

The Emerging Global Judicial Ethics: Issues and Problems

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Abstract : In many states around the world, actions to improve judicial ethics are developing significantly through the production of professional standards for judges. The quest to improve the ethics of judges is legitimate. However, as this development tends to be very important at the moment, some risks it presents must be highlighted. Indeed, if the objective of improving Judges' Ethics is legitimate, it can also lead to banalization of justice, reinforcement of criticism against the judiciary and to broach incidentally the question of the limits of judgment, which is most perilous for the independence of the judiciary. This research, based on case studies, interviews with judges and an analysis of the literature on this topic (mainly from the United States of America and European Union Member States), tends to draw attention to the fact that the result of the development of these professional standards is that the ethical requirements of judges become ethical requirements of justice, which is an undesirable effect of which we must be aware, in order to prevent it.

Keywords : judicial ethics, codes of conduct, independence, limits of judgment

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