

Talking Courts (2022—2024) | Final report

The *Talking Courts* project was a unique educational and awareness-raising initiative that set out to connect continents and communities to open new avenues for interaction on and with judiciaries and a broader range of stakeholders. Between September 2022 to November 2024, *Talking Courts* organized or facilitated a range of events in venues in Slovakia and in India and built networks, with a strong digital component to facilitate greater accessibility. Funded by the U.S. Embassy in Bratislava and hosted by the Department of Political Science, Comenius University in Bratislava, Slovakia *Talking Courts* brought together several partners from Slovakia and abroad who welcomed and provided space or expertise for the project activities. 16 events (some in-house, others in collaboration with partners) brought together over 300 diverse participants, especially high school and university students, scholars, NGO representatives, journalists, ‘court insiders’ (current and former judges and clerks) and government officials.

The project was coordinated by Dr. Max Steuer (Principal Investigator at the Department of Political Science and Associate Professor at the Jindal Global Law School), with the expert project team including Associate Professor (Dr.) Erik Láštic (Head of the Department of Political Science) and Mgr. Pavol Žilinčík MPP (former member of the Judicial Council of the Slovak Republic and PhD candidate at the Department of Political Science).

AIMS AND OVERVIEW

Talking Courts aimed to bridge the chasm between courts and the public by engaging diverse audiences in deliberations about the role of the judiciary in democratic governance. Courts are oft viewed as isolated and distinct from society. This goes together with the fact that their decisions are less visible than those of the executive or the legislature. The project sought to humanize courts and by extension, their judges and decision making practice. In doing so, it set out to highlight their cardinal role in maintaining democracy by resolving conflicts without tilting the balance towards autocracy. By organizing public events, seminars, and workshops involving judges, court insiders, and academics, the project brought judicial systems closer to the public. Besides events and awareness-raising, the project also set out to build a broader network, and create educational materials for use at university-level curricula on the roles of judiciaries in relation to democracy. In doing so, *Talking Courts* also explicitly embraced the need to be global and go beyond widespread Western- or Euro-centric discourses on courts that only gradually proceed to be diversified.

EVENTS SUMMARY AND MAIN TAKEAWAYS

Event Title	Date	Description	Key Substantive Takeaways
Inaugural Roundtable Courts and COVID-19: Cross-national Perspectives	9.12. 2022	Roundtable comprising speakers from India, Slovakia and the USA, with participants from other countries. It featured discussions on judicial responses to the COVID-19 pandemic.	Underscored the diversity in court responses to the pandemic and highlighted the importance of online hearings and maintaining judicial functions particularly during emergencies.
Talking Courts at the Regional Rounds of the Human Rights Olympics	9.2. 2023	Workshops at the regional rounds of the Human Rights Olympics emphasizing judicial responsibility for human rights protection. The regions covered included Nitra, Trenčín,	Raised awareness among high school students on the judiciary’s cardinal function of human rights and democracy protection.

		Trnava and Žilina region. The guests included several sitting judges from various Slovak courts (district and regional courts, the Supreme Administrative Court and the Specialized Criminal Court).	
Towards Democratic Judiciaries	17.4. 2023	A two-panel plenary opened by the President of the Supreme Court of the Slovak Republic, Dr. Ján Šikuta, discussing the roles of judges in democracies, with special focus on judicial education. Guests from the US included Judge David G. Campbell, Senior United States District Judge for the District of Arizona and Chair, U.S. Courts' Committee on International Judicial Relations and Professor Cornell W. Clayton, Distinguished Professor of Political Science and Director of the Thomas S. Foley Institute of Public Policy and Public Service, Washington State University.	Examined judicial education and the intricate relationship between democracy, social change and courts in both the USA and Central Europe.
Judge Campbell's discussions with secondary school students	18.4. 2023	Judge David G. Campbell interacted with students at three secondary schools in Bratislava. The discussion centred around judicial roles in society.	Raised understanding of the role of the judiciary in the task of democratic governance at the secondary school level. Addressed issues such as gun ownership and abortion laws and facilitated comparative insights on Slovakia and the US.
Courts Democracy, Human Rights and US Foreign Policy: Talking Courts at the 25 th National Round of Slovak Human Rights Olympics	19.4. 2023	A workshop during the Slovak Human Rights Olympics evaluating the courts' role in human rights protection. The speakers included Mr Shiv Srikhant, representative of the USA Embassy in Bratislava, Professor Cornell W. Clayton and Judge David G. Campbell.	Deliberated upon the confluence of human rights rhetoric and practices of political leaders, and the role of courts in apprehending unjust rights restrictions.
Guest Session on the Indonesian Constitutional Court	22.8. 2023	M. Lufti Chakim from the Indonesian Constitutional Court discussed the role of this institution in human rights protection, also in comparison to South Korea.	Presented a glimpse into Indonesian constitutional adjudication processes and impact on human rights
Guest Session on the Ukrainian Constitutional Court	6.10. 2023	Dr. Kristina Trykhlil discussed the Constitutional Court of Ukraine, its functions, and obstacles during martial law, with particular relevance to the	Emphasized the role of the Ukrainian Constitutional Court in during transformative moments

