

1977-06-17: [PROJET FOX] *Dogmatique & Pratique*.

On the level of *pratique*, property successions *causa mortis* are concerned chiefly with two issues: right of possession (*saisine*) and obligation to pay debts. On the level of *dogmatique* the vital issues are the power of testament and the norms of intestacy.

For the social historian, the distinction between the provisions of the law and the usual practice is correlative with that between *dogmatique* and *pratique*.

[Separate undated note:] The old *pratique/dogmatique* division, taken as mandatory by historians of *ancien régime* law, is not necessarily useful for historians of modern law, since the reasons for change are usually well aired in the literature, if juridical, and in the legislature if political. This may correspond to the way that Kuhn's paradigm theory for science seems least applicable in modern times, when the scientists are aware of likely paradigm shifts coming up, compare to earlier paradigm-bound generations.