



Introduction historique ou **droit**

Laura **Viaut**



Introduction Historique Au Droit 2015 2016

Serge Velley



Introduction Historique Au Droit 2015 2016:

Introduction historique au droit - 5e éd. André Castaldo, Yves Mausen, 2019-10-02 Dans le cadre d'un cours semestriel l'introduction historique au droit s'efforce d'une part de retracer l'évolution de quelques questions fondamentales de l'Antiquité nos jours et d'autre part de montrer que l'histoire des institutions publiques et celle du droit privé habituellement traitées dans des cours différents procèdent néanmoins de principes directeurs communs En fonction des programmes que choisissent les enseignants ce Précis propose des développements historiques synthétiques consacrés aux divers thèmes susceptibles d'être développés dans le cadre des cours oraux le Pouvoir les Sources du droit et enfin la formation du droit privé français De nombreux renvois dans le texte ainsi qu'un index développeront l'assimilation des notions The Oxford Handbook of European Legal History Heikki Pihlajamäki, Markus D. Dubber, Mark Godfrey, 2018-07-04 European law including both civil law and common law has gone through several major phases of expansion in the world European legal history thus also is a history of legal transplants and cultural borrowings which national legal histories as products of nineteenth century historicism have until recently largely left unconsidered The Handbook of European Legal History supplies its readers with an overview of the different phases of European legal history in the light of today's state of the art research by offering cutting edge views on research questions currently emerging in international discussions The Handbook takes a broad approach to its subject matter both nationally and systemically Unlike traditional European legal histories which tend to concentrate on heartlands of Europe notably Italy and Germany the Europe of the Handbook is more versatile and nuanced taking into consideration the legal developments in Europe's geographical fringes such as Scandinavia and Eastern Europe The Handbook covers all major time periods from the ancient Greek law to the twenty first century Contributors include acknowledged leaders in the field as well as rising talents representing a wide range of legal systems methodologies areas of expertise and research agendas Rethinking Historical Jurisprudence Samuel, Geoffrey, 2022-10-18 This stimulating book considers the ways in which historical jurisprudence deserves to be rethought arguing that there is much more to the history of legal thought than the ideas and ideology of the nineteenth and early twentieth century jurists such as Karl von Savigny and Sir Henry Maine *Law and the Epistemologies of the South* Boaventura de Sousa Santos, 2023-06-01 Modern state law excludes populations peoples and social groups by making them invisible irrelevant or dangerous In this book Boaventura de Sousa Santos offers a radical critique of the law and develops an innovative paradigm of socio legal studies which is based on the historical experience of the Global South He traces the history of modern law as an abyssal law or a kind of law that is theoretically invisible yet implements profound exclusions in practice This abyssal line has been the key procedure used by modern modes of domination capitalism colonialism and patriarchy to divide people into two groups the metropolitan and the colonial or the fully human and the sub human Crucially de Sousa Santos rejects the decadent pessimism that claims that we are living through the end of history Instead this book offers practical hopeful

alternatives to social exclusion and modern legal domination aiming to make post abyssal legal utopias a reality The Oxford Handbook of Comparative Administrative Law Peter Cane, Herwig Hofmann, Eric C. Ip, Eric Chi Yeung Ip, Peter L. Lindseth, 2021 In this Handbook distinguished experts in the field of administrative law discuss a wide range of issues from a comparative perspective The book covers the historical beginnings of comparative administrative law scholarship and discusses important methodological issues and basic concepts such as administrative power and accountability **A History of Law in Europe** Antonio Padoa-Schioppa, 2017-08-03 The first English translation of a comprehensive legal history of Europe from the early middle ages to the twentieth century encompassing both the common aspects and the original developments of different countries As well as legal scholars and professionals it will appeal to those interested in the general history of European civilisation Law and the "Sharing Economy" Derek McKee, Finn Makela, Teresa Scassa, 2018-11-27 Controversy shrouds sharing economy platforms It stems partially from the platforms economic impact which is felt most acutely in certain sectors Uber drivers compete with taxi drivers Airbnb hosts compete with hotels Other consequences lie elsewhere Uber is associated with a trend toward low paying precarious work whereas Airbnb is accused of exacerbating real estate speculation and raising the cost of long term rental housing While governments in some jurisdictions have attempted to rein in the platforms technology has enabled such companies to bypass conventional regulatory categories generating accusations of unfair competition as well as debates about the merits of existing regulatory regimes Indeed the platforms blur a number of familiar distinctions including personal versus commercial activity infrastructure versus content contractual autonomy versus hierarchical control These ambiguities can stymie legal regimes that rely on these distinctions as organizing principles including those relating to labour competition tax insurance information the prohibition of discrimination as well as specialized sectoral regulation This book is organized around five themes technologies of regulation regulating technology the sites of regulation local to global regulating markets and regulating labour Together the chapters offer a rich variety of insights on the regulation of the sharing economy both in terms of the traditional areas of law they bring to bear and the theoretical perspectives that inform their analysis Published in English Principles of French Constitutional Law Marie-Luce Paris, 2024-12-11 Principles of French Constitutional Law offers a concise and accessible account of the key principles and rules of constitutional law in the French legal system presenting a much needed up to date overview of this rapidly changing subject The textbook explores the five essential pillars that underpin the teaching of constitutional law namely the institutions legal history case law comparative law and current affairs and developments It is split into two core sections Part I examines the basis of French constitutional law the theoretical developments about key notions of constitutional law such as the state and the constitution as well as the historical background to French constitutional law Part II provides students with an understanding of the current Fifth Republic and how constitutional rules are adopted and applied and how they affect other areas of law and politics It offers a critical account of the 1958

