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Judicial Decision-making on
Unconstitutional
Constitutional Amendments

GJ

Workshop

30.06.2021 | 3 p.m. (CEST) | online

Constitutional amendments as an instrument of dialogue are often distrusted because of judicial review on constitutional amendments. However judicial review can be compatible with the democratic potential of constitutional amendments. This is shown through the use of supermajority rules in the constitutional courts' deliberation. because, unlike what happens in parliaments, the maintenance of the status quo that it represents is advantageous for the presumption of constitutionality of constitutional amendments and does not mean violation of equal treatment since the democratic status of the courts does not come from the representativeness of their members.



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