

6.00 credits

60.0 h

Q2

Teacher(s)	Wijffels Alain (compensates Decock Wim) ;
Language :	French
Place of the course	Louvain-la-Neuve
Main themes	<p>The course considers the history of law from the Middle Ages to the present day from a transdisciplinary and comparative perspective. In 2023-2024, the course will be divided into two parts.</p> <p>The first part of the course essentially deals with the development of private law through a historical analysis of selected issues. After a lesson devoted to the problem of codification as a tool for modernising the law, the following subjects will be addressed: the links between constitutional law and private law, the writing of legal history as an expression of questions of identity, the evolution of family law and inheritance law as a mirror of changes in society, the impact of the French Revolution on the development of property law, the debates surrounding the autonomy of the will following industrialisation and the workers' question.</p> <p>The second part of the course offers a systematic overview of the external history of the law according to the main formal sources (legislation, case law, doctrine and, for the old law, custom and learned law), from the Middle Ages to the present day, in a comparative perspective (Belgium, France, Germany, England). The approach consists of interpreting these developments according to a political history grid: at the same time, this approach makes it possible to tackle some fundamental themes of public law (e.g. good governance).</p>
Learning outcomes	
Evaluation methods	<p>The examination will cover all the lectures and selected readings.</p> <p>The examination for the first part will consist of one essay question and a number of TRUE/FALSE questions. Students will be asked to combine their knowledge of the ex cathedra course with their reading of selected texts. These texts will be analysed in greater depth during the tutorials.</p> <p>The second part of the exam will take the form of open questions inviting students to reflect, for example by means of comparative developments in the countries studied during the course. Where possible, students will also be confronted in the examination with a primary historical source, a text that has not been dealt with explicitly in the course, using questions that challenge their critical faculties and their understanding of the subject.</p> <p>The examination is partly open-book, i.e. the collection of texts for the first part of the course and the basic textbook used for the second part of the course must be used during the examination.</p>
Teaching methods	Ex cathedra lectures, combined with reading assignments.
Content	<p>The course considers the history of law from the Middle Ages to the present day from a transdisciplinary and comparative perspective. In 2023-2024, the course will be divided into two parts.</p> <p>The first part of the course essentially deals with the development of private law through a historical analysis of selected issues. After a lesson devoted to the problem of codification as a tool for modernising the law, the following subjects will be addressed: the links between constitutional law and private law, the writing of legal history as an expression of questions of identity, the evolution of family law and inheritance law as a mirror of changes in society, the impact of the French Revolution on the development of property law, the debates surrounding the autonomy of the will following industrialisation and the workers' question.</p> <p>The second part of the course offers a systematic overview of the external history of the law according to the main formal sources (legislation, case law, doctrine and, for the old law, custom and learned law), from the Middle Ages to the present day, in a comparative perspective (Belgium, France, Germany, England). The approach consists of interpreting these developments according to a political history grid: at the same time, this approach makes it possible to tackle some fundamental themes of public law (e.g. good governance).</p>
Inline resources	See Moodle.
Bibliography	<p>Celle-ci est contenue dans le manuel et elle complétée par les références affichées sur Moodle.</p> <p>Bibliographical references are provided in the textbook and in various documents posted on Moodle.</p>
Faculty or entity in charge	BUDR