

# RIGHTS-BASED CONSTITUTIONAL REVIEW

Constitutional Courts in a Changing Landscape

Edited by **John Bell**, University of Cambridge, UK and  
**Marie-Luce Paris**, University College Dublin, Ireland

*'This collection is a timely survey of the role of constitutional courts in a comparative perspective – it provides an excellent summary of developments in a range of jurisdictions, and locates them in a broader social and political context. Among other factors, it considers global trends in increasing international and regional human rights protection, increased recognition of second and third generation rights, and a move towards decentralization in democratic governance. It is bound to be of broad interest to both comparative constitutional lawyers and scholars.'*

– Rosalind Dixon, University of New South Wales, Australia

*'This collection provides a fresh picture of the situation of constitutional review in a broad set of jurisdictions. The chapters demonstrate powerful shifts towards a model of constitutional review to protect individual rights, but they also quite admirably elaborate on the tensions, divergences, pressures and triumphs in each country. A superb introduction to judicial review in an important set of countries.'*

– Tom Ginsburg, University of Chicago, US

*'Even well-established systems of constitutional review in Anglo-European legal systems have undergone significant change over the past few decades. These valuable essays provide an overview of those developments, and bring out especially clearly the increasing importance of "dialogic" forms of constitutional review, the penetration of transnational law into domestic constitutional systems, and important changes specific to individual national systems, all of which will make this collection helpful to scholars of comparative constitutional law.'*

– Mark Tushnet, Harvard University, US

*'Bell and Paris have brought together a galaxy of talent to help comparative lawyers and political scientists understand the fast-moving world of rights-based review. Detailed chapters explaining recent developments in Ireland, the United Kingdom, Italy, Spain, Hungary, Belgium, France, Australia, Finland, and the United States provide a valuable introduction to those who seek to catch-up with developments, and a rich analysis of those developments for those already immersed in them. This is a most welcome addition to comparative constitutional scholarship.'*

– Christopher McCrudden FBA, Queen's University, Belfast, UK and University of Michigan Law School, US

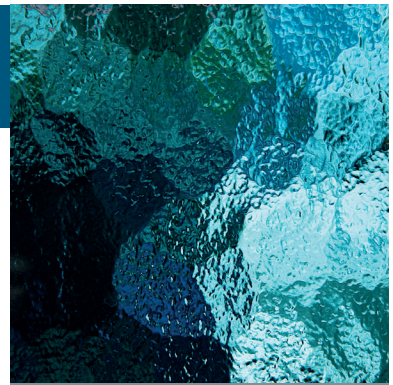
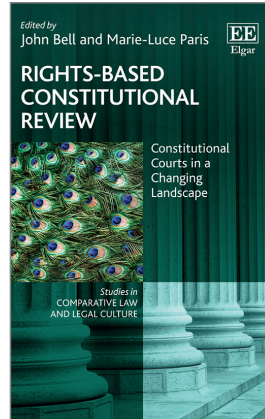
Constitutional review has become an essential feature of modern liberal democratic constitutionalism. In particular, constitutional review in the context of rights litigation has proved to be most challenging for the courts. By offering in-depth analyses on changes affecting constitutional design and constitutional adjudication, while also engaging with general theories of comparative constitutionalism, this book seeks to provide a heightened understanding of the constitutional and political responses to the issue of adaptability and endurance of rights-based constitutional review. Providing structured analyses the editors combine studies of common law and civil law jurisdictions, centralized and decentralized systems of constitutional review, and large and small jurisdictions.

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