

Ministry of Higher Education and Scientific Research

Mohamed Seddik Benyahia University - Jijel

Faculty of Law and Political Science

Law Department



Search Unit PRFU:

"The Role of Constitutional Justice in Establishing the Rule of Law and Enhancing the Exercise of Rights and Freedoms."

Organizes the National Forum:

The Role of Constitutional Justice in Establishing the Rule of Law

In-person forum



On: 06 May 2024

At University Pole - Tassoust

Preamble:

Suppose the nineteenth century was the century of parliaments and control of state institutions in the name of the popular will. In that case, the twentieth century is the century of constitutional justice after the development of the concept and view of controlling the constitutionality of laws, rights, and fundamental freedoms in the state of law, rights, and justice, where constitutional justice became part of the state's constitution like the rest. Constitutional institutions. The constitutional body (court, council) is characterized by independence and impartiality and is kept from politics and its fluctuations in principle.

After World War II, most European countries included in their constitutions extensively specifying the constitutional body to monitor the constitutionality of laws and constitutional guarantees for their judges so that they could perform their work away from the pressure of the rest of the state institutions.

Given the importance of constitutional justice in modern democratic systems and the practices undertaken by the competent constitutional institutions to defend fundamental rights and freedoms and enhance their practice in the state, some jurists have become specialists in studying, evaluating, and evaluating it in order to contribute to developing their theoretical construction and their jurisprudence in protecting the constitution, especially fundamental rights and freedoms. The possibility of the legislator violating it.

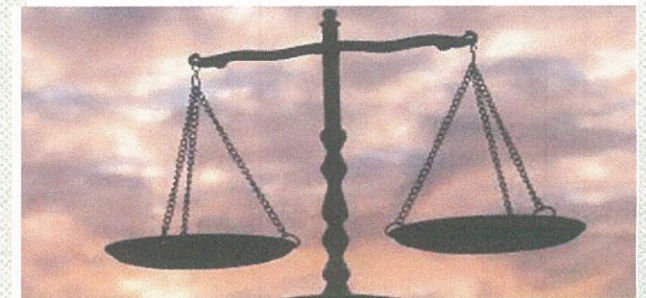
Despite some jurisprudential opinions that reject oversight of the constitutionality of laws because they conflict with the principle of popular sovereignty, the people are the source of authority, and the law is the highest expression of this sovereignty expressed through its representatives in Parliament. However, constitutional justice quickly spread in countries that adopted a specific model.

However, some achieved what constitutional justice aspires to, and others failed to do so for reasons related to the political system, the degree of development of democratic practice in it, and the social, cultural, and political structures.

Jurists in constitutional law and constitutional justice in the United States of America have given a solid impetus for supervising the constitutionality of laws and dealing with them on the basis that they are an integrated theory through the experience of the US Federal Supreme Court, studying its jurisprudence and focusing on it. All of this is due to the protection of the federal state and the strengthening of its powers.

However, the matter in Europe was completely different, as its goal was to prevent tyranny by maintaining the balance between the constitutional authorities, especially the legislative authority, from exceeding its powers, which could lead to the deviation of the democratic system.

This difference in the concepts of constitutional justice led to the emergence of two different models: The American system of political system and the American Constitution, and the European model with multiple and diverse applications in the European Union countries.



Forum Problem:

The success of constitutional justice represents the pinnacle of a growing democratic process and a changing context that led to a fundamental shift in the norms of constitutional law. It played a crucial role in defining constitutional institutions and their powers, ensuring that the people are bound by the mandates granted under the constitutional rules of Parliament. These rules, preserved and safeguarded by constitutional justice, form an integral part of the democratic concept and the principle of the rule of the people. The question arises: What role does constitutional justice play in the enduring consolidation of justice and law within the state? Furthermore, how effective is it in safeguarding the constitutional rules within the Algerian state?

Forum Objectives:

The forum aims to achieve the following objectives:

- Elucidating the role of constitutional justice and its diverse jurisprudence in advancing the rule of law in Algeria and other nations.
- Defining the foundational principles underpinning the state of law in light of the evolving concept.
- Spotlighting constitutional justice in Algeria by tracing the stages of its development.
- Examining constitutional justice within the 2020 constitutional amendments and exploring novel aspects introduced in this domain.
- Monitoring the progress of constitutional justice in comparative systems, particularly drawing insights from leading Arab and Western experiences.
- Illustrating the influence of constitutional justice on the dynamics between authorities, notably the executive and legislative branches, and their equilibrium.
- Understanding the mechanisms employed by constitutional justice in establishing the rule of law and assessing its impact on rights and freedoms.

