

CURRICULUM VITAE

Bogdan Iancu

Date of Birth: July 18, 1973, Romanian Citizenship

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Education:

2006 – LL.D./SJD (*Summa Cum Laude*), *Central European University*, Budapest, Legal Studies Department, Comparative Constitutional Law Stream, Advisor Professor Dr. András Sajó, Dissertation Title: *Legislative Delegation-A Comparative Analysis* (2007, *Doctor în drept* (Doctor of Laws), Romanian degree, by way of recognition of the CEU degree)

1997- LL. M. (Master of Laws, distinction), *Central European University*, Legal Studies Department, Comparative Constitutional Law Stream

1996-Bachelor Degree (LL.B., *Licență în drept*) in Civil Law, “*Al. I. Cuza*” University, Iași, Romania

1992-*Bacalaureat* (high school diploma), *Colegiul Național*, Iași

Professional Experience:

2013-**Associate Professor (Conferențiar universitar)** University of Bucharest, Faculty of Political Science, Department of Political & Constitutional Theory and History (focus on Comparative Constitutional Law and Constitutional Theory, European Constitutionalism, EU Law) (tenure since 2008, as Lecturer/Assistant Professor)

-September 2017 (through to the end of 2019): Senior Researcher in the project *Heads of State (Princes, Kings and Presidents) and the Authoritarian Dynamic of Political Power in Romanian Constitutional History*, funded by the Romanian Research Funding Agency (UEFISCDI), PN-III-P4-ID-PCE-2016-0013

2011-September 2016, Principal Investigator (*Director de proiect*), PN-II-ID-PCE-2011-3-0115, *Governance/Government-The Constitutional Semantics of Autonomy* (grant of 945.420 RON, approx., 230.000 EUR, funded by UEFISCDI CNCS, National Program ‘IDEAS’-Exploratory Research Projects) <http://sar.org.ro/guvernanta-guvernament-semantica-constitutional-a-autonomiei/?lang=en>

(2002-2004) Boulton Fellowship and post-Boulton Faculty Fellowship, *McGill University*, Faculty of Law (The Boulton, nominally a fellowship, qualifies as employment (fellows are hired by McGill University) and regularly combines research and teaching.)

2003/2004: Chargé de cours, *Droit constitutionnel américain*, Université de Montréal, Montréal, Canada, Session d'hiver and Sessional Lecturer, *Constitutional Law of the United States*, McGill University, Faculty of Law, Montreal, Canada, Winter Term;

2002/2003: Sessional Lecturer, *Jurisprudence (Situating the State: Public Law and Modernity)*, McGill University, Faculty of Law, Montreal, Canada, Winter Term;

Membership in Professional Associations: *International Sociological Association*, Research Committee in the Sociology of Law (until 2017); *Asociația Română de Drept Constituțional* (Romanian Association of Constitutional Law (2017-))

Fellowships and Awards

2021- July-September, three-month stay at the *Max-Planck Institutut für Ausländisches Recht und Völkerrecht, Heidelberg* (Alexander von Humboldt returning scholar research grant, Academic Host: Prof. Dr. Armin von Bogdandy)

2018-July/August, one-month research stay at the *Max-Planck Institutut für Ausländisches Recht und Völkerrecht, Heidelberg* (Max Planck grant/Armin von Bogdandy)

2008-2010: Alexander von Humboldt Fellowship, University of Bremen, Faculty of Law (Academic Host: Prof. Dr. Christian Joerges) and Humboldt University, Faculty of Law (Academic Host: Prof. (em) Dr. Dieter Grimm)

2007: September-December 2007: Andrew W. Mellon Fellowship, *Wissenschaftskolleg zu Berlin* (Focus Group Constitutionalism beyond the Nation State/*Verfassung jenseits des Nationalstaates*: project on “Governance and Government: The Scope and Limits of Politically Autonomous Administration”)

August 2007 and January/February 2008: Visiting Research Fellowship, *Central European University*, Legal Studies Department

2005-2006: New Europe College Fellowship, *New Europe College*, Bucharest, Romania

2000/2001: *University of Toronto Faculty of Law*, Fall Term 2000, Visiting Academic; Visiting Scholar, *Yale Law School*, Spring Term, 2001 (funded by a CEU Doctoral Research Fellowship and by a Yale tuition waiver)

Public and Social Service Appointments:

