Introduction

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Introduction

Judicial Review in the Americas . . . and Beyond

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In 2004, Duquesne University School of Law organized and sponsored a very successful international seminar on the topic of “Federalism in the Americas . . . and Beyond,” a symposium that featured presentations by some of the most important and articulate jurists of the Western Hemisphere and Europe. The papers presented and articles generated by that seminar are published in Volume 43, Number 4, and Volume 44, Number 1, of the Duquesne Law Review.

The success of that event encouraged us to continue to focus on constitutionalism in the New World, and so, in November, 2006, the Law School sponsored a two-day seminar devoted to “Judicial Review in the Americas . . . and Beyond.” That seminar was equally successful, and the papers and articles presented at or in connection with that symposium are now made more widely available by their publication in the present issue of the Law Review.

Ever since the Supreme Court’s historic decision in 1803 in Marbury v. Madison, judicial review of the constitutionality of statutes and other governmental actions has been an integral part of the law and politics of the United States. In other countries of the Americas (and in Europe), judicial review came a bit later, but as it did, it displayed there a rich variety of juridical bases, procedures, and tribunals. The quality, diversity, and practical importance of judicial review are nowhere better demonstrated than in the writings of the distinguished jurists who participated in our 2006 seminar and whose commentaries and articles are published herein.

All of us connected with the seminar owe a large debt of thanks to the members of the Duquesne Law Review, particularly Editor-in-Chief April Trimble and Executive Editor Leann Petrilla, for their generous, enthusiastic, and most professional cooperation. The seminar itself would not have been possible without the
wholehearted support of Donald J. Guter, Dean of the Law School, and the tireless (and relentlessly cheerful) efforts of Faculty Secretary Kathy Koehler.

We hope that the reader will find this Symposium Issue to be interesting reading today and a valuable resource for years to come.