

GILBERT THIEL

Magistrales insomnies



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Gilbert Thiel



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Magistrales insomnies Gilbert Thiel, 2005-01-19 L'attribution tant mort le budget d'entretien de la machine le dit montre je me dis enfin qu'on a tout à craindre et l'institution en premier lieu de l'apparition du concept de justice providentielle d'une justice qui l'on demande tout et son contraire et de surcroît tout de suite Pour mettre mes actes en conformité avec mes idées du moment je décide le projet d'assignation que j'ai rédigé ce matin Non c'est évident je n'assignerai pas comme je l'avais envisagé le ministre de la Justice sur la base de l'article 1382 du Code civil afin d'obtenir une conséquente indemnisation jurisprudence l'appui pour la perte non pas d'une chance mais de mes illusions Vingt-sept ans de carrière dans la magistrature dix ans Paris dont neuf au terrorisme Enfin l'antiterrorisme Qu'est-ce que je fous là-dedans A quoi sert Ces quelques lignes de Magistrales Insomnies donnent le ton Le juge Thiel qu'on avait eu l'occasion de rencontrer dans son précédent ouvrage On ne rêve pas un juge qui dort poursuit sa dissection de la machine judiciaire travers l'invocation des grands dossiers qui ont fait l'actualité des derniers mois et dont il a eu pour partie la charge les tirages croisés entre factions nationalistes corses les règlements de compte insulaires les assassinats de François Santoni et de Jean Michel Rossi l'assassinat du préfet Erignac la traque d'Yvan Colonna l'affaire du bagagiste de Roissy le cas Battisti l'affaire des paillotes etc Cette présentation de la justice vue du front met en perspective une institution dont les valeurs non écrites sont les valeurs de l'État de notre société mais ici l'analyse passe par le prisme du récit une instruction chargée et déchargée par un esprit libre n'appartenant aucune chapelle et où la réflexion se trouve stimulée par l'humour l'ironie et la provocation *Reconstruire la justice* Matthieu Boissavy, 2006 La justice est en crise Les moyens Insuffisants Les délais Trop longs Les coûts Trop élevés Les effectifs Trop faibles Le droit que personne n'est censé ignorer Mal connu de tous y compris des professionnels du droit qui ne s'y retrouvent pas dans l'abondance des textes On pourrait poursuivre ainsi la litanie des chocs Mais le temps n'est plus l'inventaire il est la reconstruction Ayons l'ambition de bâtir une autre justice une justice avant tout tournée vers ceux auxquels elle est destinée une justice rendue par des juges reconsidérés dans des tribunaux réorganisés avec des professions judiciaires repensées une justice dans laquelle chacun pourrait se reconnaître bref une justice réconciliée avec elle-même C'est l'ensemble des dysfonctionnements et non pas seulement ceux de la justice pénale que ce livre s'attaque sans tabou ni complaisance pour proposer un projet la fois moderne et réaliste de refondation de l'institution Juger pour qui Juger où Juger par qui Juger comment Voici 110 propositions pour reconstruire la justice Introduction Chapitre premier Juger pour qui Chapitre 2 Juger où Chapitre 3 Juger par qui Chapitre 4 Juger comment Conclusion Annexes Bibliographie *Livres hebdo*, 2005

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