

Sous la direction de
Geneviève KOUBI, Guillaume LE FLOCH et Gilles J. GUGUELM

La notion de continuité, des faits au droit

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La Notion De Continuïté Des Faits Au Droit

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La Notion De Continuïté Des Faits Au Droit:

Revue de métaphysique et de morale, 1955 La notion de continuité, des faits au droit Geneviève Koubi, Guillaume Le Floch, Gilles J. Guglielmi, 2011-04-01 La notion de continuité confirme la dynamique d'un discours du droit qui assure aux institutions politiques et sociales une relative stabilité Cette notion de continuité entre faits et droit s'inscrit au cœur du vocabulaire de la rupture que pr supposent les mots de révision ou de relance Toujours estimée et analysée a posteriori elle est le point d'ancrage de tout système politique juridique et social **La notion de continuité en droit public**

Jean-Marc André, 1997 L'objet de la présente étude est de recenser les différents cas d'utilisation de la notion de continuité en droit public français et en droit international public afin de cerner son importance sur les plans quantitatifs et conceptuels De manière schématique la notion de continuité apparaît en droit positif avec deux significations essentielles une part la notion de continuité doit être rattachée à la continuité de l'Etat en tant qu'ordre juridique Il s'agit alors d'assurer la pérennité des droits et obligations de l'Etat au travers d'un certain nombre d'événements perturbateurs de la vie des Etats révolutions constitutionnelles annexion d'un territoire occupation totale du territoire d'un Etat La notion de continuité apparaît ici au travers du principe de continuité de l'Etat rigoureux en principe général du droit international par le juge international et en principe général du droit par le juge français D'autre part la notion de continuité se rattache à la continuité organique de l'Etat Il s'agit alors d'assurer le fonctionnement sans interruption des institutions pouvoirs publics service public Elle apparaît au travers des principes de continuité de la vie nationale de continuité de l'action gouvernementale et continuité du service public

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