



# Constitutional Adjudication in Colombia: Avant-garde or case Law Transplant? A Literature review [

Universidad del Rosario,  
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text (article)

Analítica

Colombia is mentioned, together with the US, Uruguay, Argentina and Mexico, as one of the first countries worldwide to adopt the judicial review as a means for adjudicating on the constitutionality of legislation. In recent years, and particularly since the enactment of the Political Constitution of 1991, the Colombian Constitutional Court is also mentioned as a notorious example of judicial activism in terms of legislating through the constitutional adjudication process. This article presents a literature review on the globalization of judicial review and the contemporary methods of constitutional adjudication (including the balancing method), in order to assess the uniqueness and avantgarde nature of constitutional adjudication in Colombia in the global context. Brief reference is also made to the literature on the institutional limitations faced by less developed countries, inasmuch as they affect the way constitutional adjudication is applied and perceived

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