

NJC Courses

When Justice Fails: Threats to the Independence of the Judiciary (JS 644)

Why should I take this course?

The independent judiciary is constantly under attack by politicians, the public, the media, and others. Judges can be subjected to conflicts between the law and their consciences. This course emphasizes the importance of maintaining an independent judiciary. The Holocaust is used as an example of the failure of judicial independence. The faculty members relate this historic failure to contemporary issues such as hate crimes, euthanasia, and discrimination, and discuss ongoing litigation generated by the Holocaust.

What will I learn?

After this course, participants will be able to:

- Relate the legal history of war crimes, crimes against humanity, and post-war prosecutions to contemporary hate crimes, war crimes, crimes against humanity, and post-war prosecutions;
- Analyze judicial ethics in Nazi Germany and compare them to contemporary U.S. judicial ethics and independent philosophies and practice;
- Describe the jurisdiction, procedures, and effect of the Nuremberg trials;
- Describe the jurisdiction, procedures, and activities of the currently impaneled war crimes tribunals and truth commissions; and
- Discuss the concept of a permanent international criminal court.

Who should attend?

All judges benefit from attending this course, regardless of the type of court or agency in which they sit.

Who are the members of the faculty?

Various judges, historians, legal scholars, and Holocaust scholars make up the faculty for this course.

How is this course taught?

This course is taught through lecture, class discussion, a field trip to a Holocaust museum, and discussion groups.

Does this course qualify for credits in the Judicial Studies degree program?

This course qualifies for two credits in the Judicial Studies degree program upon successful completion of the course and the course exam. In addition, this course qualifies for the Certificate in Judicial Development, Administrative Law Adjudication Skills, Dispute Resolution Skills, General Jurisdiction Trial Skills, Special Court Trial Skills and Tribal Judicial Skills programs.

What should I tell my presiding judge or funding agency so that my attendance will be approved?

“Those who forget the past are condemned to repeat it.” (George Santanya) By educating themselves about the past, specifically successful threats to judicial independence, judges can respond appropriately to future challenges. This program is especially beneficial for those judges who need a reminder of why they chose to enter the judging profession.

Whom should I contact for more information?

For more information, please contact the registrar's office at (800) 255-8343 or registrar@judges.org.

Former Name: Legal History: War Crimes, Crimes Against Humanity, and Post War Prosecutions



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