

Faculty of Law



PUBL2335 Constitutional Litigation

[30h] 4.5 credits

This course is taught in the 1st semester

Teacher(s): Marc Verdussen
Language: French
Level: Second cycle

Aims

Specific aims related to general legal concepts and principles

- gain a broad knowledge of the topics discussed;
- understand the meaning of concepts in the field of constitutional litigation;
- use legal texts as a reference;
- become familiar with systematic approaches, such as creating models and putting models into context.

Specific aims related to active pedagogy courses:

- develop a better awareness of the relative character of the solutions provided by law (students must develop the ability of subjecting the law to a critical, reflective examination);
- develop a better awareness of the dialogic nature of any legal production (students must develop reasoning and argumentation techniques).

Specific aims related to the present course:

- learn how to handle practice and procedures involved in litigating objective issues;
- search for stakes linked to a procedural branch of law.
- explore the legitimacy and efficiency of a particular branch of law.

Main themes

The constitutional litigation course explores litigation procedures that enable individuals, as well as public authorities, to determine whether actions undertaken by public institutions are in compliance with the Constitution. The course is not restricted to the organisation of jurisdiction over the constitution (in other words, the Court of Arbitration). It comprises an overview of all the procedures used for constitutional litigation in Belgium.

These include:

- the Court of Arbitration;
- the possibility of contesting the constitutionality of the law;
- decrees;
- ordinances and settlements in other jurisdictions.