

Les confluences des droits, regards franco-roumains

Sous la direction de
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Confluences Droits Regards Franco Roumains

Marco Cascella



Confluences Droits Regards Franco Roumains:

Riesgo en la compraventa, cumplimiento e incumplimiento Ignacio Varela Castro, 2023 La presente obra analiza la disciplina de la transmisión del riesgo en el contrato de compraventa Se trata de un expediente procedente del Derecho romano tradicionalmente cuestionado y cuyo fundamento y alcance no se acaban de comprender o al menos siguen siendo objeto de disputa El contexto jurídico español se encuentra en un periodo de reflexión en lo que respecta a la modernización de su decimonónica regulación del Derecho de obligaciones Tal necesaria actualización también a la regulación de las clásicas reglas sobre la transmisión del riesgo y abre el debate de cómo proceder a acometerse pues estas reglas siguen presentes en los instrumentos jurídicos que se enmarcan en el denominado nuevo Derecho de contratos Este estudio desvela los principios que informan tal antigua disciplina y la realidad para la que estaba pensada defiende que en atención a la actual forma de entender la vinculación contractual el incumplimiento y el sistema de remedios procede prescindir de una regulación específica sobre la transmisión del riesgo en la compraventa y realiza un esbozo normativo con el nimo de demostrarlo Prólogo Profesora García Rubio Dirección Antonio Manuel Morales Moreno Colección Derecho privado nº 27 Páginas 716 páginas Formato 170 x 240 mm Tirada 100 ejemplares Peso 1350 gramos Edición 1 ISBN 978 84 340 2956 9

Les confluences des droits, regards franco-roumains Brigitte Vincent, 2015-09-15 Quels sont les points de rencontre de convergence des droits français et roumains face aux nouvelles questions auxquelles nos sociétés sont confrontés Les évolutions juridiques récentes créent-elles de nouvelles confluences entre des droits pourvus de racines juridiques communes du fait des liens historiques entre les deux pays et de la forte tradition francophone de la Roumanie Cet ouvrage collectif issu d'un colloque organisé par le Centre d'études et de recherches sur les constitutions les libertés et l'Etat de l'Université de Bordeaux aborde les confluences des droits sous leur jour le plus actuel dans une optique pluridisciplinaire et avec la particularité d'offrir sur chaque thème le double éclairage d'un auteur roumain et d'un auteur français Il réunit les contributions de neuf duos franco-roumains autour de problématiques d'actualité qui relancent l'analyse comparative dans les différentes sphères du droit Quelles convergences depuis la refonte du Code civil roumain en 2011 et celle du Code pénal roumain en 2014 La consistance réelle du pouvoir présidentiel qui va bien au-delà de son rôle constitutionnel semble apparenter à elle un excès de pouvoir Le statut des gouvernants est-il trop protecteur au plan de la responsabilité politique et surtout pénale Quel rôle pour les régions l'heure où la forme territoriale est l'œuvre en France comme en Roumanie Quels sont les impacts des décisions des juges européens sur les voies de droit nationales A partir de cet éventail d'interrogations cet ouvrage propose un panorama des confluences mais aussi des spécificités contemporaines de nos droits Il intéressera les universitaires ayant comme centre d'intérêt le droit comparé ainsi que les avocats spécialisés en droit pénal et en droit de la famille

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