		aftermath of Putin’s full-scale invasion of Ukraine.	alongside the historical challenges faced by this institution.
Seminar on the Supreme Courts of India and Sri Lanka	27.10. 2023	Advocate Dayaar Singla and Ms. Ayesha Wijayalath (PhD student at University of New South Wales) compared the judicial roles in India and Sri Lanka. The comparison focused on the promotion of social change by courts, especially in post-colonial democratic societies.	The speakers underscored the function of constitutional courts as conduits of social transformation as well as guardians of constitutional values. Political regime instability and the need to consider courts as social actors featured prominently in the discussion.
Demystifying the Court of Justice of the European Union	8.4. 2024	This was an introductory talk on the Court of Justice of the European Union (CJEU), its influence on and beyond EU citizens and EU law. The talk was delivered by Aman Mehta, LL.M. candidate at Central European University and Advocate at the Supreme Court of India.	Raised understanding of CJEU’s function as the constitutional interpreter of EU law in a global perspective, challenging Eurocentric representations of the CJEU.
Cooperation on the workshop “European Union and the Rule of Law”	17.4. 2024	After the success of the 2023 workshop at the Human Rights Olympics, another opportunity was offered to place judiciaries prominently in the 26 th National Round. The discussion facilitated by Dr. Erik Láštík included Dr. Barbara Pořízková, Vice-President and Judge of the Supreme Administrative Court of the Czech Republic and Mr. Radim Dvořák, Deputy Head of the European Commission’s Representation in Slovakia and Head of the Political Team.	The participation of Dr. Barbara Pořízková was particularly valuable from the perspective of her membership in the the panel provided for by Article 255 of the Treaty on the Functioning of the European Union for selection of CJEU judges, while Mr. Dvořák focused on the role of the European Commission in protecting the rule of law EU-wide.
Rule of Law: The Ambiguities of an Unqualified Human Good	22.4. 2024	Professor András Sajó, DSc. (Central European University) discussed the limits of the rule of law and its application in contemporary political discourse.	This university-wide lecture and discussion evaluated the convergence between judicial autonomy, its role in arresting government power and presented Professor Sajó’s original concept of the “militant” rule of law and its application.
Discussion on Slovak Constitutionalism, Public Policy, and Protection of Democracy	7.5. 2024	A panel discussion including Professor Emília Sičáková-Beblavá (Institute of Public Policy, Comenius University) and Dr. Max Steuer (<i>Talking Courts</i> project coordinator).	This exchange facilitated perspectives on the intersection between political regime, public policy-making and judicial decisions.
Expert Witnessing in the Social Sciences in the 21st Century	11.6. 2024	A hybrid event co-convened with Dr. Matej Medvecký focused on expert witnessing in Slovakia and Czechia, exploring challenges and best	Addressed challenges faced by expert witnesses, including compensation, bureaucracy, and the evolving role of social sciences in

