

Juger n'est pas jouer

« Penser, c'est juger » disait Kant. Dans ce flux incessant des jugements que nous portons sur la vie, sur le monde et les autres, certains sont nécessaires et légitimes, d'autres ne le sont pas. Ils révèlent au contraire, à des degrés divers, une propension quasi irrésistible à porter un regard malveillant sur les façons d'être, de penser, de vivre de ceux que nous côtoyons. L'attitude est si banale et ancrée dans les habitudes qu'il est rare que nous nous arrêtions pour la questionner. Et pourtant, n'est-ce pas dans ce jugement biaisé que nous portons sur nos semblables que se cache la source de nombreuses injustices dont nous sommes les auteurs souvent inconscients ? N'est-ce pas là également que se situe l'origine de certaines de nos difficultés – relationnelles ou existentielles – que nous considérons comme des injustices à notre égard ?

Quelles sont les conditions requises pour que nos jugements soient éthiquement acceptables ? Comment juger les autres, puisque nous y sommes quotidiennement obligés, sans pour autant les condamner ? À partir d'une analyse de situations de jugement concrètes et de leurs implications morales, ce livre propose une démarche d'auto-formation du jugement éthique : pour mieux juger, avec justice, et dans le respect d'autrui et la bienveillance.



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Juger Nest Pas Jouer

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Le contentieux de la mise en conformité dans le règlement des différends de l'O.M.C. / Adjudicating Compliance in the WTO Dispute Settlement System Andrea Hamann, 2014-06-05 Le mécanisme de règlement des différends de l'O.M.C. se distingue des autres juridictions internationales en ce qu'il comporte un ensemble sophistiqué de procédures spécifiquement et exclusivement destinées à traiter les différends pouvant surgir au cours de l'exécution de l'obligation qui résulte pour un Membre de la décision juridictionnelle qui déclare sa responsabilité. Leur existence même et la façon dont les organes de jugement s'acquittent de leur mission témoignent de ce que l'exécution des obligations résultant des actes juridictionnels dans l'ordre international ne chappe pas fatalement au droit. Ainsi le système de l'O.M.C. exprime mais aussi réalise une ambition singulière en droit international : renforcer la garantie de la légalité en habilitant la juridiction à encadrer, contrôler et en définitive participer à assurer l'exécution de ses propres décisions. The WTO dispute settlement system has created a sophisticated set of procedures designed with the sole purpose of dealing with all disagreements that can arise between the parties during the implementation process. The very existence of these procedures and the manner in which the adjudicative bodies accomplish their task give evidence of the fact that compliance with judgments in the international legal order does not inevitably lie outside the realm of the law. The WTO system thereby expresses but also fulfills a strong ambition unique when considered through the lens of international law : strengthening the rule of law by vesting the adjudicative bodies with the task of supervising, reviewing and ultimately contributing to inducing and enforcing compliance with their own judgments.

Handbuch der französischen Sprache und Literatur Heinrich W. Braunhard, 1852 **Les acteurs du procès** Demo-Droit Programme, Council of Europe, Themis (Project), 1997-01-01 Council of Europe legal co-operation with central and eastern European countries Le droit international privé en tableaux Johanna Guillaumé, 2024-07-16 L'objectif de la collection Le droit en fiches et en tableaux est de proposer des ouvrages facilitant la compréhension et la mémorisation des questions juridiques. Chaque question est ainsi envisagée selon deux approches juxtaposées : le cours traditionnel en page de gauche des tableaux récapitulatifs en page de droite. Très didactique, ce manuel de droit international privé a été conçu à partir de trois choix méthodologiques : la mise en avant des distinctions fondamentales ; la reprise des mêmes problèmes sous des angles différents ; un effort de mise en perspective afin de faciliter la réflexion et la compréhension des continuités et ruptures. **Fonction de juger et pouvoir judiciaire** Philippe Gérard, Michel Van de Kerchove, François Ost, 1983 La fonction de juger n'est-elle pas l'objet de mutations qui affectent son rôle traditionnel et ses méthodes ? Ses prérogatives ne voient-elles pas leurs frontières se resserrer face à la concurrence de nouveaux organes de règlement des conflits et de contrôle social ? Telles sont les questions les plus aiguës auxquelles les textes publiés dans ce volume apportent des éléments de réponse puisés dans les domaines du droit constitutionnel, du droit économique, du droit civil, du droit pénal, du droit international public, du droit des ordres professionnels et du droit de l'arbitrage. Cet examen de l'évolution de la fonction de juger porte également sur des ordres