Forum Topics

The first axis: conceptual framework

- The concept of the state of law and the underlying principles.
- The nature of constitutional justice and its powers.
- The evolution of the organization of constitutional justice in Algeria.

The second axis: Constitutional justice and the principle of separation of powers

- Establishing a new concept of the principle of separation of powers
- Oversight of the constitutionality of laws and the rule of law
- Constitutional justice and respect for the principle of progression of laws

The third axis: Means of constitutional justice in achieving the rule of law

- The Constitutional Bloc as a reference for constitutional justice.
- The Constitution as the foundation of the legal and political system in the state.
- Constitutional justice as a safeguard for public freedoms.
- The role of constitutional justice in upholding the principle of equality.

Fourth axis: Constitutional justice in Algeria

- The jurisprudence of the Algerian Constitutional Council in establishing the rule of law.
- How the Algerian Constitutional Court opens new horizons for solidifying the rule of law.

Forum Supervising Body:

Honorary Chairman: **Dr. Ben Ali cherif Noureddine**

Director of Mohammed Seddik Benyahia University - Jijel

General Supervisor: **Dr. Bouibia Nabil**

Dean of the College of Law and Political Science

Forum Chairman: **Dr. Boularaoui Saddek**

Head of the research project

Scientific Committee Chairman: **Dr. Benbakhma Djamel**

Organizing Committee Chairman: **Dr. Azouzi Abdelmalek**

Members of the scientific committee of the forum:

Dr. Samer Nasreddine.....	University of Jijel
Dr. Grimes Abdelhak.....	University of Jijel
Dr. Mouka Abdelkrim.....	University of Jijel
Dr. Boularaoui Saddek.....	University of Jijel
Dr. Azouzi Abdelmalek.....	University of Jijel
Dr. Benbakhma Djamel.....	University of Jijel
Dr. Farhat Amaïour.....	University of Jijel
Dr. Mezhoud Hanane.....	University of Jijel
Dr. Karmi Rima.....	University of Jijel
Dr. Abdallah Lynda.....	University of Jijel
Dr. Bouchlif Noureddine.....	University of Jijel
Dr. Boulkhadra Noura.....	University of Jijel
Dr. Beldjoudi Ahlem.....	University of Jijel
Dr. Belhireche Samir.....	University of Jijel
Dr. Siab Hakim.....	University of Jijel
Dr. Nachnache Mounia.....	University of Jijel
Dr. Chaouch Hamid.....	University of Guelma
Dr. Khachaimia Lazhar.....	University of Guelma
Dr. Guesmia Siham.....	University of Souk Ahras
Dr. Mihoub Yazid.....	University of Bourj Bouarreridj
Dr. Lafkir Boulanouar.....	University of Bourj Bouarreridj
Dr. Bensetira Yamine.....	University of Setif2
Dr. Berarma Sabrina.....	University of Setif2
Dr. Bouakba Naima.....	University of Taref
Dr. Atoui Hanane.....	University of Taref

Members of the conference organizing committee:

Dr. Benbakhma Djamel	Dr. Bouache Wafia	Dr. Cheouib Amina
Dr. Guendouz Fatiha	Dr. Yahia Abdelhai	Dr. Amaïour Khadija
Dr. Taher Abdelnasser	A. Meccemma Mounia	

Participation Conditions:

- The research must align with one of the forum's themes.
- Adherence to the rules of scientific research in terms of editing and documentation is required.
- The research must be original and not have been previously published or shared.
- Interventions should be in Arabic, English, and French.
- The intervention is to be written in Arabic script Sakalla Majalla 14 and, in foreign languages, in Times New Roman 12, with a 2 cm margin on all four sides of the page.
- Interventions in Arabic must be accompanied by a summary in English, while interventions in foreign languages should be accompanied by a summary in Arabic.
- Margin inserts at the end of the search should be in font size 12.
- The number of research pages should range from 10 to 20 pages in the A4 format.
- Complete submissions must be sent within the specified deadlines.
- All entries are subject to scientific arbitration by the Scientific Committee of the Forum, and acceptance or rejection will be notified to the authors via email.
- Joint contributions are not accepted, except for the doctoral student and their supervisor.
- Only one intervention may be submitted to the forum.
- Participation can be done remotely up to 20% with justification.
- The organiser does not bear the costs of accommodation and transport.
- Interventions will be published in the forum's workbook.

Important dates:

- Full intervention submission deadline: Marsh 26, 2024.
- Response to accepted entries: April 05, 2024.
- Submission via email: colloquesfdspj18@gmail.com

Participation form:

Name and Surname:

Academic rank:

Institution:

Specialization:.....

The Phone: E-mail:

The Topic:

Intervention Title:

Abstract: