

**TABLE 15.4**

## American and European Models of Constitutional Justice

Characteristic	American model	European model
<i>Jurisdiction:</i> Who has the power to engage in constitutional review?	Decentralized; ordinary courts can engage in constitutional review.	Centralized; only a single constitutional court can engage in constitutional review; other courts are barred from doing so, although they may refer to the constitutional court.
<i>Timing:</i> When can constitutional review occur?	A posteriori	A priori or a posteriori or both; some courts have a priori review over treaties or government acts; others have both; and some have either but not both.
<i>Type:</i> Can constitutional review occur in the absence of a real case or controversy?	Concrete	Abstract and concrete; most constitutional courts can exercise review in the absence of a real case, and many can also exercise concrete review.

Source: Adapted from Navia and Ríos-Figueroa (2005, 192).