-member of the Academic Advisory Committee of the ‘Constitutional Forum’ (2013); member of the Academic Consultative Group of the Joint Senate and Chamber of Deputies Constitutional Revision Committee (Romanian Parliament, Summer 2013)

Public Lectures, Formal Conference Participation (recent, selected) :

2020-

November 6-7, West University of Timișoara, Biennial Conference of the Faculty of Law, *Metamorphoses and tensions of the rule of law: a commentary on the opinion of Advocate general Bobek in joined cases C-83/19, C-127/19 and C-195/19*

October 12, University of Bologna, Webinar (convened by Sabrina Ragone, on: *Violations of the Rule of Law Within Europe*), paper on *Rule of Law and Bureaucratic Proceduralism: the CVM for Romania and Bulgaria*

June 12, Webinar/Workshop, Wolfson College, Oxford, on Acemoglu/Robinson, *The Narrow Corridor* (convened by Denis Galligan)

<https://www.ox.ac.uk/event/webinar-narrow-corridor-states-societies-and-fate-liberty-0>

2019-

Paper on “*Pieces Upon the Chessboard*”: *The Man of System in Liberal Constitutionalism*, workshop on Adam Smith as Jurist, Wolfson College, Oxford Nov. 13, 2019

Workshop, Judges under Stress-Understanding Continuity and Discontinuity of Judicial Institutions of CEE Countries, Faculty of Law, University of Oslo, November 7-8 2019, Paper on *Hidden Continuities?- The Avatars of ‘Judicial Lustration’ in Postcommunist Romania*

<https://www.jus.uio.no/ifp/english/research/projects/jus/events/2019-07-11.html>

Bucharest, CEREFREA-University of Bucharest, annual workshop of the Romanian Constitutional Law Association (*La crise de la loi contemporaine*), October 4, paper on *The Rise of ‘Soft Law’: Symptom of a Crisis or Promise of European Constitutionalism?*

http://www.villanoel.ro/library/files/program_final_tr_st.pdf

Sibiu, Faculty of Law, Lucian Blaga University, September 13-14, conference on *The Authoritarian Dynamic of Political Power in Romanian Constitutional History*, presentation on *Separation of Powers in the Romanian Constitutions of 1866 and 1923: Peripheral Modernization as Generator of Structural Authoritarianism*

Heidelberg, Max Planck Institut für ausländisches öffentliches Recht und Völkerrecht, May 17-18, conference in the *Ius Publicum Europaeum* project, presentation and discussion of the draft chapters of the OUP Handbook (The Constitutional State)

Oxford, Foundation for Law, Justice and Society/Wolfson College, June 12, workshop on *State Capture-What It is and What it Means for the Constitutional Order*, paper on *Shortcuts to modernity? Anti-corruption as a panacea for state capture*

<https://www.fljs.org/content/state-capture-what-it-and-what-it-means-constitutional-order>

Participation in the Putney Debates, organized at St. Mary's Church in Putney in association with Oxford Law Faculty (The Courts: Friend or Foe?), March 13-14, presentation in the panel on *Courts and Populism*, session 2, <https://www.law.ox.ac.uk/news/2019-04-05-putney-debates-2019>

2018-

London, at the Goodenough College, November 26-27, *The Role of National Constitutions in European and Global Governance*, conference organized by the University of Kent/the European Research Council, presentation and discussion of the 29 country reports resulting from the ERC project <https://ukconstitutionallaw.org/2018/11/16/weekly-round-up-of-events-58/>

Oxford, Foundation for Law, Justice and Society/Wolfson College, October 31, Workshop-The Post-Populist Constitution, paper on *Rashomon in Eastern Europe: The "Rule of Law" vs. "the Populists"*, <http://www.fljs.org/post-populist-constitution>

CEREFREA București/Asociația Română de Drept Constituțional, October 12-13, table ronde, *La révision constitutionnelle: acteurs et procédures*; paper on *Constitutionalism without politics? The role of the Venice Commission in processes of formal and informal constitutional change* <http://www.villanoel.ro/evenimente-det/vrs/IDev/404>

Lisbon, Portugal, annual conference of the Research Committee on the Sociology of Law, September 12, paper on "*The Rule of Law*" vs. "*Populism*": *Liberal and Illiberal Tropes in Current European Debate* <https://www.rcsl-sdj-lisbon2018.com/single-post/2018/06/05/1202-Constitutional-populism-or-new-wave-of-constitutionalism-Socio-theoretical-and-comparative-perspectives-II>)