juridiques étrangers France États-Unis d'Amérique Chine et Singapour Au-delà d'une démarche spécifiquement juridique les études ici rassemblées mettent aussi en œuvre les méthodes de diverses sciences humaines philosophie histoire économie sociologie science politique psychiatrie et anthropologie pour soumettre la justice une analyse critique et interdisciplinaire

Les différends territoriaux devant le juge international Géraldine Giraudeau, 2012-12-03 Arbitral and judicial decisions dealing with territorial land and maritime disputes bear the mark of compromising They draw boundaries situated between the respective pretensions of the parties and ensure an equitable share of spaces and resources This phenomenon of compromising symptomatically appears in the jurisprudence dealing with territorial disputes because of their specific nature and the geostrategic economic and emotional factors at stake It is also due to the remarkable flexibility of applicable norms and principles which provides a vast power of appreciation to the judge This study enhances how the content of the decisions is used in order to reach a balanced solution and demonstrates that the international judge focuses on peacekeeping considerations Les décisions arbitrales et judiciaires relatives aux différends territoriaux terrestres et maritimes sont marquées par une tendance transactionnelle Elles consacrent des tracés frontaliers situés entre les revendications respectives des parties et assurent plus globalement un quitte partage des espaces et des ressources Ce phénomène de compromis s'exprime symptomatiquement dans la jurisprudence relative aux différends territoriaux en raison de la nature de ces litiges et de leurs enjeux géostratégique économique et émotionnel Il est aussi de la particulière flexibilité des règles et des principes applicables Cette étude témoigne de l'instrumentalisation qui est faite du contenu des décisions juridictionnelles au profit de solutions équilibrées et démontre que le juge international est avant tout tourné vers la mission pacificatrice de son office

Collection complète des œuvres de Mr. de Voltaire Voltaire (M., pseud. van François-Marie Arouet), 1775 **Traité de contentieux de la commande publique** Olivier Guézou, 2023-11-22 L'évolution des sources des notions des catégories et du fond du droit de la commande publique entre en résonance avec celle non moins fondamentale d'un contentieux des contrats administratifs dont l'architecture a été en quelques années seulement totalement repensée La logique des recours les raisonnements suivis et l'office du juge permettent désormais de mieux tenir compte de la richesse de ces contrats particuliers dont la dimension économique se combine avec l'action publique et l'intérêt général Le requérant est placé au cœur de l'action le contrat tant le point de basculement chronologique d'une logique de protection à une autre Aux concurrents vint la passation et son impact sur le contrat selon une dynamique de liberté d'accès au marché économique Aux parties le contrat et son exécution selon une approche centrée sur la protection des consentements et la loyauté contractuelle Aux autres tiers enfin des considérations variées d'intérêt général environnement finances locales service public etc justifiant l'existence d'un contentieux administratif d'un troisième type encadré et aménagé Mais le contentieux de droit commun ne peut pas tout et les spécificités des contrats de la commande publique imposent la protection de l'ordre public économique et de la probité selon une logique répressive sanctionnant les pratiques anticoncurrentielles et le délit pénal de favoritisme Le Traité de contentieux

de la commande publique respecte cette architecture nouvelle et combine une tude pr cise des r gles applicables avec la mise en perspective des logiques g n rales qui les orientent Il offre ainsi au lecteur un acc s simplifi l information en lui permettant d entrer dans la partie qui le concerne plus directement selon qu il agit en tant que concurrent vinc Partie 1 partie au contrat Partie 2 ou qu il est int ress par un autre contentieux Partie 3 Cette troisi me dition mise jour et enrichie comprend une table exhaustive de la jurisprudence cit e et des arbres questions permettant un acc s plus facile l information **Bulletin** ,1896

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