

## Faculty of Law



### DROI1535 Sanctions law

[30h] 6 credits

This course is taught in the 2nd semester

**Teacher(s):** Maria Luisa Cesoni, Anne Roland  
**Language:** French  
**Level:** First cycle

#### Aims

1. Objectives proper to juridical course content :  
 acquisition of indispensable knowledge (for example, schemas of reasoning) ;  
 - analysis of texts (constitution, treaties, laws) and intelligent use of documentation ;  
 - rigorous specific of decrees ;  
 - written expression, oral expression.
2. Objectives proper to interdisciplinary juridical course content :  
 - transversal approach to law and research of the balances and values underlying normative jurisprudential production ;  
 - awareness of the relativity of solutions procured by law and their production within a creative process based on exchange and confrontation ;  
 - generalist approach to law; interdisciplinary introduction ; development of an " extra-disciplinary eye ".
3. Objectives proper to a course with an active pedagogical approach :  
 active participation, investment in the course;  
 - solidarity, sense of listening and respect in a process of exchange and confrontation, team work and spirit ;  
 - creativity, critical and personal reflection;  
 - curiosity, a taste of research and extension of learning (learning how to learn) :  
 - personal development, autonomy and sense of responsibility.

#### Main themes

In a general manner, this course aims to foster understanding of the relations which exist between the responses provided by the different branches of law to the question of juridical norms and the correspondence between the type of sanction adopted and the underlying juridical model.

This course looks at sanctions as a juridical instrument, in other words as the means to which different branches of law have recourse in order to impose respect of norms considered as imperative.

The course focuses on the sanctions applicable both to physical individuals and to moral individuals

This involves analysing and comparing the different types of sanctions and their evolution within different branches of the law (public law, social law, private law, disciplinary law and criminal law), as well as studying the sanctions proper to European law and international law and the difficulties linked to their application.

Questions arising from the possible accumulation of the different types of sanctions will be presented, as will be the challenging thereof by the doctrine of the classification of the sanctions into separate categories.

This course will encourage questioning of the model of law imposed, founded on sanction, in relation with the different model of negotiated law, founded upon the research of a solution reached by consensus between conflicting interests. Critical reflection will be developed further to questions such as respect of the principle of proportionality or the efficiency of sanctions in relation to the objectives pursued.

## **Content and teaching methods**

In the class, we will first analyze the role of constraint and sanction as instruments of the law. Then, we will study the categories of sanctions found in various branches of the law from an evolutionary and critical perspective. We will question the nature of sanction, the accumulation of penalties and the principles applied to any form of sanctions.

The methods of the class will be various and will leave place with debates.

The active teaching methods will give a central place to the student in her/his training. Lonely or in teams, the student will invest her/himself in a project whose theme will be chosen among the released topics.

The students will be subjected to a formative and continuous evaluation.