Oñati, Spain, workshop on *New Constitutionalism ? New Forms of Democracy and Rule of Law Beyond Liberalism*, organized at the *International Institute for the Sociology of Law* July 12-13 2018, paper on "Constitutionalism Beyond Politics? The Rise of the Venice Commission" <http://www.iisj.net/en/workshops/new-constitutionalism-new-forms-democracy-and-rule-law-beyond-liberalism>)

West University of Timișoara (Faculty of Law), Romania 3-4 May 2018, international conference, *Constitutional Identity and Social Memories in Central and Eastern Europe*. Paper presentation: "Constitutional identity - the 'dead hand of the past' in constitutionalism and constitutional law"

<https://drept.uvt.ro/evenimente/10th-cee-forum-constitutional-identity-and-social-memories-in-central-and-eastern-europe-timisoara-3-4-mai-2018.html>),

2017

Annual international conference organized by the Romanian Association of Constitutional Law, « Prendre la démocratie au sérieux – référendum et société civile

dans le contexte contemporain », 15-16 September, CEREFREA, with the paper *Can the "People" Decide? Uses, abuses and fear of referendums*

May 25-26, international workshop on *Law and Ideology* organized by the Centre for Legal Education and Social Theory U. Wrocław and the West University of Timișoara, Faculty of Law (Keynote Debate; Panel Chair; paper on *Constitutional Concepts and Good Governance Imperatives: The Meaning(s) of the Rule of Law*)

2016

Panel chair and paper presentation, "Ambiguități identitare în constituțiile României moderne: 1866, 1923, 1991" (*Identity-related Ambiguities in the Constitutions of Modern Romania: 1866, 1923, 1991*), in the workshop « Le phénomène de la migration et ses implications sur le droit national »/Fenomenul migrației și implicațiile sale asupra dreptului național, organizata de Asociația Română de Drept Constituțional (Romanian Association of Constitutional Law) and CEREFREA, September 30, 2016, Villa Noël – Universitatea din București

Presentation on [„The Emergency Paradigm in Crisis: Structural Challenges to the Classical Approach, subsecțiunea \(panel\) Executives’ Emergency Powers under the State of Exception, secțiunea Presidential Politics. Powers and Constraints in Comparative Perspective”](#), ECPR General Conference, Charles University (September 07 – 10, 2016).

Conference, *The Europeanization of Administrative Law and Codification of Administrative Procedure*, Cluj-Napoca, Universitatea Babeș-Bolyai, Center for Good Governance Studies, Facultatea de Științe Politice, Administrative și ale Comunicării, 13-14 mai, paper presentation on *Administrative ‘Agencification’ as Quasi-Constitutional Depoliticization: Metamorphoses of Institutional Neutrality*

2015

(Annual Conference of the N. Iorga Historical Institute, Romanian Academy) Sesiunea Anuală de Comunicări Științifice a Institutului de Istorie "N. Iorga"-*Despre ambiguitate în istorie: neînțelegeri, duplicitate, echivoc*, December 7-8, paper on "Ambiguitatea sistemică ca element constitutiv al Constituției și al dreptului constituțional" (Systemic Ambiguity as a Constitutive element of Constitutions and Constitutional Law).

Workshop, *The Science of Constitutions: Measures of Success and Failure*, June 1-2, Wolfson College, University of Oxford, /The Foundation for Law, Justice and Society, paper presentation on 'Constitutional Adjudication as a Predictor of Constitutional Success', <http://www.fljs.org/content/science-constitutions-measures-success-and-failure>

Languages: English, French, German (fluent in reading, speaking, writing)

List of Publications:

Volumes

Monographs

Manuel Guțan, Oana Rizescu, **Bogdan Iancu**, Cosmin Cercel, Bogdan Dima, *Șefii de stat. Dinamica autoritară a puterii politice în istoria constituțională a României (Heads of State and the Authoritarian Dynamic of Political Power in Romanian Constitutional History)*, Universul Juridic, București, 2020, co-authored monograph, 498 pp., ISBN: 9786063906251

Reviews (Rom.)

