

Seminari del Departament d'Estadística i Investigació Operativa

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Title: Judicial review and territorial conflicts: Evidence from Spain.

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Abstract: Constitutional courts (CCs) in federal and quasi-federal systems are often expected to act as neutral arbiters in conflicts between levels of government. This article challenges that assumption by analyzing the behavior of Spain's Constitutional Court over four decades of constitutional litigation. Drawing on an original dataset of 1,888 rulings on all challenges to national and regional legislation (1981–2023), we examine how judicial outcomes are shaped by political alignment, institutional design, and court ideology. Our analysis reveals a consistent pattern of deference to the central government, especially when the Court is ideologically conservative or aligned with the federal executive. These results support a strategic model of judicial behavior and raise broader questions about the role of CCs in multilevel systems. Rather than acting as counter-majoritarian forces, courts may reinforce central dominance in center–periphery conflicts, limiting their capacity to protect territorial pluralism in practice.

Bio:

Serra Hünter Associate Professor of Political Science at the Department of Political Science, Constitutional Law and Philosophy of Law at the University of Barcelona. He has been a visiting researcher at several international research centers such as the Istituto di Teoria e Tecniche dell'Informazione Giuridica (Florence, Italy), the Legal Information Institute at Cornell University (USA), or the Department of Political Science at the Vrije Universiteit Amsterdam (VU). Between 2014 and 2015 he was hired as a post-doc at the Institute for Information Law (IViR) at the University of Amsterdam. He is a member of the Research and Local Studies Group (GREL). His research includes the empirical analysis of judicial behavior and, in general, the political economy of the behavior of legal and political actors, from an eminently quantitative perspective. In this sense, he has participated in several projects at the European, Spanish and Catalan levels. Currently, he is principal researcher of the project "GENEQUAL: The Political Economy of Gender and Inequality in the Spanish Judiciary", financed by the "la Caixa" Foundation (Social Research Call 2019, SR-208), and of the project "PREFJUDIPOL: Preferences, career and territory. The politics of judicial inequality in Spain" (Call 2020 - "Proyectos de I+D+i", MICINN), and member of the research team of the European project "ADMIGOV: Advancing Alternative Migration Governance" (H2020). His doctoral thesis was published in 2015 by Springer Verlag in book form (Frameworks for Modeling Cognition and Decisions in Institutional Environments: A Data-Driven Approach) and he has published the results of his research in journals of international impact such as Law & Society Review, Political Geography, Urban Studies, Journal of Urban Affairs and Internet Policy Review.