

PRINCIPES GENERAUX DU DROIT CONSTITUTIONNEL

Introduction : Il existe une distinction entre droit privé et public. Le droit privé c'est le droit qui régit les rapports entre les particuliers, le droit public, le droit entre les particuliers et l'Etat et les collectivités territoriales.

LE DROIT PRIVE

Nous y trouverons le droit civil (le droit des personnes) (ex : pour le mariage, le régime matrimonial, le divorce, l'adoption, mais aussi les problèmes de voisinage), les litiges au droit civil sont portés devant les juridictions civiles que sont les juges de proximité (inférieur à 4000 euros), les juges d'instances (de 4000 à 10000 euros) et les tribunaux de grande instance (pour les droits de familles et toutes les actions civiles supérieures à 10000 euros).

Juridiction civile → Cour d'appel → Cours de cassation

On y trouve le droit du travail qui régit les rapports entre les employeurs et les salariés. C'est dans le code du travail qu'on y trouve notamment les procédures de licenciement, etc.... Ces litiges sont portés devant le conseil des prud'hommes, ils sont composés de juges élus par les employeurs et les salariés. Ce sont ne sont pas des magistrats professionnels.

Le droit commercial qui régit les rapports entre les commerçants, les actes de commerce et le redressement et la liquidation judiciaire des entreprises.

Les litiges sont portés devant les tribunaux de commerce, avec des juges élus par des commerçants.

Le droit rural qui régit les rapports entre les bailleurs et les preneurs (loueurs).

Le droit de la sécurité sociale qui régit les rapports entre la sécurité sociale et les usagers. Il y a deux tribunaux, il est porté devant le tribunal de contentieux d'incapacité (ex: invalidité 20%) et un tribunal de contentieux social (non remboursement sécurité sociale).

Le droit pénal assure la répression des infractions pénales que sont les contraventions, les délits ou crimes.

LE DROIT PUBLIC

Le droit qui régit les états :

↳ le droit international public qui régit les rapports entre états.

↳ Le droit public interne qui régit les rapports au sein de l'état. Ce droit public interne se subdivise en 3 branches : le droit administratif qui régit les rapports entre les administrations et les particuliers. Il relève du conseil d'administratif (le conseil d'état).

↳ Le droit public financier dont le rôle est de régir les finances de l'état et les finances des collectivités territoriales. Ils sont jugés par des juridictions financières que sont la cour des comptes et les chambres régionales des comptes.

Tribunal administratif → conseil administratif (appel) → conseil d'état

LE DROIT CONSTITUTIONNEL

Rôle : encadrer le pouvoir politique et le statut de l'état

Droit Constitutionnel Principes

Adhémar Esmein (juriste).)



Droit Constitutionnel Principes:

Droit constitutionnel Pierre Wigny, 1952 *Droit Constitutionnel* Duplé, Nicole, 2000 Fiches de Droit constitutionnel Laurence Baghestani, 2024-09-24 52 fiches pour r viser tout le cours de Droit constitutionnel les d finitions conna tre les erreurs viter les points essentiels retenir des exercices corrig s pour v rifier ses connaissances QCM questions de cours et cas pratiques des rep res bibliographiques pour aller plus loin 1 index *Droit Constitutionnel* Nicole Duplé, 2014-09 **Droit constitutionnel européen** Besson, 2023-04-14 Ce pr cis propose une introduction au droit constitutionnel et institutionnel de l Union europ enne UE Il couvre notamment les sujets de l UE ses institutions et leurs comp tences mais aussi les sources du droit de l UE les relations entre le droit de l UE et le droit interne la mise en uvre de ce droit les proc dures juridictionnelles devant la Cour de justice de l UE et le droit des relations ext rieures de l UE Pr sent e de mani re concise la mati re est illustr e l aide de nombreux exemples et de citations de jurisprudence L une des caract ristiques du pr cis est de proposer en annexe une collection de r sum s de la jurisprudence europ enne la plus importante Con u avant tout pour les tudians et tudians suisses il met galement en lumi re diff rents aspects de la relation entre le droit suisse et le droit de l UE Il constituera d s lors aussi un outil de travail pr cieux pour les praticiens suisses confront s des questions de droit de l UE Droit constitutionnel Stéphane Caporal-Greco, Pierre Esplugas-Labatut, Philippe Ségur, Sylvie Torcol, 2025-07-01 Cette 4e dition du manuel de droit constitutionnel a pour ambition de satisfaire au double crit re de la p dagogie et de l excellence Reprenant la structure classique du plan de cours cet ouvrage s attache donner aux lecteurs des cl s de compr hension de la mati re par une d marche m thodique et guid e qui n exclut ni l exhaustivit ni la rigueur du propos Pour ce faire des rubriques syst matiques scandent le cours et des exercices corrig s sont propos s en fin de chapitres Ce manuel est avant tout destin aux tudians de Licence en Droit et AES de 1re ann e en abordant la Th orie du droit constitutionnel et l Histoire constitutionnelle fran aise g n ralement trait s au 1er semestre ainsi que le Droit constitutionnel de la Ve R publique tudi au 2e semestre N anmoins il est aussi susceptible d int resser des tudians plus confirm s des doctorants ou des sp cialistes de la discipline avec des parties moins habituelles relatives aux Droits constitutionnels compar s et des l ments de droit constitutionnel europ en Cet ouvrage s adresse principalement aux tudians de Licence en Droit aux tudians de Licence 1 AES Il pourra galement int resser les tudians en Master les doctorants et des sp cialistes de la disciplines *Droit constitutionnel de la Ve République* Loïc Chabrier, Benoit Haudrechy, 2025-01-14 Cet ouvrage fournira aux tudians en droit toutes les cl s pour comprendre le droit constitutionnel de la Ve R publique Pour chaque chapitre couvrant un th me du droit constitutionnel de la Ve R publique cet ouvrage vise 4 objectifs Apprendre des fiches de cours p dagogiques et exhaustives Approfondir des l ments pour aller plus loin sur un point sp cifique du sujet Appliquer des exercices d application corrig s R viser des fiches sur les notions essentielles conna tre Un ouvrage essentiel pour ma triser et approfondir son cours de droit constitutionnel de la Ve R publique *L'essentiel du droit constitutionnel* Hélène

