

Hygin Didace AMBOULOU

LES LIBÉRALITÉS ET LES SUCCESSIONS EN DROIT CONGOLAIS



L'Harmattan

Les Libeacuteraliteacutes Et Les Successions En Droit Congolais

Henri Floribert Mupila Ndjike Kawende

Les Libéralités Et Les Successions En Droit Congolais:

Les libéralités et les successions en droit congolais Hygin Didace Amboulou, 2009-05-01 On trouve dans ce livre une analyse doctrinale approfondie et une mise jour constante de l'actualité juridique sur les donations entre vifs les testaments les libéralités caractéristiques familiales l'ouverture des successions les qualités requises pour hériter la dévolution successorale la transmission de l'actif et du passif l'option des héritiers les successions vacantes l'indivision le partage la réserve héréditaire et la réduction des dons et legs *Les successions en droit congolais* Henri Floribert Mupila Ndjike Kawende, 1999 Droit congolais de la famille Antoinette Kebi-Mounkala, 2008 Ce livre paraît plus de deux décennies après la promulgation du Code de la famille dont il tire son fondement Il a l'avantage de corriger certaines pratiques jurisprudentielles erronées et d'esquisser des solutions sur des questions importantes ayant trait au droit des successions et laissées dans l'ombre Outre cette question l'auteur aborde les thèmes de la filiation du lien matrimonial des régimes matrimoniaux et libéralités **Le droit des successions au Congo** Emmanuel Kitoko-Ngoma, 2014 De tout temps et dans toutes les sociétés l'homme dès qu'il accède à un emploi organise sa vie pour acquiescer des biens mobiliers et immobiliers afin d'en jouir de son vivant et de pouvoir les transmettre ensuite ses héritiers après sa mort Au CONGO le droit de succéder au défunt était d'abord régi selon les coutumes dans la partie Nord l'héritage se transmettait en se fondant sur le patriarcat qui reconnaissait la qualité d'héritier aux enfants tandis que dans le Sud du pays on pratiquait le matriarcat les enfants considérés comme étrangers leur père étaient exclus de sa succession Ces règles ont survécu l'influence du colonisateur si bien qu'après l'indépendance les congolais avaient une option entre le droit coutumier et le droit moderne français Mais cette dualité a été une source de difficultés Dans un souci de cohésion nationale le législateur congolais a unifié le droit successoral dans la Loi n° 073 du 17 Octobre 1984 portant Code de la Famille Nous traiterons ce sujet en trois parties la première partie examinera les dispositions relatives à la dévolution de la succession la seconde partie analysera les règles qui régissent la transmission et la liquidation de la succession et enfin la troisième partie montrera les problèmes rencontrés dans l'application du Code de la Famille

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