

PROFESSORIEL HANDLEN: WAS IS RECHT?

Wat is recht?

A. definitie

Waarom is het van belang om te weten wat "recht" is?

- = recht is divers!
- = iedereen wordt er anderszins mee geconfronteerd

Bijvoorbeeld:

Je huurt een studentenkamer en de kofschap besluit dat je van de ene op de andere maand 200,00 euro meer moet betalen.

-> In al deze gevallen wordt wat mag, moet of niet mag door "het recht" geregeld.

Recht is "het geheel van gedragsregels en andere samenhangende institutionele voorschriften, uitgewerkt en gehandhaafd door of krachtens het maatschappelijk gezag, met het oog op een doeltreffende, rechtserkende en rechtvaardige ordening van de maatschappij."

Beklemd: worden in deze definitie:

Recht is "het geheel van **gedragsregels** en andere samenhangende institutionele voorschriften, uitgewerkt en gehandhaafd door of krachtens het **maatschappelijk gezag**, met het oog op een doeltreffende, rechtserkende en rechtvaardige **ordening** van de maatschappij."

Fundamentele kenmerken van recht:

- = gedragsregels met bijkomende institutionele voorschriften
- = opgelegd door de maatschappij
- = doet: ordening van de maatschappij
- = handhaving door of krachtens het maatschappij gezag

Rechten van iemand anders gaan aantasten -> moeten er rechten zijn dat zou kunnen afgedwongen worden.

Het wordt opgelegd door de maatschappij en heeft dus een grote invloed.

Objectief recht:

= het recht bestaande uit abstracte normen, los van de concrete toepassing of de individuele gevolgen voor burgers.

Bijvoorbeeld: het burgerlijk recht, het strafrecht, etc.

Verschat tussen objectief en subjectief

Subjectief recht:

= de concrete – door het objectieve recht erkende – bevoegdheid of macht om iets te vragen, te eisen of te vorderen.

Bijvoorbeeld: het recht op betaling van een verkoper

Verkoper heeft recht op die betaling -> subjectief

C. verschil tussen natuurlijk persoon en rechtspersoon

- = Natuurlijke persoon
 - = mensen van vlees en bloed.
- = Rechtspersoon
 - = groeperingen, instellingen en stichtingen die, zoals natuurlijke personen,

rechten en (juridische) plichten hebben.

Bepaalde

De Eenheid Van Het Handelen Opstellen Over Recht En Filosofie

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Conflicts in Social Science Anton Van Harskamp, 2002-11-01 Through detailed case studies the contributors look at conflicts in social science arguing that they must be resolved at the level of the individual discipline rather than at the level of philosophy They explore different ways in which social scientists deal with the tension of being simultaneously party to a conflict and a contributor its settlement *Legaliteit en rechtsvinding in het strafrecht* Erik Claes, 2003 Reconstructing the Mind René van der Veer, Marinus van Ijzendoorn, Jaan Valsiner, 1994 *Lektuurgids*, 1981 *Opstellen over de Koninklijke Bibliotheek en andere studies*, 1986 Wijzgerig leven in Nederland, België en Luxemburg, 1880-1980: Katholiek en hun filosofie C. E. M. Struyker Boudier, 1992 Mededelingen van de Afdeling Letterkunde, 1995

Ombudswork for Children Eugene Verhellen, F. Spiesschaert, 1989 The main objective of the International Congress for Children was to underline the evolution in the concept of children the idea that children are above all human beings and not just human beings to be The 39 presentations are divided into 3 parts The seven papers in the first part examine motives and strategies for children's rights The motives are discussed from a historical and philosophical point of view as well as from the viewpoint of developmental psychology The strategies are discussed on the basis of exemplary cases The 31 papers in the second part are inspired by 4 basic principles in the strategies for children's rights The discussions cover child advocacy the study of the child the self organization of children the promotion of network development and specific situations concerning the rights of children The third part contains a synthesis of the congress that underlines the commitment and dedication with which people continue working for the rights of children Most of the presentations include references TJQ **Tijdschrift voor filosofie**, 1981 *Nederlandsch letterkundig nieuwsblad*, 1980 **Filsafat Ilmu Hukum** Hendrik Philip Visser 't Hooft, 2014-04-01 Buku ini adalah terjemahan dari buku *Filosofie van de Rechtswetenschap* **Subject Catalog, 1982** Library of Congress, 1982 *National Union Catalog*, 1983 **De eenheid van het handelen** J. F. Glastra van Loon, 1980 *Rede en macht* Jacobus Adrianus Antonius van Doorn, 1988 *Sociologische inleiding in de interventie wetenschappen* **Brinkman's cumulatieve catalogus van boeken**, 1980 Voorts een alfabetische lijst van Nederlandsche boeken in België uitgegeven National Union Catalog, 1982, 1983 **Ethiek tussen twijfel en theorie** Hendrik Kaptein, 1985 **Sociologische gids**, 1980 **Mens en maatschappij**, 1980

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