



CONSTITUIÇÕES

Center on Constitutionalism and Comparativism

Introduction

Constituições: Center on Constitutionalism and Comparativism is a research project that aims to restore the potential and disseminate the value of the constitution in contemporary political regimes.

The 2010s and 2020s have once again witnessed the rise of enormous challenges to democratic constitutionalism (ALBERT, 2019; GINSBURG, HUQ, 2020; BROWN, 2019; DIXON, LANDAU, 2019). However, there are cases of constitutional resilience (CONTIADES, FOTIADOU, 2015) that demonstrate that, on the one hand, there are indications of institutional strength, and on the other hand, there are sociological elements that can measure and, in some cases, expand constitutional culture (SIEGEL, 2006).

Research in the field of Comparative Constitutional Law has been productive in proportion to the expansion of the crisis of contemporary constitutional democracies (HIRSCHL, 2014). There are countless labels for the crisis (DALY, 2019) and the adjectives for how constitutionalism responds or is swallowed up by them: authoritarian constitutionalism (GARCÍA, FRANKENBERG, 2019), unstable constitutionalism (TUSHNET, KHOSLA, 2015), digital constitutionalism (CELESTE, 2019), and transitional constitutionalism (TEITEL, 2011), are just a few.

The *Constituições* project, from a Brazilian and Latin American perspective, will propose diagnoses, normative guidelines, institutional designs, specific procedures, institutional collaborations, and forms of diffusion that, through geographical and temporal comparisons, can strengthen the relationship between citizens and institutions with constitutions.



Methodology

Comparativism

The expansion and deepening of Comparative Law in the last two decades have been significant. This movement is due to the breaking down of linguistic barriers, caused mainly by the rapid technological evolution. As a result, both small-N analyses (from the perspective of Latin American constitutionalism) and large-N analyses (from a transnational perspective) are open to further exploration and will be part of the work developed in the project.

Historicism

Also, in part due to the possibility of exploring a wide range of data, verifying past constitutional texts and policies is becoming more feasible. Constitutional stability is directly due to symbolic and normative reappropriations of the past, allowing a constructive dialogue with the present and the future (HABERMAS, 2016; CATTONI, 2021). This is because constitutions are intergenerational projects. The use of rigorous historiography methodologies is central to the *Constituições* project.

Transdisciplinarity

No legal approach can be said to be self-sufficient today. Perspectives from philosophy, sociology, political science, and anthropology, among others, are essential to allow scientific legal analysis to rely on inputs obtained from other methodologies of knowledge. Thus, the *Constituições* project will have researchers with legal training, but also from other areas of knowledge.

Innovation

Technological innovation in recent decades has promoted central changes in the field of constitutional comparativism. Entire catalogs of constitutions have been created,



as seen in the [Constitute](#) project of [Constitutionnet](#). It is also possible to explore artificial intelligence tools in a productive way for comparative research, as can be seen in the formation of relational bibliographic collections allowed by tools such as [Consensus](#) or [Connected Papers](#). These tools can play a fundamental role in the cross-referencing of legislative, judicial, and executive data, as well as in the formation of databases useful to researchers.

In addition, the *Constituições* project takes an essentially critical perspective on the consequences of technological advances for the integrity of institutions, the formation of popular will in citizenship decisions, and the informational field (ZUBOFF, 2022). Researchers from the group will develop investigations on this theme with a view to properly addressing the relationship between constitutions and the digital age.

Objectives

Dissemination

The *Constituições* project was born with the central goal of revaluing the role of constitutions in citizen education. Without assuming a republican or communitarian perspective of imposing civic virtues or partial ethical values (HABERMAS, 2015), the project proposes to increasingly break the limits of academic discourse in order to reach a larger number of groups and individuals in civil society, with scientific responsibility and rigor.

In this way, its researchers will constantly seek to engage in public debate through the publication of posts, short articles, and other forms of activity on social media, blogs, websites, and newspapers, aiming to expand contact with significant numbers of citizens and academics from all over the world. The idea is to explore the prior experience of its researchers in publications on websites such as [Jota](#), [I-Connect Blog](#), and [Verfassungsblog](#) to allow the dissemination of knowledge produced in the *Constituições* project.

Knowledge

The *Constituições* project is guided by the goal of increasingly achieving verticalization of knowledge in the field of constitutional theory, constitutional law, and



comparative constitutional law. This does not mean narrowing the capacity for dissemination. It is possible to reconcile scientific rigor and the possibility of access from all people to knowledge of their constitutional rights and institutions. This is a central point in the purpose of several constitutions that seek to correct inequality.

The *Constituições* project is directly linked to the research of excellence developed by the Graduate Program in Law of the Federal University of Minas Gerais (UFMG) and the UFMG Law School. However, the project is founded, from the outset, on politics of academic institutional sharing.

Defense of constitutions

The objective of the project is to develop research aimed at diagnosing and proposing new forms of defense of constitutions. Within a perspective of respect for the rule of law, it should be sought to diagnose which comparative institutional experiments can offer transnational lessons in terms of the defense of constitutional democracy.

Constitutional culture

If the institutional aspect is fundamental in the revalorization of constitutions, it should be borne in mind that a broad process of linking individuals and groups with constitutional grammar is central to repositioning the value of constitutional democracy. The *Constituições* project will use sociological approaches that allow for the detection of failures in the relationships between people and institutions (DRINÓCZI, BIEN-KACALA, 2019). However, it is also essential to broaden the debate on the value of constitutions through processes of civic engagement. The academy has a central role in this field to prevent radical nationalist proposals from occupying the space for the development of a constitutional culture and the consolidation of context-sensitive constitutional identities (JACOBSON, 2010).