Simonian-Gineste,2022-07-05 La 4e dition de cet ouvrage propose en 29 fiches de s initier au droit constitutionnel et de v rifier imm diatement si les connaissances sont ma tris es gr ce des cas pratiques et des QCM corrig s Bon compl ment au cours il constitue galement un outil efficace pour un apprentissage autonome Dans un esprit de vulgarisation les exercices s inspirent de situations de la vie quotidienne ils rendent le droit moins aust re et plus accessible En fin d ouvrage des extraits de la constitution de la Ve R publique permettent de prendre connaissance des articles les plus importants Conform ment l objet de la collection les th mes s lectionn s et le niveau de d tail des fiches permettent un lecteur non juriste d appr hender l essentiel de la mati re tudians IUT LEA en cole de commerce en capacit en droit candidats aux concours administratifs

Fiches de droit constitutionnel - 6e édition Laurence Baghestani,2020-07-01 49 fiches pour r viser tout le cours de Droit constitutionnel les d finitions conna tre les erreurs viter les points essentiels retenir des exercices corrig s pour v rifier ses connaissances des rep res bibliographiques pour aller plus loin 1 index **Éléments de droit constitutionnel**

Adhémar Esmein,1896 *Droit constitutionnel* André Tremblay,1993 Le droit constitutionnel de la Ve République Éric Sales,2022-01-04 Le droit constitutionnel de la Ve R publique est un ouvrage relatif au droit constitutionnel fran ais contemporain Il aborde les diff rentes institutions de la R publique en essayant de les pr senter simplement partir d une structure trouvant son fondement dans l article 16 de la D claration des droits de l homme et du citoyen de 1789 Ainsi il s articule n cessairement autour d un volet consacr l organisation et la s paration des pouvoirs et d un autre r serv l tude des diff rentes garanties constitutionnelles des droits fondamentaux Principalement destin aux tudians des Facult s de droit et des Instituts d tudes politiques il a vocation les accompagner dans la compr hension du syst me constitutionnel fran ais actuel dans la pr paration de leurs travaux dirig s et des diff rents examens universitaires et concours administratifs Il est ainsi compos d extraits de textes ou de d cisions de justice de tableaux et de sch mas afin de permettre une rapide visualisation des institutions dans leur composition ou encore dans leur fonctionnement *Droit constitutionnel et droits de l'homme : rapports français* Association internationale de droit constitutionnel,Ile congrès mondial de l'Association internationale de droit constitutionnel,1986-12-31T23:00:00+01:00 La perspective comparative permet de donner toute sa signification la dimension constitutionnelle de m me que la prise en compte d un droit international protecteur des libert s qui vient interf rer avec le droit constitutionnel Copyright Electre **Éléments de droit constitutionnel** Adhémar Esmein (juriste).),1896

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accessible Il est jour de l'actualité la plus récente Utiliser un manuel c'est apprendre plus facilement et mémoriser plus rapidement Cette présentation des principes essentiels du droit constitutionnel met en lumière des concepts clés : Souveraineté Démocratie Constitution Loi Justice constitutionnelle une approche renouvelée de certaines questions d'actualité droit constitutionnel européen en droit constitutionnel global rapports entre ordres juridiques régionalisme en tant que nouvelle forme d'état avenir de la démocratie participative L'ouvrage propose également une synthèse précise structurée problématisée et pédagogique des fondements du droit constitutionnel des modes d'organisation du pouvoir dans l'état des modèles constitutionnels étrangers des expériences constitutionnelles françaises Tout au long de l'ouvrage la démarche pédagogique est fondée sur le recours aux tableaux schémas graphiques encarts mots clés et autres techniques visuelles généralement peu utilisées en droit constitutionnel Une carte mentale et une bibliographie thématique sont proposées pour chaque chapitre

L'essentiel du droit constitutionnel Benoît Haudrechy, 2025-09-16 Ce manuel permet d'examiner successivement le caractère fondamental du droit constitutionnel comme source de l'état de droit ainsi que les grandes caractéristiques de la Ve République laquelle fait l'objet d'une analyse détaillée et complète L'ouvrage met l'accent sur les aspects juridiques en cherchant à souligner le prisme historique ou politique et en s'attachant toujours à donner une présentation claire et accessible Il décrit l'évolution des conséquences institutionnelles des nombreux soubresauts politiques intervenus depuis 2024 Public Cet ouvrage s'adresse aux étudiants en droit aux étudiants en IEP aux candidats aux concours administratifs Benoît Haudrechy est administrateur du Sénat Praticien du droit travaillant au cœur des institutions il est l'auteur de plusieurs manuels et enseigne en parallèle à l'Université Paris Panthéon Assas *L'essentiel des principes fondamentaux de droit constitutionnel* Isabelle Thumerel, Gilles Toulemonde, 2016-08-30 L'essentiel des Principes fondamentaux de droit constitutionnel 4e éd 2016 2017 est une synthèse rigoureuse théorique et jour de l'ensemble des connaissances que le lecteur doit avoir 9 Chapitres Tout y est

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