		practices, with cross-sectoral speaker participation.	judicial processes, and broadened the perspectives on discussing judiciaries in connection to determining ‘facts’ in the decision making process.
EU Constitutionalism and the Role of Courts: A View from the Periphery	2.9. 2024	The session added to the discussions on how EU member state constitutional courts and the CJEU relate to each other, by adding the oft-neglected dimension of the West/East divide in the EU, as well as the candidate countries for EU accession particularly from the Western Balkans. The speaker was Arnisa Tepelija, SJD candidate at Central European University.	The talk emphasized the impact of Europeanisation and importance of judicial autonomy vis-à-vis widespread processes of backsliding of democracy in the EU. Specific cases were presented in an accessible manner to illustrate the challenges judges face in these situations.
The Policy-making of a Quasi-constitutional Court: The European Court of Justice	25.9. 2024	A talk exploring the CJEU’s role in shaping EU social policy and its constitutionalising and democratic influence on EU law. The speaker was Franziska Pupeter, SJD candidate at Central European University.	Discussed the CJEU’s quasi-constitutional role and its policy-making influence in EU legal order, with particular focus on social rights adjudication that is often neglected despite the lived impact social rights (or lack thereof) have on the broader public. This shifted attention to the use of key concepts and normative expectations the public has from courts and how courts cannot pretend to be disconnected from matters of grave public concern, including social welfare standards.
Multilevel Constitutionalism Beyond the State	16.10. 2024	A discussion on the interaction between national and supranational courts, with a focus on constitutional law beyond the state, highlighting the role of the European Court of Human Rights alongside the CJEU. The speakers were Professor (Dr.) Markus Böckenförde from the Central European University and Sarthak Gupta (Supreme Court of India).	Explored how constitutional values cut across state boundaries. The Europe—India comparison highlighted the importance of the concept of federalism, its applicability and limits for judicial effectiveness. Federal or quasi-federal arrangements increase complexity and make it more challenging for judiciaries to communicate as well, as the complex issue of the relationship between the ECtHR, CJEU and EU member state courts on the one hand and the Supreme Court of India and high courts therein indicate. Deficits of democracy both in the EU (also at the

		supranational EU level) and in the member states amplify these difficulties, as they frequently yield assaults on judicial independence. Broader public attentiveness to them is needed for building global constitutional consciousness.
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KEY CONNECTIONS AND CONTRIBUTIONS

Talking Courts achieved its goals of promoting public understanding of the judiciary, enhancing judicial education, and offering global comparative perspectives on judicial systems. The series of public events, workshops, and discussions that connected judges, other legal communities, academics, students and court enthusiasts from several countries.

- The discussions with high school students at and beyond the Human Rights Olympics offered, for many young people, the first opportunity to interact with sitting judges, helping to demystify the judiciary and underscore its importance in a democracy—a subject rarely covered in high school education. The events were not only in the capital city (Bratislava), but also in several regions, and the discussions in Bratislava included different types of secondary schools, stressing the need to also include a broader range of regional venues in future similar activities.
- The plenary event of the project (“*Towards Democratic Judiciaries*”) was instrumental in fostering dialogue between US- and Slovakia-based stakeholders, serving as an important resource that could be used for developing educational materials. While the full event recording could not be made public, summaries were made available on the YouTube platform of the Faculty of Arts, and a detailed report from the event was prepared as well.
- Non-Western perspectives and comparative insights into discussions of judicial practice were incorporated and pointed to the need to engage with similarities between post-communist Central Europe (Slovakia being centre-stage in the project) and non-Western contexts, as challenges to democracy and understanding judiciaries therein are at times more aligned between these contexts than between countries with a historically long tradition of democratic governance. Partnership with institutions outside Europe (in this case, the Jindal Global Law School) has proven to be essential for effective organization and implementation of such initiatives. The discussions on ‘decolonizing the mindset’ of public discussions about judiciaries are likely to become more and more relevant in the years to come.
- The global discussions pointed also to the need to de-center judiciaries from the (nation-)state. This was particularly fostered by including the perspectives from India and the United States as federal polities with strong state-level and local operations of their judiciaries, and the engagement with supranational courts’ (particularly the European Court of Human Rights and the Court of Justice of the EU) practices. Further exchanges should incorporate more perspectives from Africa and Latin America.

Overall, *Talking Courts* surpassed its deliverables with respect to the number of events and audience members and communities it set out to reach out to. Particularly significant potential was uncovered in the model of ‘getting judges to schools’, i.e. discussions in which sitting (or, possibly, former) judges discuss with students (high school, but primary school could also be relevant, with potential adjustments) on their work and the importance of democratic judiciaries. However, organizing such events requires non-negligible resources and coordination, between the schools and the judges, while arguably not all judges are suitable for

this format, as some rhetorical and presentation techniques may appeal to young people more than others. The emphasis on judges also does not mean that other experts on judiciaries who are/were not judges themselves would not be suitable for the format; although it has been observed that there is a specific ‘aura’ pertaining to the appearance of an actual judge for young people, which may be difficult to replicate via presentation of scholars or NGO representatives.

