Comparative European politics – critical review

* **An introduction:** this should state the articles or chapter’s author(s) and title; briefly present the main aim(s) of the article or chapter; summarise the main findings or key arguments; and briefly state what your evaluation of the article is. Your evaluation could be generally positive, or generally negative, or a mixed assessment (some positives and some negatives).
* **The main body of the review**: this should be devoted to the summary and evaluation of the article or chapter. Given the word limit and that you will need to take time to explain each point, try to focus on what you think are the most crucial aspects of your evaluation of the article.
* **A conclusion**: this should briefly summarise your evaluation, reflecting the key points made in the main body of the review.

345-366

**LC – diff courts within (tax courts), specialized, fixed terms, military court of appeals, deals with Andy type of legislature that comes under laws created or made.**

**CC – judges in CC are protected by constitution, one big one and only deals with constitution.**

**Legal sovereignty – supreme legal authority that can create or end laws.**

The ‘Regimes and Rule of Law: Judicial independence in Comparative Perspective’ is an article written by Gretchen Helmke and Frances Rosenbluth. Modern democracy is defined as a government by the people and this article focuses vastly on why judicial independence and the rule of law are essential features in reaching modern democracy. The article states that “this claim is unpacked by focusing on two broad questions: How does the type of political regime affect judicial independence? Are independent courts, in fact, always essential for establishing the rule of law?

Most constitutions in Europe abide by the ‘Rule of Law’ in order to keep a democratic government, it is believed that the establishment of rules without an authoritarian leader prevents arbitrary rules or anarchy. “In retaliation to fascism, after World War 2, European democracies established constitutional courts after having embraced legislative sovereignty.”

Independent courts have started to be implemented in the wider scheme of supporting the rule of law.

Hence why judicial independence is a vital element in a modern democracy as it allows parliaments or executives to implement ideas without it needing to be reviewed by judges.

Websites:

https://www.usip.org/sites/default/files/ROL/TG\_Memo\_on\_Constitutional\_Review%20for%202011\_v4.pdf