<https://www.ujmag.ro/drept/diverse/sefii-de-stat-dinamica-autoritara-a-puterii-politice-in-istoria-constitutionala-romaneasca>

Legislative Delegation-The Erosion of Normative Limits in Modern Constitutionalism (Heidelberg, NY, etc.: Springer Verlag, 2012) (monograph)

Reviews in:

Pandectele române Nr. 12/2012, pp. 125-128 (Bianca Selejan-Guțan)

McGill Law Journal / Revue de droit de McGill, Volume 58, numéro 4 (2012), juin 2013, p. 1083-1088 (Fabien Gélinas)

Cited by the US Supreme Court (Gorsuch, J., dissenting opinion) in *Gundy v. US* 588 U.S. __ (2019) https://www.supremecourt.gov/opinions/18pdf/17-6086_2b8e.pdf

Edited vols.

Bogdan Iancu and Elena Simina Tănăsescu (eds.), *Governance and Constitutionalism: Law, Politics and Institutional Neutrality* (London: Routledge, 2018)

(Ed) *The Law/Politics Distinction in Contemporary Public Law Adjudication* (Utrecht: Eleven Publishing, 2009)

Review in 20 (1) *Law and Politics Book Review* pp. 33-37 (January 2010) (Dorit Rubinstein Reiss)

(Ed) *The EU as the Paradigm of Future European Statehood/Uniunea Europeană ca paradigmă a statalității viitoare* (Bucharest: New Europe College, 2007)

Articles and Book Chapters (recent, selected):

In progress:

Evolution and Gestalt of the Romanian Constitution, chapter in Armin von Bogdandy, Peter Huber, Sabrina Ragone, Pedro Cruz Villalón, eds., *Max Planck Handbooks in European Public Law*, Vol. II, *Constitutional Foundations*, Oxford University Press, Oxford, forthcoming in June, 2022 (text of 200,000 characters, accepted for publication)

(with Alexandra Iancu) The Rise and Fall of Quasi-Parliamentary Government in Romania (1871-1937), in *Giornale di Storia Costituzionale*/J. of Constitutional History 42/ II, 2021, pp. 61-81 <http://www.storiacostituzionale.it/volumi.html> Special Issue: *Heads of State: The Authoritarian Dynamic of Political Power in Romanian Constitutional History / Capi di stato: la dinamica autoritaria del potere politico nella storia costituzionale rumena*

Iancu, B., Self-Fulfilling Prophecies: Populism and Judicial Independence in Europe, in D. J. Galligan, ed., *The Courts and the People: Friend of the People (The Putney Debates 2019)*, Hart Publishing, Oxford, pp. 93-114.

Hidden Continuities?: The Avatars of “Judicial Lustration” in Post-Communist Romania. 22(7) *German Law Journal* 1209-1230 (2021).
<https://www.cambridge.org/core/journals/german-law-journal/article/hidden-continuities-the-avatars-of-judicial-lustration-in-postcommunist-romania/961071D8D8594C1684645D7B8FED0544>

Balanced budget rule and the transversality of agencies, in Elena-Simina Tănăsescu & Eric Oliva, *Constitutional Law and the EU Balanced Budget Principle* (London: Routledge (Routledge Research in EU Law), forthcoming, Nov. 2021)
<https://www.routledge.com/Constitutional-Law-and-the-EU-Balanced-Budget-Principle/Tanasescu-Oliva/p/book/9781138742871>

Iancu, Bogdan: “Not What We Were Promised”: Four Answers to an Insoluble Question, *VerfBlog*, 2021/9/17, <https://verfassungsblog.de/not-what-we-were-promised/>
(Review essay, republished with permission (forthcoming) in the *Romanian Journal of Comparative Law*)

2020

Metamorfoze și avataruri conceptuale: „Statul de drept” între birocrație, ideologie și drept *Curierul judiciar*, nr. 11/2020, pp. 632-638

Iancu, Bogdan: *Status Quo Hegemony?: Conflicting Narratives about the “Rule of Law”*, *VerfBlog*, 2020/10/06, <https://verfassungsblog.de/status-quo-hegemony/>.
The Symposium (German Legal Hegemony?)
-published also as Max Planck Institute for Comparative Public Law & International Law, Research Paper Series, Research Paper No. 2020-43,
Available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3727378

2019

Rashomon in Bukarest: Korruptionsbekämpfung als Kampfzone, in 6-8 *Osteuropa* 205-218 (2019)

“Quod licet Jovi non licet bovi?: The Venice Commission as Norm Entrepreneur”, in *Hague Journal on the Rule of Law*, Vol. 11, Issue 1, April 2019

