

## *LAUDATIO*: PROF. CHRISTIAN STARCK

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CHRISTIAN STARCK is a typical German public law professor as he has worked in many fields of constitutional law as well as of administrative law. Christian Starck is not a typical German law professor as he has shown much interest in foreign legal orders already since the 1970s when comparative public law was somewhat exotic in Germany and had little academic relevance. Let me first give you some basic information on his biography and then present an overview on his scientific achievements, especially in the field of comparison.

Christian Starck was born in Breslau, then in Prussia, now Wrocław in Poland, in the year 1937. After his studies in law in Kiel, Freiburg and Würzburg he wrote his doctoral thesis and then finished his Habilitation at the University of Würzburg. During that time he served in the administration of Bavaria. Since 1971 he is Professor of Public Law in Göttingen. In the academic year 1976/77 he was Rector of his University. In 1982 he was elected as member of the Academy of Sciences in Göttingen which he presided from 2008 to 2012. This is a rare honour for a representative of legal science. Among his many other additional functions I only mention that he was for a long time member of the board of the second German TV channel and of the German-French channel ARTE. He also served as a judge at the state constitutional court of Niedersachsen for 15 years.

As I already said, Christian Starck has manifold interests in large parts of public law. For a scholar of my generation it is impressive how many topics he covered during his scientific activity of more

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than fifty years. The list of his research interests comprises state theory, constitutional law and jurisprudence, fundamental rights, broadcasting law, federalism, state and religion, equality of men and women, tax law, abortion and comparative law. From the long, long list of publications I only mention that he has acted as the editor of one of the leading commentaries to the Basic Law, with three editions in three volumes. Anyone who has participated in such a large project with dozens of authors can appreciate this effort.

The special importance of Christian Starck for our European Group of Public Law has its origin in the fact that he was one of the forerunners of comparative public law in contemporary Germany. Since the 1970s he has published many articles in foreign journals. In 1986 he was the editor of a volume on constitutional courts in Western Europe, together with my colleague in Osnabrück, Albrecht Weber. This collection was very influential after the revolution of 1989 in Central and Eastern Europe. Therefore it was logical that these countries were included in the second edition published in 2007.

This is also the field where I had my first personal contact with him. In 1989 he founded together with Prof. Martin Bullinger from the University of Freiburg the first book series on foreign and comparative public law in Germany with the publisher Nomos Verlagsgesellschaft. The first two volumes were on French administrative law, both based on a thesis supervised by Christian Starck. The third volume presented the papers of a conference on independent administrative bodies in several countries, organised by, you will not guess it, Christian Starck. When I finished my thesis, a comparative analysis of the freedom of science, I wrote to him asking whether it could be published in that series. He responded not only very quickly but also very positive and accepted my book as Number 4 of that series which comprises now 36 volumes.

The first time I met Christian Starck personally was not in Germany but on the island of Spetses. Many colleagues in the audience will know that he is a founding member of the European Group of Public Law. He has been an active participant in more than twenty of our conferences. His reputation comes from the fact that he did not act as a missionary of German public law but as a

mediator between several national legal orders. One of his basic convictions is that comparison is not a purely scientific operation but needs to be based on value judgements.

But his activities to promote the international exchange in the field of public law go much further. He was president of the section on comparative public law and then member of the board of the German Association for Comparative Law for more than twenty years. Already in 1981 he was one of the founders of the International Association of Constitutional Law and he is now its honorary president. In order to strengthen the cooperation in Europe he and other colleagues from the German association of public law teachers, which he presided in 1999, felt the need to have a European association in the field of public law which is open to all scholars. This initiative was the origin of the *Societas Iuris Publici Europaei* (SIPE). His leading role as a founder is documented in the fact that he was elected the first president, acting from 2003-2007. Since then he is honorary president. Therefore we now have several European fora for the exchange on contemporary problems of public law, besides many bilateral or specialised meetings.

As political movements propagating a pure nationalist view are flourishing in many European states, all opportunities for lawyers to overcome the introversion of the nation state and its contained legal order should be warmly welcomed. Christian Starck has been a pioneer of this emerging European and even global scientific community. We all are very grateful for his enormous contribution to this achievement!