

Faculty of Law



DPRI2360 Seminar on Family Inheritance Law

[30h] 9 credits

This course is not taught in 2006-2007

Teacher(s): Jean-Louis Renchon
Language: French
Level: Second cycle

Aims

The objective of this seminar is to direct students towards an in-depth reflection on certain themes in family inheritance law the theoretical foundations of which have been taught previously at degree level. The seminar theme changes each year. It is sufficiently varied to enable it to be split into fifteen subjects, closely linked by a common series of problems.

Main themes

The method itself requires two types of work from students: an oral presentation, during the year, of the results of their research on an assigned theme; and an extended essay in which the issues within the subject are systematised and synthesised and the results of the discussions and debates following his or her presentation and those of the other participants in the seminar are considered. The seminars start at the beginning of the academic year, but the first oral presentations only take place during the second semester. In the first semester, the different themes to be analysed are prepared by the students. At regular intervals, each participant must present the progress of his or her research as well as the questions and difficulties met. The research is thus teamwork, allowing the coordination of work on different topics.

During the first semester, some of the seminars consist of a lecture on a subject closely related to the theme of the seminar. The specialist may be a member of the Faculty or an outsider. The seminar is graded for each student. The grade takes into account the work done during the year, participation in the work and debates, the quality of the oral presentation and the essay submitted at the end of the year.

Content and teaching methods

Topic: The sharing of acquisitions made during the marriage.

The economic relations between husband and wife may be seen from many different points of view. Occasionally we emphasise the professional and financial autonomy that every spouse should try to preserve, which implies that each partner should be able to keep for his- or herself the product of his or her own job, efforts and savings. However sometimes we emphasise the professional, economic and financial interdependence to which married life leads or can lead, which implies that acquisitions and savings made during the marriage can, or have to be, seen as a product of the common work and effort of both partners.

The aim of this seminar is to analyse this issue in depth.

Firstly, the economic reality of married life has to be analysed. Does autonomy prevail, or does interdependence characterise the everyday economic life of a married couple? Then it is useful to study carefully the different approaches to this question from political, sociological and ethical viewpoints. Finally, we analyse the answers that are now given in legislation and in juridical and judicial practice, not only in Belgium, but also in some of the other Member States of the European Union. The method of working will be the following. Each student can choose the topic of his or her individual paper, as long as this topic is in line with the general topic of the seminar. Each essay should contribute to the juridical research, both theoretical and practical, by compiling new material, improving the explanation and understanding of Belgian and foreign Acts, and by discussing their basis and their relevance

Four sessions of two hours take place during the academic year 2004-2005. The first two sessions introduce the general topic and choose the personal topic for each student's essay. The third session is a speech by an external lecturer followed by a debate. During the fourth session, each student explains his or her topic, aims and method of working. During the following academic year, students continue their research and write their papers. The essays are presented orally during a residential seminar (two days) that takes place immediately before or after the Easter vacation. Any Erasmus students who are not able to be present at that time have to give their presentations individually at the end of first term of 2005-2006.

Other credits in programs

DROI23

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(9 credits)