Constitution's past present and future by placing it in its political and socio historical contexts and critically assessing contemporary developments and constitutional reforms Given the growing expansion of this branch of law in the French legal system this book will be essential reading for anyone studying French Law Law with French Comparative Constitutional Law and European Legal Studies **The Routledge International Handbook of Criminal Responsibility** Thomas

Crofts, Louise Kennefick, Arlie Loughnan, 2024-12-23 Presenting cutting edge research and scholarship this extensive volume covers everything from abstract theorising about the meanings of responsibility and how we blame to analysing criminal law and justice responses and factors that impact individual responsibility Inviting exchanges across a burgeoning critical scholarship on criminal responsibility this Handbook showcases the diverse range of methodologies applied to the field including socio political approaches critical historical methods criminological and sociological perspectives and interdisciplinary studies bridging law and the mind sciences Spanning global networks of established and emerging scholars of responsibility for crime this book explores how we relate to one another as human beings under the spotlight of the criminal law In doing so it is hoped that the collection not only does justice to the vibrant landscape of criminal responsibility studies but inspires new directions and future synergies in this compelling field The Routledge International Handbook of Criminal Responsibility will appeal to scholars and students of criminal law criminal justice criminology sociology psychology neuroscience philosophy and socio legal studies as well as practitioners and policymakers working in related fields

Constitutional Law in France Marie-Luce Paris, 2024-01-18 Derived from the renowned multi volume International Encyclopaedia of Laws this very useful analysis of constitutional law in France provides essential information on the country's sources of constitutional law its form of government and its administrative structure Lawyers who handle transnational matters will appreciate the clarifications of particular terminology and its application Throughout the book the treatment emphasizes the specific points at which constitutional law affects the interpretation of legal rules and procedure Thorough coverage by a local expert fully describes the political system the historical background the role of treaties legislation jurisprudence and administrative regulations The discussion of the form and structure of government outlines its legal status the jurisdiction and workings of the central state organs the subdivisions of the state its decentralized authorities and concepts of citizenship Special issues include the legal position of aliens foreign relations taxing and spending powers emergency laws the power of the military and the constitutional relationship between church and state Details are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance Its succinct yet scholarly nature as well as the practical quality of the information it provides make this book a valuable time saving tool for both practising and academic jurists Lawyers representing parties with interests in France will welcome this guide and academics and researchers will appreciate its value in the study of comparative constitutional law **Rethinking Legal Reasoning** Geoffrey Samuel, 2018-08-31 Rethinking legal reasoning seems a bold

aim given the large amount of literature devoted to this topic In this thought provoking book Geoffrey Samuel proposes a different way of approaching legal reasoning by examining the topic through the context of legal knowledge epistemology What is it to have knowledge of legal reasoning

