projection of this legal instrument. I used works from different parallel disciplines (e. g. sociology), which include the results of researches focusing on the nature and operation of constitutional jurisprudence.

III. Summary of the new scientific results of the dissertation

1. Relationship between legal philosophy and constitutional jurisprudence

The starting point of my PhD thesis is that the classical, natural law conceptions gave a hand to the emergence of constitutional jurisprudence primarily. The institutionalized frames of constitutional jurisdiction could come into existence on the grounds of these doctrines. In this regard, it was worth mentioning the theories in connection with the conflicts of natural law and positivism as well as the eternal rules which are binding on everyone. In this aspect, I alluded the concepts of the ancient Greek and Roman as well as the medieval jurisprudence, especially the natural law theories of St. Thomas Aquinas. This reflected in the view of Edward Coke who explained that if the laws adopted by the parliament are contrary to the common law or common sense as well as they are antinomic or inexecutable, the judges override and annul them.³ Then the jurists committed themselves to the positivism, namely the principle of the primacy of the constitution and laws. The traditions of the religious, political culture and natural law of the 16th and 17th century had an effect on the emergence and evolution of the constitutionalism and constitutional jurisprudence of America (United States) as the constitutional framewokers knew the state philosophy both of the classics and the modern era. However, the approach of positivism also prevailed in the latter practice of the Supreme Court. During the constitutional examination, the judges are bound by the Constitution which is the main law of the people and they must apply the laws enacted in pursuance of the constitutionality.⁴ At the beginning of the 20th century, the achievements of the American constitutional jurisprudence were paid great attention to in Europe. The real breakthrough of the European constitutional jurisdiction was the positivist theory of Hans Kelsen. Kelsen's theory of basic norm found an institutional resolution solving the conflicts between different norms in order to establish conformity of the laws with the constitution. Kelsen reckoned an independent institution, the constitutional court as suitable for performing this function. The constitutional jurisprudence actually gained ground in Europe after the catastrophes of World War II (e. g. Germany). The practical reasons of this were the necessity of the democratic guarantees of the state operation contrary to the emergence of dictatorship. So the values of the constitution have to be protected acutely. In order to reach this goal,

³ Mauro CAPPELLETTI – William COHEN: Az alkotmánybíráskodás története és jelenkori elterjedése. In: Péter PACZOLAY: *Alkotmánybíráskodás – alkotmányértelmezés*. Rejtjel Kiadó Kft., Budapest, 2003, 46.

⁴ Nóra CHRONOWSKI: Az alkotmánybíráskodás. *JURA*, 2001/2. szám, 100.

constitutional frameworers of several countries initiated unchangeable provisions (eternity clauses) in the constitution. These clauses are deemed to be such constitutional rules, fundamental principles which protect the constitution from amending it. Recently, the eternity clauses, unchangeable provisions have acquired an important role in more countries, just like in the Czech Republic or in Italy, but the Constitution of the United States also includes such provisions. In India, the concept of basic structure contains these unchangeable provisions. According to the exposition I wrote above, I drew the inference that the prerequisites of constitutional jurisdiction are the adoption and acceptance of the primacy of the Constitution over laws and other norms as well as establishing that compliance with the Constitution is checked by judges. These prerequisites were met with less effort in the United States of America, and were more difficult to achieve in Europe.

Based on the legal historical and legal philosophical antecedents mentioned above and the role of constitutional jurisdiction in separation of powers, I examined several functions and competences of constitutional courts in the dissertation.