The pilot research on education materials on judiciaries has shown a significant gap on their availability, particularly in the Slovak language, that complicated the process of preparation of the course syllabus. Even in English, faculty- or university-wise courses (i.e. not only specialized to law and political science students) on the role of judiciaries in democracies are limited. This aspect of human rights and constitutional education needs further attention, as the overemphasis of elections and legislative decisions as the only avenue for public participation in a democracy contributes to the sense of remoteness of judicial power, despite its essential role in protecting and advancing democratic values. While, due to the emphasis on event engagement and the lack of existing materials to build on, it was not possible to prepare the educational materials and launch the university course within the framework of the current project, the project team will consider, as a result of these findings, further initiatives in this respect, preferably with an at least European, if not global reach. For this, the insights and networks developed in the course of the project events will be particularly beneficial.

CONCLUSION

Talking Courts helped bring judicial practices closer to the public, enhanced education about and awareness of judiciaries, and offering a platform for global and comparative perspectives. Through a varied set of events, the project fostered ongoing deliberation on the role of courts in protecting constitutional values. The degree of global public engagement in the project activities has exceeded initial expectations, and points to the need and potential for further initiatives involving a diverse range of stakeholders.

ACKNOWLEDGEMENTS

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The 2023 main plenary event *Towards Democratic Judiciaries* has been made possible in partnership with the Fulbright Slovak Office, which sponsored the specialist visit of Professor Cornell W. Clayton. Special thanks go to the US speakers, Judge David G. Campbell and Professor Clayton. For offering space during plenary discussions with young human rights enthusiasts from all around Slovakia, we appreciate the support of the Slovak Human Rights Olympics Committee, in particular its Honorary Chairwoman, Dr. Dagmar Horná. We also welcomed the interest by several Slovak public institutions, including the Constitutional Court of the Slovak Republic, the Supreme Court of the Slovak Republic, as well as several judges from Slovak general courts and NGO representatives.

For the organization of hybrid events on selected themes pertaining to global judiciaries, thanks go to the O.P. Jindal Global University, Jindal Global Law School in India.

Special gratitude is extended to additional project partners, which include, CEELI Institute, the Helsinki Committee for Human Rights in Slovakia, the UNESCO Chair for Human Rights Education at Comenius University, (for a 2023 event) the ICON•S Central and Eastern European Chapter and (for a 2024 event) the ENLIGHT office at the Comenius University. These contributions have expanded both, the project’s initiatives as well as its reach.

Appreciation goes to all speakers and participants at the various events conducted within the framework of the project from not only the United States and Slovakia, but 10+ other countries

including Albania, the Czech Republic, Croatia, India, Indonesia, Hungary, Germany, Romania, Sri Lanka, and Ukraine and the United Kingdom.

Talking Courts interns and assistants involved in the project¹

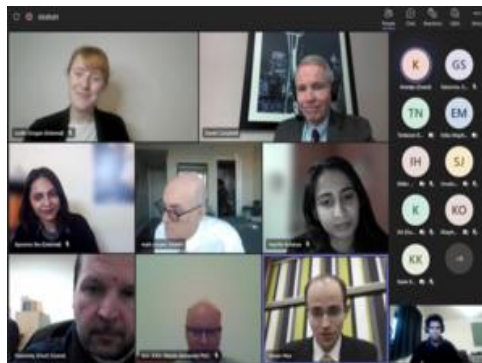
- Aditya Verma – assistant for the inaugural event (2022)
- Dávid Duda, Dominika Jurášová, Dominika Kuchárová – interns for the events in Slovakia (2023)
- Vaishnavi – Communications and Social Media Assistant (2023)
- Akshay Sriram – assistant for locating educational materials on judiciaries (Summer 2023)
- Shubh Sahai – assistant for the hybrid sessions at Jindal Global Law School (Fall 2023)
- Lukáš Schvantner – intern for events (Summer 2024)
- Samuel Michlík – intern for event reporting (Summer 2024)
- Varishtha Singh – assistant for the hybrid sessions at Jindal Global Law School (Fall 2024)
- Kanaksha Kataria – assistant for the final report preparation (November 2024)

USEFUL LINKS

Project website ([Slovak](#), [English](#)) | Events website ([Slovak](#), [English—with links to several event recordings and reports](#))

Final press release ([Slovak](#), [English](#))

PHOTO GALLERY



Inaugural roundtable: Courts and COVID-19: Cross-national perspective



Towards Democratic Judiciaries

¹ More significant contributions are credited.



Discussions of Judge Campbell with high school students



Cooperation on the workshop “European Union and the rule of law” (Human Rights Olympics, 2024)



Discussion on Slovak constitutionalism, public policy and protection of democracy in Bratislava