The Medieval Foundations of International Law Dante Fedele, 2021-04-26 Dante Fedele's new work of reference reveals the medieval foundations of international law through a comprehensive study of a key figure of late medieval legal scholarship Baldus de Ubaldis 1327-1400 A student of Bartolus de Sassoferrato Baldus wrote both extensive commentaries on Roman canon and feudal law and thousands of consilia originating from particular cases His writings dealt with numerous issues related to sovereignty territorial jurisdiction diplomacy and war combining a rich conspectus of earlier scholarship with highly creative ideas that exercised a profound influence on later juristic thought The detailed picture of the international law doctrines elaborated by a prominent medieval jurist offered in this study contributes to our understanding of the intellectual archaeology of international law Dr Fedele's monograph will no doubt become a necessary work of reference for any scholar interested in the history of international law Beyond the specific doctrines on particular areas of international law Dr Fedele's study of Baldus shows how in the area of international governance jurists sought to marshal different expressions of normativity

Alain Wijffels Foreword *The Civil Service in Europe* Karl-Peter Sommermann, Adam Krzywoń, Cristina Fraenkel-Haeberle, 2025-01-29 This book opens an often nationally focused field of research to a transnational common European debate It addresses the ongoing transformation of the civil service examining its evolving landscape across Europe and exploring the intricate web of historical social and political influences that are shaping its current state and setting the future direction Written by experts from different European countries this book offers a transnational and interdisciplinary perspective on the civil service by combining legal analysis with insights from public management political science and sociology It addresses the growing complexity of public administration tasks and the increasing requirements related to the qualification of civil servants amidst global challenges such as climate change migration and technological progress The book is structured to provide both a broad overview as well as in depth analyses It covers national developments presents comparative studies and tackles intersecting issues such as employment systems non discrimination and human rights digitalisation artificial intelligence the fight against corruption and administrative culture It aims to identify common European standards and provide practical guidance for public service reforms The volume will prove to be an indispensable resource for academics practitioners and policymakers concerned with public administration and governance The Open Access version of this book available at <http://www.taylorfrancis.com> has been made available under a Creative Commons Attribution Non Commercial No Derivatives CC BY NC ND 4.0 license

Droit administratif Serge Velley, 2016-09-30 Cet ouvrage permet au lecteur de se familiariser rapidement avec les notions et les problématiques essentielles du droit administratif d centralisation privatisation responsabilité administrative et d acquirir une connaissance complète de la matière Parfaitement actualisé et agrémenté d exercices pratiques cette nouvelle édition aborde l

int gralit du droit administratif tel qu il appara t traditionnellement dans les programmes des examens universitaires en droit en administration publique ou en sciences politiques ainsi que dans ceux des concours d entr e de la fonction publique cat gories A et B

Comparative Legal History Olivier Moréteau, Aniceto Masferrer, Kjell A. Modéer, The specially commissioned papers in this book lay a solid theoretical foundation for comparative legal history as a distinct academic discipline While facilitating a much needed dialogue between comparatists and legal historians this research handbook examines methodologies in this emerging field and reconsiders legal concepts and institutions like custom civil procedure and codification from a comparative legal history perspective

The Persecution of the Knights Templar Alain Demurger, 2019-01-01 The trial of the Knights Templar is one of the most infamous in history Accused of heresy by the king of France the Templars were arrested and imprisoned had their goods seized and their monasteries ransacked Under brutal interrogation and torture many made shocking confessions denial of Christ desecration of the Cross sex acts and more This narrative follows the everyday reality of the trial from the early days of scandal and scheming in 1305 via torture imprisonment and the dissolution of the order to 1314 when leaders Jacques de Molay and Geoffroy de Charnay were burned at the stake Through first hand testimony and written records of the interrogations of 231 French Templars this book illuminates the stories of hundreds of ordinary members some of whom testified at the trial as well as the many others who denied the charges or retracted their confessions This is a deeply researched and immersive account that gives a striking vision of the relentless persecution and the oft underestimated resistance of the once mighty Knights Templar