The project's agency in this field is marked by the perception that working with constitutional culture is essential in societies with widespread inequality. The consolidation of such a culture goes through the recognition of the role of constitutionalism in transforming emerging peripheral societies (KLARE, 1998).

Database creation



The use of technological innovation tools can allow the creation of different databases that facilitate the research on Comparative Constitutional Law. Thus, projects aimed at building legislative, judicial, executive, and civil society databases will be implemented, always seeking to popularize and equalize access to knowledge.

Academic integration

The *Constituições* project, although based at UFMG, will seek full integration with Brazilian, foreign, and supranational institutions and groups focused on the study and dissemination of knowledge in the fields of Constitutional Theory, Constitutional Law, and Comparative Constitutional Law. Thus, already implemented links will be deepened, as is the case with the UnB Graduate Program in Law and the [CECC - Center for Comparative Constitutional Studies](#). Partnerships will also be sought with Brazilian groups such as the [CCONS - Center for Constitutional Studies](#) and the [ICON-S Chapter Brazil](#). Foreign projects are also on the horizon for future partnerships (for example, [Constitutionnet](#)), as well as supranational entities such as [ICON-S](#) and the [International Association of Constitutional Law](#).

Institutional integration

The *Constituições* project seeks to develop a dialogue between academia and institutions. Thus, partnerships with associations of judges, prosecutors, and lawyers, as well as with courts, councils, legislative bodies, and executive bodies in general, in Brazil and abroad, will be part of the research projects conducted by *Constituições*.

Funding

The *Constituições* project is a non-profit entity. Therefore, funding for specific projects, grants for researchers, events, publications, among others, will depend on the support of funding agencies, public institutions, and private entities interested in maintaining research in Brazil.

The *Constituições* project will use the facilities of the UFMG School of Law as its headquarters.



Expected results

The *Constituições* project will have its own website to host publications, videos, and databases related to its subprojects. The project's activities should result in periodic publications in blogs, magazines, and books. The organization of events is also on the horizon for the project's results. The exchange with elementary and secondary education institutions in Brazil is an intended result.

Structure

The *Constituições* project has faculty members; an advisory board; and associated researchers.

Faculty Members

These are faculty members of UFMG who are part of the project in reason of research subject identity. They shall propose and supervise research projects linked to *Constituições*.

[Emilio Meyer](#) (co-director) (UFMG)

[Juliana Alvim](#) (co-director) (UFMG and CEU, Austria)

[David Gomes](#) (UFMG)

[Lucas Lima](#) (UFMG)

[Marcelo Cattoni](#) (UFMG)

[Thomas Bustamante](#) (UFMG)

[Tímea Drinóczi](#) (UFMG)

Advisory Board

These are Brazilian and foreign senior researchers not linked to UFMG that, individually or collectively, give their opinions on research proposals.



[Andreas Pozos Loyo](#) (UNAM, México)

[Berihun Gebeye](#) (UCL, United Kingdom)

[Juliano Benvindo](#) (UnB, Brazil)

[Diego Arguelhes](#) (Insper, Brazil)

[Francisca Pou Gimenez](#) (UNAM, México)

[Estefânia Barboza](#) (UFPR, Brazil)

[Inga Winkler](#) (CEU, Austria)

[Jane Reis](#) (UERJ, Brazil)

[Mariana Velasco-Rivera](#) (Maynooth University, Ireland)

[Richard Albert](#) (The University of Texas at Austin, US)

[Rosalind Dixon](#) (University of South Wales, Australia)

Associated Researchers

These are researchers, linked or not to the UFMG, that develop, in a constant fashion, projects in *Constituições*. They are usually junior scholars.

[Raquel Possolo](#) (UFMG)

[Jessica Holl](#) (Goethe Universität Frankfurt am Main, Germany)

[Felipe Tirado](#) (King's College, United Kingdom)

[Milena Ângulo](#) (UFMG)

[Lucas Prates](#) (UFMG)

[Henrique Bazan](#) (UFMG)

TIMETABLE



The proposal involves a three-year schedule, subject to extension, as defined below:

YEAR I – October 2023 to October 2024:

- (a) Selection of researchers from undergraduate and graduate levels to cooperate in the execution of the project;
- (b) Collection and definition of more specific criteria for the selection of institutions defending the constitution in comparative law;
- (c) Website updating;
- (d) Biweekly meetings with team members;
- (e) Bibliographical review, with the discussion of the works at the undergraduate and graduate programs in law at UFMG.

In the first year, the intended results are the publication of at least 3 articles that represent the research results.

YEAR II – October 2024 to October 2025:

- (a) Selection of researchers from undergraduate and graduate levels to cooperate in the execution of the project;
- (b) Collection and definition of more specific criteria for the selection of elements defining constitutional culture;
- (c) Website updating;
- (d) Biweekly meetings with team members;
- (e) Bibliographical review, with the discussion of the works at the undergraduate and graduate programs in law at UFMG.

In the second year, the intended results are: consolidation of the digital platform for public access containing the research data; publication of a book with the research results; articulation of seminars and meetings to debate the research results.

YEAR III – October 2025 to October 2026:

- (a) Selection of researchers from undergraduate and graduate levels to cooperate in the execution of the project;
- (b) Collection and definition of more specific criteria for the selection of specific procedures, institutional collaborations, and forms of diffusion that, through geographic and temporal comparative analysis, are capable of strengthening the relationship between citizens and institutions with constitutions;
- (c) Website updating;
- (d) Biweekly meetings with team members;



In the third year, the intended results are meetings and seminars to debate the research results and; publication of a book containing the research results.

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