2. The (preliminary and posterior) judicial review

The norm control (judicial review) is one of the most characteristic competences of constitutional courts implementing the Kelsenian model. With reviewing the constitutionality of laws and other legal norms, the constitutional courts aim to reach the goal of this competence, guaranteeing the priority of the constitution. The constitutional courts control primarily the legislative power, but at the same time, with practicing this competence, they can review the harmonized decisions issued by supreme courts. From this characteristic an intense sameness could be deducted between the regulations and legal practices affecting the foreign constitutional courts and the Hungarian Constitutional Court. Requests of preliminary and posterior abstract judicial review can be submitted by the public dignitaries and the most important institutions of public law; ordinary courts can lodge a proposal in order to initiate a concrete judicial review procedure in case of constitutional problems have arisen in the course of the adjudication of a concrete case in progress. If the constitutional court finds that the contested law is unconstitutional, the norm has to be declared null and void with a decision which has an *erga omnes* effect. Otherwise, the constitutional court refuses the request. Analyzing the *a priori* norm control, I drew the inferences that the French Constitutional Council has the most extensive competence which was not ensued by other constitutional

courts. The German, the Austrian, the Italian and the Spanish Constitutional Court also has the competence of preliminary judicial review, but it does not fill a significant role in these countries. The Hungarian Constitutional Court derived most of its competences from the constitutional rules of Bundesverfassungsgericht, but the *ex ante* norm control was implemented from the French constitutional law.⁵ The preliminary judicial review of draft bills – which was originated from the French legal culture – was abrogated in course of time, this progression has appeared also in Germany and in Spain. It is ascertainable that the subjects of preliminary judicial review can only be the statutes adopted but not operating; these proposals are initiated generally by the Head of the State, the Government and a specific proportion of all Members of Parliament (except Poland and Germany). Over and above, the *actio popularis* which was the characteristic competence of the Hungarian Constitutional Court for a long time was not generally known within the competences of classical constitutional courts either. The given historical and political situation of Hungary justified the origination of the *actio popularis* which competence called to serve the development of Hungarian law and to conduce the realization of the democratic transition. The legislator abrogated the *actio popularis* when the Basic Law taking force, and instead of it, the Constitutional Court reviews the conformity with the Fundamental Law of any judicial decision on the basis of a constitutional complaint (real constitutional complaint). This alteration of the Fundamental Law met and fit the expectations of international trends. However, in my view, it has to be reconsidered to grant right for social organizations or self-governments to submit proposals. I did not discover any differences between the competence of concrete judicial review during the examination and comparison of the regulations and practices of foreign constitutional courts and the Hungarian Constitutional Court.

3. The evolution of constitutional complaint

The constitutional complaint has become significant in the 19th-20th century, however, it is not an institution of constitutional democracies of the modern era. The antitype of the constitutional complaint in the sense of nowadays was the so-called *amparo contra leyes* competence of the Supreme Court of Mexico. At this time, the protection of human rights did not play a determining role, and reviewing the constitutionality of judicial decisions did not appear as a competence of constitutional courts either. The protection of fundamental rights

⁵ Tamás SZIGETI: Törvények előzetes normakontrollja, avagy egy felemás alkotmánybíróvági hatáskör. In: Judit SZABÓ: *Parlamenti ösztöndíjasok 2006-2007*. Parlamenti Módszertani Iroda, Budapest, 2008, 65.

