

Histoire du droit et des institutions publiques

Pauthier Céline

(Cours moodle)

- histoire du droit... 2023
- Stéphane Rials, Que sais-je?

05/09/23

Naissance de la discipline:

- Discipline depuis 19e, sous napoléon, code civil,
- à Strasbourg, henri Klünrath année 1830-35, mv réflexion sur le droit
 - l'apprendre sans comprendre les règles
 - pas juste technique c'est une science
 - projet d'une fac de droit former citoyens
- II. Sources de la consti de la Fr, histoire des structures sociales, histoire de la forme politique de son gouvernement.
- A. nature du dr politique
 - ◆ production humaine = imparfait
 - ◆ le produit d'une époque → s'intéresser à l'époque
 - ◆ produit d'une idéologie (droit n'est pas neutre, pas apolitique), par exemple régime autocratique système droit spécifique, droit aussi autre social (droit travail, famille)
 - ◆ pas origine du droit, comprendre enjeux des questions actuels
 - ◆ = instrument d'un système comparatif (passé/présent)
- A. étendue du dr politique
- B. transmission "

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