

Retshistorie 1: Om retshistorie + romerret

Indholdsfortegnelse

Retshistorie 1: Om retshistorie + romerret.....	1
<i>Beskrivelse.....</i>	<i>1</i>
<i>Emner.....</i>	<i>1</i>
Introduktion til retshistorie.....	1
Analyse af retshistoriske kilder.....	1
Opgaven i retshistorie.....	2
Romerretten og antik ret.....	2
Antik ret.....	2
Hammurabis lov.....	2
Corpus Iuris Civilis.....	2
Codex.....	3
Digesterne.....	3
Tolv Tavlens lov.....	3
Formularprocessen.....	3
Romerske retskilder (der særligt skal fremhæves).....	4
Lex Aquilia og Culpareglen.....	4
Romersk kontraktsret.....	5
Cases.....	5
Culpa i romerretten.....	5

Beskrivelse

Første undervisningsgang i retshistorie indeholder en introduktion til retshistorie som fag: Hvad er retshistorie, og hvorfor beskæftige sig med retshistorie? I tilknytning hertil introduceres de studerende til at analysere retshistoriske kilder. Herefter påbegyndes retshistorien, hvor det er romerretten, dens retskilder og betydning, der er i centrum.

Emner

Introduktion til retshistorie

- Retshistorie benyttes til at forstå gældende ret, til at kontekstualisere retten
- Retsdogmatik: Analyse og fortolkning af retskilder (spørgsmål: Hvad er gældende ret)
- Retshistorie: Analyse og fortolkning af historiske retskilder (spørgsmål: Hvad var gældende ret, og hvordan har den udviklet sig?)

Analyse af retshistoriske kilder

1. Kildetype: Hvilken type kilde analyseres?
 - Lovgivning? herunder hvilken type lovgivning
 - Domme? Herunder hvilken type dom
 - Litteratur? Herunder hvilken type? (Filosofisk, teologisk, juridisk)
 - Hvornår er kilden fra? (placering i periode)
 - Hvor er kilden fra (geografisk placering)
 - Hvem står bag kilden?
 - Hvis lov, hvem er udsteder?

Retshistorie Bind 2 Romerret Og Europaei

Kathleen Armour



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Table of Contents Retshistorie Bind 2 Romerret Og Europaei

1. Understanding the eBook Retshistorie Bind 2 Romerret Og Europaei
 - The Rise of Digital Reading Retshistorie Bind 2 Romerret Og Europaei
 - Advantages of eBooks Over Traditional Books
2. Identifying Retshistorie Bind 2 Romerret Og Europaei
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Retshistorie Bind 2 Romerret Og Europaei
 - User-Friendly Interface
4. Exploring eBook Recommendations from Retshistorie Bind 2 Romerret Og Europaei
 - Personalized Recommendations
 - Retshistorie Bind 2 Romerret Og Europaei User Reviews and Ratings
 - Retshistorie Bind 2 Romerret Og Europaei and Bestseller Lists
5. Accessing Retshistorie Bind 2 Romerret Og Europaei Free and Paid eBooks
 - Retshistorie Bind 2 Romerret Og Europaei Public Domain eBooks
 - Retshistorie Bind 2 Romerret Og Europaei eBook Subscription Services
 - Retshistorie Bind 2 Romerret Og Europaei Budget-Friendly Options

6. Navigating Retshistorie Bind 2 Romerret Og Europaei eBook Formats
 - ePub, PDF, MOBI, and More
 - Retshistorie Bind 2 Romerret Og Europaei Compatibility with Devices
 - Retshistorie Bind 2 Romerret Og Europaei Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Retshistorie Bind 2 Romerret Og Europaei
 - Highlighting and Note-Taking Retshistorie Bind 2 Romerret Og Europaei
 - Interactive Elements Retshistorie Bind 2 Romerret Og Europaei
8. Staying Engaged with Retshistorie Bind 2 Romerret Og Europaei
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Retshistorie Bind 2 Romerret Og Europaei
9. Balancing eBooks and Physical Books Retshistorie Bind 2 Romerret Og Europaei
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Retshistorie Bind 2 Romerret Og Europaei
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine Retshistorie Bind 2 Romerret Og Europaei
 - Setting Reading Goals Retshistorie Bind 2 Romerret Og Europaei
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Retshistorie Bind 2 Romerret Og Europaei
 - Fact-Checking eBook Content of Retshistorie Bind 2 Romerret Og Europaei
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
 - Integration of Multimedia Elements

- Interactive and Gamified eBooks

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