






Teacher(s)	Delgrange Xavier ;Van Drooghenbroeck Sébastien (compensates Delgrange Xavier) ;
Language :	French
Place of the course	Bruxelles Saint-Louis
Prerequisites	<i>The prerequisite(s) for this Teaching Unit (Unité d'enseignement – UE) for the programmes/courses that offer this Teaching Unit are specified at the end of this sheet.</i>
Learning outcomes	<p><b>At the end of this learning unit, the student is able to :</b></p> <p>The objective of the course is to study the relations which link justice and politics. The course will, on the one hand, cover the analysis of the intervention of politicians in the organisation and the operation of the judicial system and, on the other hand, provide students with some analytical and evaluation tools enabling them to grasp the causes, the limits, the effects and the stakes of the role currently played by the jurisdictions in the process of legal proceedings. These questions will be covered from the legal, political and historical perspectives. To accomplish this, we will try to enhance and make the best use of the interaction between class members studying political science and those studying law, thus making the course a true crossroads between the two disciplines.</p>
Evaluation methods	<p>1. The oral examination will take place in the form of a presentation prepared by the student who will develop in detail an element from the course or a question related to the subject matter.</p> <p>2. In the development of this work, the student will take care to establish links on two levels. He/she will first and above all have to concentrate on the “&amp;” of “Justice &amp; Politics”. This means that the presentation cannot consist exclusively of the analysis of one question related to justice or to politics. Rather, it must deal with a subject that has both legal and political aspects. In light of this, the presentation may be developed by bringing into play the methodology of one or more disciplines as the student sees fit: political science, sociology, economics, philosophy, law, etc. The student will have to then establish a link between his/her work and several elements covered during the course. The student will not be questioned on the course as such, but must possess knowledge of the course in order to demonstrate his/her mastery of the course elements. For example, to demonstrate that in a given situation a given jurisdiction developed a strategy reminiscent of that of the Supreme Court of the United States in the Marbury case, a strategy that itself was imitated by other given jurisdictions in other given cases.</p> <p>3. The students will be invited to propose subjects during the year and will receive assistance in their library research. Students are advised not to limit their sources to those cited in the course notes, particularly in the case that a student chooses to research a subject discussed during the course. The sanctions relating to plagiarism will be strictly applied.</p> <p>4. Students in the evening programme will hand in, during the examination, an outline of their presentation and a bibliography. For students of the daytime programme, this course counts for 30 ECTS credits - equivalent to 30 hours of class time – yet there are only 22.5 hours of classes. Consequently, these students are required to submit, in addition to an outline and a bibliography, a written version of their presentation. This written document may be up to 10 pages in length and is to be handed in during the examination.</p> <p>5. The examination schedule allows 15 minutes per student. The student will first make a presentation of maximum 10 minutes (stopwatch in hand!). The remaining 5 minutes will be devoted to a discussion of the presentation and/or of links with the subject matter. In the case of remote examinations, the evaluation will be limited to the handing over of work.</p>
Teaching methods	The lessons will be given in lecture format and will be enhanced inasmuch as possible by student participation.
Content	<p>According to the schedule, twelve lessons, in addition to the introduction and the conclusion:</p> <p>Introduction (one lesson)</p> <p>1) The issues (two lessons)</p> <ul style="list-style-type: none"> <li>- For the judicial system, to obtain and preserve independence</li> <li>- For the politician, to avoid the Government of the judges</li> </ul> <p>2) History of the relationship between justice and politics in the organisation of the justice system (four lessons)</p> <ul style="list-style-type: none"> <li>- From the origin of judicial organisation in 1831 to the Flandria ruling of 1920</li> <li>- The emergence of the Council of State and the evolution of administrative disputes</li> <li>- The emergence of the Constitutional Court and the evolution of constitutional disputes</li> <li>- The Superior Council of Justice and the de-politicisation of justice</li> </ul>

	<p>3) The political role of the jurisdictions (Five lessons)</p> <ul style="list-style-type: none"> <li>- The political role of the Supreme Court of the United States</li> <li>- The political role of the Court of Justice of the European Union</li> <li>- The political role of the Council of State</li> <li>- The political role of the Constitutional Court</li> <li>- Tools providing for the reinforcement of judicial control over the political authorities</li> </ul> <p>4) The political control of the jurisdictions (one lesson)</p> <p>Conclusions</p> <p>These contents are likely to be modified according to current events or in response to suggestions made by the students.</p>
Bibliography	<p>Les étudiants auront toujours à portée de la main un code regroupant les textes essentiels (Constitution, droit international des droits de l'homme, droit européen, Code judiciaire...).</p> <p>Le syllabus propose des indications bibliographiques permettant d'approfondir les sujets traités.</p>
Other infos	None
Faculty or entity in charge	DRTB

<b>Programmes containing this learning unit (UE)</b>				
Program title	Acronym	Credits	Prerequisite	Learning outcomes
Bachelor in Law (shift schedule)	<a href="#">DRDB1BA</a>	5	<a href="#">BHDDR1112</a> AND <a href="#">BHDDR1110</a>	
Bachelor in Law	<a href="#">DROB1BA</a>	5	<a href="#">BDROI1110</a> AND <a href="#">BDROI1112</a>	
Bachelor in Law French-Dutch (and French-Dutch-English)	<a href="#">DRNB1BA</a>	5	<a href="#">BDROI1110</a> AND <a href="#">EMHUB1110</a> AND <a href="#">BDRNL1130</a>	
Bachelor in Political Sciences	<a href="#">SPOB1BA</a>	5	<a href="#">BESPO1162</a> OR <a href="#">BPOLS1120</a>	
Bachelor in Political Sciences (French-English)	<a href="#">SPAB1BA</a>	5	<a href="#">BESPO1165</a> OR <a href="#">BPOLS1120</a>	
Bachelor in Political Sciences (shift schedule)	<a href="#">SPDB1BA</a>	5	<a href="#">BHDPO1120</a>	