



## DRT

### DPRI1208 Introduction to private law

[45h+16h exercises] 4.5 credits

**Teacher(s):** Gilberte Marchal  
**Language:** french  
**Level:** 1st cycle course

#### Aims

The aim of this course is to give students an understanding of the main basic notions of private law, with emphasis on the changes undergone in private law since the end of World War II, and through the analysis of a number of particularly relevant themes.

#### Main themes

The course starts with a presentation of the various fields of private law (civil law, commercial law, labour law), explaining their specific features and their respective evolution.

The course then deals with the following subjects :

a) Private subjective rights:

- analysis of the notion of subjective right; thorough study of the various categories of private subjective rights (extra-patrimonial rights and patrimonial rights), including personality rights and intellectual rights;
- the issue of the implementation of rights.

b) Fundamental notions relating to private deeds and to contract law :

- characteristic elements of private deeds and contractual agreements;
- classification of private deeds and types of contracts;
- analysis of the limits on the principle of free will of parties and of binding agreement (agreements regarded as law): protection of the weakest party, evolution of the concept of good faith (bona fide).

c) Patrimony :

- legal notion of patrimony and evolution: dedicated patrimonies and professional patrimony, company patrimony;
- limits on the absoluteness of title to goods;
- patrimony as a security for creditors and collective regulation for the insolvency of traders and non-traders.

d) The principles of the organisation of justice :

- general organisation of jurisdictions and their attributions;
- status of the organs of the Judiciary;
- main principles of lawsuits.

3. Teaching method :

Teaching is in the form of lectures and includes analysis of a number of case-law decisions or doctrine articles. If need be, the subject of a lecture examines in greater detail, with practical exercises aiming to specifically develop the more technical aspects of the general themes dealt with during the lectures.

## Content and teaching methods

The course, which aims to give students an understanding of the main basic notions of private law, deals with the following subjects :

A. Private subjective rights: - analysis of the notion of subjective right; thorough study of the various categories of private subjective rights (personality rights, chattels real, debts, intellectual rights, the issue of the implementation of rights (mainly abuse of rights). Most of the private subjective rights relate to patrimony. The latter is considered from various angles: legal notion of patrimony and evolution: dedicated patrimonies, professional patrimony and social patrimony (limits on the absoluteness of title to goods), patrimony as a general security for creditors and collective regulation for the insolvency of traders and non-traders;

B. The status and attributions of the Judiciary, which intervenes in the event of infringement of subjective rights: the action of judging (jurisdictio), the courts, the public prosecution. Other modes of settlement of disputes are also dealt with.

Teaching is in the form of lectures and includes analysis of a number of case-law decisions or doctrine articles. If need be, the subject of a lecture examines in greater detail, with practical exercises aiming to specifically develop the more technical aspects of the general themes dealt with during the lectures.

## Other credits in programs

<b>DROI12</b>	Deuxième candidature en droit	(4.5 credits)	Mandatory
---------------	-------------------------------	---------------	-----------