

# ***Drept constitutional***

*Cursul 1: 03.10.2012*

**Dreptul** reprezinta un ansamblu de norme care exista in societate si in conformitate cu care se organizeaza si functioneaza societatea umana.

**Dreptul subiectiv** reprezinta posibilitatea recunoscuta de lege unei persoane fizice sau juridice de a face sau a nu face ceva, de a pretinde altuia sa faca sau sa nu faca ceva, iar in caz de nevoie de a apela la forta de constrangere a statului in vederea realizarii acelei posibilitati .

**Dreptul obiectiv** este alcatuit din totalitatea normelor juridice instituite si sanctionate de catre stat, norme care sunt aduse la indeplinire de buna voie sau in caz de nevoie putem face apel la forta de constrangere a statului.

**Dreptul** mai poate fi impartit in drept pozitiv si drept natural . Cel **pozitiv** reprezinta totalitatea regulilor juridice scrise care exista intr-o societate. **Dreptul natural** reprezinta totalitatea regulilor si a ideilor directoare din care legiuitorul se inspira in elaborarea dreptului pozitiv.

**Dreptul** se mai divide in dreptul public si cel privat. **Dreptul public** este cel care contine totalitatea principiilor si regulilor juridice aplicabile in raporturile dintre stat si individ precum si in raporturile dintre stat . **Dreptul privat** contine totalitatea principiilor si regulilor juridice aplicabile raporturilor dintre indivizi indiferent daca acestia sunt din acelasi stat sau din state diferite. (ex: regulile de drept civil , cele de drept comercial, dreptul familiei). In dreptul public cel putin unul dintre subiecte este statul. In dreptul public subiectele raporturilor juridice sunt intr-un raport de inegalitate. In dreptul privat subiectele raporturilor juridice sunt intotdeauna pe picior de egalitate. (ex: contract de cumparare-vanzare).

*Cursul 2: 10.10.2012*

**Dreptul constitutional** este una dintre ramurile dreptului public alaturi de cel administrativ, penal.

**Dreptul constitutional** reprezinta ramura principala a dreptului civil , ce cuprinde norme juridice dupa care se organizeaza si se guverneaza un stat in exercitarea puterii suverane a poporului. **Dreptul constitutional** cuprinde normele juridice cele mai importante intr-un stat deoarece reglementeaza principalele relatii sociale dintr-un stat. Acest lucru este stabilit de catre cei ce

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**E. M. Barendt**



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## **Table of Contents Drept Constitutional Konstitutsionnoe Pravo**

1. Understanding the eBook Drept Constitutional Konstitutsionnoe Pravo
  - The Rise of Digital Reading Drept Constitutional Konstitutsionnoe Pravo
  - Advantages of eBooks Over Traditional Books
2. Identifying Drept Constitutional Konstitutsionnoe Pravo
  - 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 Drept Constitutional Konstitutsionnoe Pravo
  - User-Friendly Interface
4. Exploring eBook Recommendations from Drept Constitutional Konstitutsionnoe Pravo
  - Personalized Recommendations
  - Drept Constitutional Konstitutsionnoe Pravo User Reviews and Ratings
  - Drept Constitutional Konstitutsionnoe Pravo and Bestseller Lists
5. Accessing Drept Constitutional Konstitutsionnoe Pravo Free and Paid eBooks

- Drept Constitutional Konstitutsionnoe Pravo Public Domain eBooks
- Drept Constitutional Konstitutsionnoe Pravo eBook Subscription Services
- Drept Constitutional Konstitutsionnoe Pravo Budget-Friendly Options
- 6. Navigating Drept Constitutional Konstitutsionnoe Pravo eBook Formats
  - ePub, PDF, MOBI, and More
  - Drept Constitutional Konstitutsionnoe Pravo Compatibility with Devices
  - Drept Constitutional Konstitutsionnoe Pravo Enhanced eBook Features
- 7. Enhancing Your Reading Experience
  - Adjustable Fonts and Text Sizes of Drept Constitutional Konstitutsionnoe Pravo
  - Highlighting and Note-Taking Drept Constitutional Konstitutsionnoe Pravo
  - Interactive Elements Drept Constitutional Konstitutsionnoe Pravo
- 8. Staying Engaged with Drept Constitutional Konstitutsionnoe Pravo
  - Joining Online Reading Communities
  - Participating in Virtual Book Clubs
  - Following Authors and Publishers Drept Constitutional Konstitutsionnoe Pravo
- 9. Balancing eBooks and Physical Books Drept Constitutional Konstitutsionnoe Pravo
  - Benefits of a Digital Library
  - Creating a Diverse Reading Collection Drept Constitutional Konstitutsionnoe Pravo
- 10. Overcoming Reading Challenges
  - Dealing with Digital Eye Strain
  - Minimizing Distractions
  - Managing Screen Time
- 11. Cultivating a Reading Routine Drept Constitutional Konstitutsionnoe Pravo
  - Setting Reading Goals Drept Constitutional Konstitutsionnoe Pravo
  - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Drept Constitutional Konstitutsionnoe Pravo
  - Fact-Checking eBook Content of Drept Constitutional Konstitutsionnoe Pravo
  - 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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