and therefore the constitutional complaint has become more important after the catastrophes of World War II. This justified the institutionalizing of constitutional jurisprudence which kept a check on the political power. The pretension of protection of basic rights appeared inevitably in line with movements of human rights got going.⁶ Therefore, the constitutional complaint is so important competence of constitutional courts. With this legal institution, any person or organization affected by a concrete case may submit a constitutional complaint to a constitutional court, if an act of a public authority (or a court) violates their rights enshrined in the constitution, and the possibilities for legal remedy have already been exhausted or no possibility for legal remedy is available. In Spain, such proposal can be also filed by the Ombudsperson and the Public Prosecutor Office, and in Hungary, by the Prosecutor General. The protected fundamental rights are different in the practice of constitutional courts: in Germany and in Spain, mostly the civil and political rights; in South Korea and in Hungary, the whole catalogue of constitutional rights can be a subject of constitutional complaint. All the types of constitutional complaint can be found in the practice of the German Federal Constitutional Court. However, in Austria, constitutional complaints may not be submitted against concrete judicial decisions. These circumstances can be retraced to Hans Kelsen's idea of basic norm. In his opinion, only laws can infringe the constitution directly, therefore unconstitutional judicial decisions are not existing, so it is not reasonable to review the constitutionality of decisions of ordinary courts by constitutional courts. The Hungarian constitutional complaint derives from the German regulation, but this contention is proper *de facto* since 2012, when the real constitutional complaint was introduced. Before 2012, the constitutional complaint was regarded as a specific form of judicial review, because the subject of the constitutional review was the law, the application of which led to the unconstitutionality. Constitutional complaints might not be submitted against concrete judicial decisions. It is a valid contention in connection with all constitutional courts examined in the dissertation, that the constitutional complaint burdens the institution mostly. Nevertheless, most of the complaints requested are unsuccessful because of the strict regulations affecting the forms and substance of the proposal. These complaints are rejected or refused regarding their inadmissibility. In my view, the opinion of the Jurisprudence-analyzing working group of the Curia of Hungary is exemplary in connection with the constitutional complaint. According to it, the practice of the constitutional complaint is double-faced because the expectations have not been realized entirely. The number of successful complaints admitted

⁶ László SÓLYOM: *Az alkotmánybíraskodás kezdetei Magyarországon*. Osiris Kiadó, Budapest, 2001, 252.

was excessively low, but in certain cases it is appreciable the function of a „super-Supreme Court”, when a decision of the Constitutional Court images the reasons of fundamental rights exactly by analyzing a legal concept or a legal institution.

4. The competence of interpretation of constitution

Referring to the interpretation of constitution, I stated that constitutional courts as well as the supreme courts interpreting the constitution in all cases, during exercising all of their competences. Still, the interpretation of constitution as a specified competence of a constitutional court occurs seldom (e. g. Slovakia, Bulgaria, Russian Federation). Nevertheless, the Supreme Court of the United States as well as the German Bundesverfassungsgericht does not issue any advisory opinions (*gutachtliche Äußerungen*). In Hungary, the interpretation of constitution is a specified competence of the Constitutional Court which was criticised and disputed in the legal literature, as the abstract interpretation of constitution is one of the competences of the Constitutional Court – as well as the judicial review of constitutional amendments – which can result the accusation of activism (cf. the practice of Constitutional Court presided by László Sólyom). It is undeniable that the abstract interpretation of constitution has a political dimension which is validated by the regulation and the practice of the Constitutional Court. In my view, the Fundamental Law further strengthened this presumption. It has to be also noted that the importance of the activist practice of the Constitutional Court has been reduced recently. But in consequence of the Fourth Amendment of the Basic Law, the Decision n. 12/2013. (V. 24.) regarding the constitutionality of the Fourth Amendment of the Fundamental Law and the new doctrine stated by the Constitutional Court, the critiques would not be emerging in the future practice of the Constitutional Court. The decisions adopted after the Fundamental Law – which entered into force on 1 January 2012 – strengthened this hypothesis.

5. Practices of constitutional courts in connection with judicial review of constitutional amendments

Similar to the abstract interpretation of the constitution, the judicial review of constitutional amendments is also a very sensitive matter. There are so many diverse viewpoints prevailing in this topic in the legal literature as well as in the practice of constitutional courts and supreme courts. The French Constitutional Council reached the conclusion that it does not

have proper jurisprudence to judge on the constitutional amendments. The antipode of this practice dominates in South Africa, one of the constitutional courts belong to the Kelsenian model: this constitutional court is authorized to rule on constitutional amendments. The Supreme Court of India also has a similar broad competence in connection of evaluating constitutional amendments, with a denotative interpretation of the principles of basic structure. The German, the Austrian and the Turkish Constitutional Court declared themselves competent to review the constitutionality of constitutional law (amendments) with respect to their substance without any concrete constitutional authorization. In the course of their practice, Bundesverfassungsgericht interpreted the eternity clauses, as the Verfassungsgerichtshof used broadly the concept of *leitender Grundsatz* and *Gesamtänderung*. However, these constitutional courts did not declare the unconstitutionality of a contested constitutional amendment with the exception of the Turkish Constitutional Court's headscarf decision. Hence, two methods can be distinguished: on the one hand, the constitution establishes the competence of the judicial review of constitutional amendments, on the other hand, a constitutional court declares itself competent to review the constitutionality of the amendments with respect to their substance without any concrete constitutional authorization.

