Les 10: Heuristiek middeleeuwen

Niet-verhalende bronnen: lectuur van capita selecta uit lesdelen 12 en 13

- Gewoonterecht
 - Casuïstisch
 - ⇔ Persoonsgebonden
 - Uitsluitend privaat recht

3.3. Normatieve bronnen: Wereldlijke juridische bronnen: Lex Salica (6° eeeuw)

Het basisverlies bij het overlijden van een vrouw is 24 000 (denari?) Vrouwen die nog niet gehuwd waren is 12000 denari

3.4. Capitulari de villis (802)

- Poging om over te gaan tot wetgeving
- Capitulari (edicten uitgegeven door de vorsten). In dit geval uitgereikt door Karel de Grote zelf
- Interessant om te zien dat er toch vrij rationeel werd nagedacht om de maatschappij te organiseren

Eden van trouw aan bisschop Gerard van Frankrijk door burggraaf Walter van Arras en zijn getrouwen (begin 11" eeuw)

- Kamerijk is in theorie West-Francië, maar de bisschop werd steeds aangesteld door de koning van Frankrijk.
- Gerard van Frankrijk is het slachtoffer geweest van redelijk wat aanslagen
- Analogie met N- en Z-Korea: Gerard en Walter voeren oorlog en op een forse manier, maar om de zoveel tijd komen de grote mogendheden tussen en zeggen dat het gedaan moet zijn => wordt vaak afgesloten met een eed van trouw: Walter sluit een eed van trouw af aan Gerard => bisschop besloot om dit te gaan opschrijven (oudste eden gekend uit de lage landen)
- Walter will ook dat Gerard een eed van trouw sluit aan Walter

3.6. Godsvrede van Kamerrijk (1036)

- Niet zuiver religieus
- Bedoeling was om geweld in de samenleving in te perken
- Enkel oorlog op welbepaalde dagen en feestdagen, indien je dit wel doet => straf van God of bisschop gaat over tot excommunicatie
- De kerk als instituut bestaat nog niet in die tijd
- Malediction = vervloeking. Was vaak het laatste woord dat werd uitgesproken

3.7. Stadskeure van Sint-Omaars

Een keure = akkoord met de bevolking om bijvoorbeeld meer belastingen te betalen

Historische Lectuur Middeleeuwen

Carl Friedrich Keil

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