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FIFTY YEARS OF GERMAN BASIC LAW

*Dieter Feddersen**

LADIES and Gentlemen:

It is a great pleasure for me to open today's first session. This conference is tied to an event that was held here in Washington, D.C., under the title "The Fortieth Anniversary of the Basic Law." The event was organized by the American Institute for Contemporary German Studies, together with the Dräger Foundation, and it is the subject of a book published in the Dräger Foundation's Future Series under the title of "Germany and its Basic Law." The two editors, Paul Kirchhof and Don Kommers, concluded their introductory remarks in 1989 with the following words: "We fondly hope that this conference marks the beginning of more exchanges of this kind as we continue to examine and re-think the premises of our two systems of constitutional government."

And that is exactly what we wish to do now in connection with the fiftieth anniversary of the German Basic Law and a development that proceeded from its old Article 23 and ended up in the constitutional integration of the European Community into our legal system. All this will be the subject of our discussions.

Paul Kirchhof, Justice at the Second Senate of the German Constitutional Court, who unfortunately cannot join us for this second conference on the German Basic Law, has left us a welcome message, that I would like to read to you:

It is with great pleasure that I remember September 1989, when the two institutions organizing this conference invited us to a symposium on the occasion of the Fortieth Anniversary of the German Basic Law. Although issues of the former unification Article 23 of the Basic Law were addressed at the time and the conference also provided for the possibility of a dialogue with scientists from the former GDR, who were guest listeners at the AICGS in Washington, none of us would have thought that the window of history would open for the Germans and render a reunification possible. That is the very reason why today's conference dealing with fifty years of the Basic Law is marked by entirely new signs focusing on the integration of the new German states into the German federal system and into the demands of a united Europe. Unfortunately, due to scheduling reasons, I do not have the opportunity of participating in the interesting exchange

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of thoughts on this subject via an atlantic dialogue. My thoughts and my attention will be with you.

Now I have the great pleasure to welcome Don Kommers, also co-editor of our last book, who will open our 1999 conference on fifty years of German Basic Law and speak on the development of the Basic Law. Let me very briefly introduce Professor Don Kommers to you and recall a few data of his career. After a period of service in the United States Marine Corps he worked as assistant professor at the California State University. He was a Ford Foundation Fellow at the Federal Constitutional Court, an Alexander-von-Humboldt Fellow in 1971-1972, and a director of the Center for the Study of Civil and Human Rights at Notre Dame Law School. Activities at numerous other foreign universities followed. Since 1975, Don Kommers has been a professor of law at the University of Notre Dame. Last year an honorary doctor's degree was conferred upon him by the University of Heidelberg. He is an expert in the constitutional law on both sides of the Atlantic, and I am pleased to give him the floor.