With respect to the legal practice of Hungarian Constitutional Court, I drew the inference that the practice of the institution at its early stage was similar to the French Conseil Constitutionnel's: the Constitutional Court declared that it does not have the competence, the jurisdiction to decide on the constitutionality of the Constitution and its amendments. However, the Decision n. 1260/B/1997. has left a loophole open to ascertain its competence evaluating the constitutional amendments. Over and above, the Constitutional Court made an attempt to search possible methods in order to review constitutional amendments in the Decision n. 61/2011. (VII. 13.), despite the refusal of the submitted requests. I accommodate with László Blutman, in his opinion, the Constitutional Court got into self-contradiction with searching methods confirming its competence, in spite of the fact that the institution does not have the jurisdiction to decide on the constitutionality of the amendments.⁷ The constitutional status of the Transitory Provisions was also an interesting question. The Constitutional Court declared that the contested provisions are not connected to the Basic Law taking force, so the parliament exceeded its legislative authorization provided by the Fundamental Law, therefore

⁷ László BLUTMAN: Az Alkotmánybíróság és az alkotmány feletti normák: könnyű *liaison* elkötelezettség nélkül? *Közjogi Szemle*, 2011/4. szám 3-4.

the Constitutional Court annulled the challenged regulations.⁸ With this decision, the Constitutional Court opened the possibility to review the constitutionality of constitutional amendments with respect to their substance which was strictly interpreted before.⁹ However, the Decision n. 12/2013. (V. 24.) on the constitutionality of the Fourth Amendment of the Fundamental Law abolished the possibility with the Court declared that the institution may only review the Fundamental Law and amendments to it for conformity with the procedural requirements laid down in the Fundamental Law with respect to its adoption and enactment (in the case of procedural error). Therefore, the Constitutional Court did not want to continue the conflicts henceforth with the constituent power any more and the activist era of the Constitutional Court has terminated. In my view, the constitutionality has a substantive (a character of natural law) core. Breaching this core – even with amending the constitution – results contrary to the Fundamental Law. Furthermore, I consider necessary that an independent establishment – whose members are representing the theories of natural law – has to control the constituent power in order to realize the separation of powers.

6. The questions of resolving conflicts of competence

In connection with resolving conflicts of competence I assessed that this function had been regulated exactly and more prudently in federal states. This competence has actually a determining significance in these countries thanks to the historical traditions and the characteristic political culture of each state. Adjudging conflicts of competence retrospects to a centuried past in Austria as well as in Germany which has been strengthened by Hans Kelsen's theory with reference to the constitutional jurisprudence. In his opinion, the most important task of a constitutional court is to resolve the conflicts between different constitutional organs along with guaranteeing the logical unity of the legal system. In Spain, the self-governing, autonomous communities could manage the basic governmental services spaciouly which established this competence of the Tribunal Constitucional. In point of all constitutional courts examined in the dissertation it could be stated that resolving conflicts of competence was regulated as a sort of a special civil procedure. In this regard, I accounted the conception of implementing or analogous application of the rules of the Civil Procedure Code

⁸ Zoltán SZENTE: Az Alkotmánybíróság döntése Magyarország Alaptörvényének Átmeneti rendelkezései alkotmányosságáról. *Jogesetek Magyarázata*, 2013/2. szám, 14-16.