(Special Issue: Rule of Law Decay, *unsolicited, included in the issue by the editors*), pp. 189-221 <https://link.springer.com/article/10.1007/s40803-019-00088-0>

Romania-The Vagaries of International Grafts on Unsettled Constitutions (chapter/report) in Anneli Albi and Samo Bardutzki (eds.), *The Role and Future of National Constitutions in European and Global Governance*, T.M.C. Asser Press & Springer, The Hague, May 2019, pp. 1047-1095 (<https://www.springer.com/gp/book/9789462652729> (hardback and open access))

2018

“Can the “People” Decide (in Europe)? Uses, Abuses and Fear of Referendums?”, *Romanian Journal of Comparative Law*, Vol. 9, No. 1/2018, Pp. 262-272

“Changed Vocabularies: A Few Semantic Ambiguities of Network Constitutionalism”, chapter 11 in Iulia Motoc, Krzysztof Wojtyczek and Paulo Pinto de Albuquerque, eds. *New Developments in Constitutional Law: Essays in Honour of András Sajó* (The Hague: Eleven International Publishing, 2018), pp. 191-212

Government and Governance: The Constitutional Politics of Institutional Neutrality, chapter in Iancu and Tănăsescu (eds.), pp. 11-31.

2017

Review Essay, “Perils of Sloganized Constitutional Concepts: Notably that of ‘Judicial Independence’” (review of David Kosař, *Perils of Judicial Self-Government in Transitional Societies* (Cambridge University Press 2016)

Vol. 13: Issue 3 *European Constitutional Law Review*, September 2017, pp. 582–599

<https://doi.org/10.1017/S1574019617000177>

“Constitutional Revision in Romania. Post-Accession Pluralism in Action”, in Paul Blokker (ed.), *Constitutional Acceleration within the European Union and Beyond* (London, Routledge, 2017), pp. 179-198

Mere Word Translation or Norm Transfer?-The Example of Human Dignity, în Tudor Avrigeanu (coord.), *Influențe germane asupra dreptului românesc: o perspectivă comparativă German influences on Romanian law: a comparative approach*, Universul Juridic, București, 2017

Online, open access

<https://www.ujmag.ro/drept/drept-roman/influente-germane-asupra-dreptului-romanesc-o-perspectiva-comparativa/rasfoire/>

2016

Ambiguïtés identitaires dans les constitutions de la Roumanie moderne: 1866, 1923, 1991, *Romanian Journal of Comparative Law*, No. 2/2016, pp. 113-129

“Standards of ‘Good Governance’ and Peripheral Constitutionalism: The Case of Post-Accession Romania”, in Giancarlo Corsi, Alberto Febbrajo (eds.), *Sociology of Constitutions: A Paradoxical Perspective*, London, Routledge, 2016, pp. 180-197

2015

“Constitutionalism between Transplant and Irritation: The Case of XIX-Century Romanian Modernization,” chapter in *Konflikt und Koexistenz. Die Rechtsordnungen Südosteuropas im 19. und 20. Jahrhundert* Bd. I: Rumänien, Bulgarien, Griechenland, ed. by Gerd Bender and Michael Stolleis (Eds.) Vittorio Klostermann, Frankfurt a.M., 2015, pp. 459-480

“Separation of Powers and the Rule of Law in Romania: The Crisis in Concepts and Contexts,” chapter in Armin von Bogdandy și Pál Sonnevend (Eds.), *Constitutional Crisis in the European Constitutional Area: Theory, Law and Politics in Hungary and Romania*, Hart Publishing, Oxford, 2015, pp. 153-169

”Independența justiției ca principiu constituțional și standard de ‘bună guvernare’ – tensiuni și ambivalențe ale globalizării dreptului”. În T. Toader și I. M. Costea (Coord.), *Conferința 160 de ani de învățământ juridic ieșean*, Ed. Hamangiu, București, 2015 pp. 156-164.

Editorials and Commentary:

Commentaries and essays on public law themes in „Idei in dialog“, „22” and on the platform www.romaniacurata.ro (in Romanian), interventions on constitutional law topics on national television, Radio France Internationale (RFI România), Realitatea TV, Trinitas; *Die Kommissare haben versagt*, in *Frankfurter Allgemeine Zeitung*, Feuilleton, 22.10.2009, S. 34