Reconsidering Constitutional Formation II Decisive Constitutional Normativity Ulrike Müßig, 2018-05-25 This second volume of ReConFort published open access addresses the decisive role of constitutional normativity and focuses on discourses concerning the legal role of constitutional norms Taken together with ReConFort I National Sovereignty it calls for an innovative reassessment of constitutional history drawing on key categories to convey the legal nature of the constitution itself national sovereignty precedence justiciability of power judiciary as constituted power In the late 18th and early 19th centuries constitutional normativity began to complete the legal fixation of the entire political order This juridification in one constitutional text resulted in a conceptual differentiation from ordinary law which extends to alterability and justiciability The early expressions of this new order of the ages suggest an unprecedented and irremediable break with European legal tradition be it with British colonial governance or the French ancien r gime In fact while the shift to constitutions as a hierarchically higher form of positive law was a revolutionary change it also drew upon old liberties The American constitutional discourse which was itself heavily influenced by British common law in turn served as an inspiration for a variety of constitutional experiments from the French Revolution to Napoleon s downfall in the halls of the Frankfurt Assembly on the road to a unified Italy and in the later theoretical discourse of twentieth century Austria If the constitution states the legal rules for the law making process then its Kelsian primacy is mandatory Also included in this volume are the

French originals and English translations of two vital documents The first Emmanuel Joseph Sieyès Du Jury Constitutionnaire 1795 highlights an early attempt to reconcile the democratic values of the French Revolution with the pragmatic need to legally protect the Revolution The second the 1812 draft of the Constitution of the Kingdom of Poland presents the constitutional propaganda of the Russian Tsar Alexander I to bargain for the support of the Lithuanian and Polish nobility These documents open new avenues of research into Europe's constitutional history one replete with diverse contexts and national experiences but above all an overarching motif of constitutional decisiveness that served to complete the juridification of sovereignty www.reconfort.eu Modern Studies in Property Law, Volume 10 Ben McFarlane, Sinéad Agnew, 2019-05-30 This book contains a collection of papers presented at the Twelfth Biennial Modern Studies in Property Law Conference held at University College London in April 2018 The conference and its published proceedings are an established forum for property lawyers from around the world to showcase the latest research This collection includes a keynote address by Dame Elizabeth Gloster former Vice President of the Court of Appeal Civil Division on technology in property law It also includes plenary addresses by Professor Henry Smith on the architecture of property law and the challenge of compiling the American Law Institute's Fourth Restatement of Property and by Her Honour Judge Karen Walden Smith on the role of the first instance judge in property cases Sixteen further chapters address a wide range of issues including the theory and taxonomy of land law the re-evaluation of land obligations the nature and operation of equitable property rights and shares the role of property in commerce comparative approaches to leases and trusts and contemporary issues in land registration Collectively the chapters demonstrate the vibrancy diversity and importance of property law and of current research in the subject Droit administratif - 13e éd. Martine Lombard, Gilles Dumont, Jean Sirinelli, 2019-11-06 Le droit administratif regroupe l'ensemble des règles spécifiques applicables à l'organisation et à l'action de l'administration ainsi que son contrôle Discipline complexe le droit administratif ne cesse d'évoluer dans le sens d'une protection plus effective des droits des administrés par l'œuvre de la loi relayée par la jurisprudence tant nationale que communautaire Ouvrage reconnu cet HyperCours offre un cours complet et conforme aux besoins des étudiants ainsi que des compléments pédagogiques de qualité permettant une bonne préparation aux preuves de TD d'examens universitaires mais aussi de concours administratifs

Droit administratif. 10e éd. André Maurin, 2016-08-24 Cet ouvrage regroupe les notions fondamentales du droit administratif national connecté au droit européen et international les règles spécifiques de l'organisation de l'action et du contrôle de l'Administration dans sa gestion des services publics et ses rapports avec les particuliers et l'essentiel de ce qu'il faut savoir sur la fonction publique Profondément remaniée cette 10e édition intègre les évolutions juridiques les plus récentes de ce domaine du droit parfois répertoriées de façon hermétique par le tribunal des conflits diction du Code des relations entre le public et l'administration nouveau régime de l'état d'urgence modification des règles de la commande publique Trés structurée illustrée de nombreux exemples jurisprudentiels de remarques de tableaux de schémas et de statistiques le présent ouvrage comporte

galement un glossaire et constitue un moyen privilégié d'acquisition des principes de base et un outil de révision efficace l'approche des examens et concours Ce manuel précis et accessible s'adresse en priorité aux étudiants capables en droit licence DUT carrières juridiques M D S candidats aux concours d'accès à la fonction publique d'état territoriale ou hospitalière des catégories A B et C Ipag CPAG IGPDE Greta CNFPT administrateurs et gestionnaires des personnels de la fonction publique qui trouveront facilement une référence législative réglementaire ou jurisprudentielle usagers des services publics confrontés aux décisions de l'administration

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