⁹ Csaba ERDŐS: Rubiconon innen ... és túl? Az Alkotmánybíróság gyakorlata az alkotmánymódosítások felülvizsgálatának és az alkotmányi szabályok közti kollíziók feloldásának területén. In: Fruzsina GÁRDOS-OROSZ – Zoltán SZENTE (ed.): *Jog és politika határán. Alkotmánybíráskodás Magyarországon 2010 után*. HVG-ORAC Lap-és Könyvkiadó Kft., Budapest, 2015, 334.

reasonable which has been urged by Attila Vincze. But it could be noticed on the grounds of the practice of the Constitutional Court that instead of this separate competence, the conflicts of competence had been adjudged during the abstract interpretation of constitution, despite the reception of the German model. Resolving conflicts of competence almost disappeared from the practice of Constitutional Court after the Fundamental Law had taken force.

On the whole, examining the regulation of the Fundamental Law and the practice of the Constitutional Court, I drew the inference that the norm disposes the competences of the Constitutional Court quite correctly in majority. However, I consider the scope of those who have the right to file a request of *a posteriori* abstract judicial review is too limited, so I deem necessary to broaden the range of authorized institutions to submit a proposal. On the other hand, in my view, the collateral operation of *actio popularis* and the real constitutional complaint would raise the protection of human, fundamental rights to a higher level; these competences are not excluding each other. Thus, minimal modifications affecting the examined competences are sufficient altogether. There are no constitutional reasons encountered to strengthen a significant reduction of competences of the Constitutional Court which goes against the European trends of constitutional jurisprudence. Requests are not filed in connection with only the function of resolving conflicts of competence, but it is worth retaining this competence in a level of regulation because constitutional conflicts can occur between constitutional organs at any time.

The decisions adopted during the procession of a competence reflects the emphasized responsibility and role of a constitutional court. The norms adopted by the legislator cannot be considered as a law uncritically, they have to be adjusted to the scope of natural law.

IV. List of publications

Publications on the topic

Studies on foreign language

1. The international aspects of constitutional complaint. *Pázmány Law Working Papers*, 2017/10. szám, 2-10.
2. Constitutional jurisdiction in North America. *Acta Humana*, 2017/3. szám,

Studies on Hungarian language

1. Az alkotmánybíróságok konkrét normakontroll hatáskörének alakulása nemzetközi szinten. *Eljárásjogi Szemle*, 2017/2. szám, 29-36.
2. Az alkotmánybíráskodás jogfilozófiai alapjai. *Jogelméleti Szemle*, 2017/1. szám, 91-104.
3. Az alkotmánybíráskodás természetjogi előzményei, aspektusai. In: János FRIVALDSZKY – Ákos TUSSAY (szerk.): *A Természetjog napja – konferenciatanulmányok*. Pázmány Press, Budapest, 2017, 265-280.
4. A nemzetközi szerződések és az azt kihirdető normák alkotmánybíróságok által történő vizsgálata. *Eljárásjogi Szemle*, 2017/4. szám, 17-23.
5. Az alkotmányjogi panasz magyarországi helyzete. *Iustum Aequum Salutare*, 2018/1. szám, 263-288.
6. A Kúria és az Alkotmánybíróság konkrét normakontroll jellegű hatásköre az önkormányzati rendeletek vizsgálata tükrében. *Közjogi Szemle*, 2018/1. szám, 48-53.
7. Az alkotmánymódosítások felülvizsgálhatóságának kérdése az alkotmánybíróságok gyakorlatában. *Eljárásjogi Szemle*, 2018/2. szám, 31-39.
8. A törvények előzetes normakontrollja. *Közjogi Szemle*, 2019/1. szám, 74-80.

Other publications

Az alkotmányos büntetőjog fogalmának alakulása az Alkotmánybíróság gyakorlatában. In: Gyula BÁNDI (szerk.): *A sokoldalúság okán. Doktorandusz tanulmányok a Pázmány jogászképzésének 25. tanévében*. Pázmány Press, Budapest, 2020, 102-116.