

Faculty of Law



DROI2368 Seminar in Legal History -A History of Law and Institutions

[30h] 9 credits

Teacher(s): Xavier Rousseaux, Frédéric Vesentini (supplée Xavier Rousseaux), Alain Wijffels
Language: French
Level: Second cycle

Aims

The seminar in legal history (Part A: History of law and institutions) aims at encouraging students to develop their understanding of specific topics in the context of the seminar's general theme (which may vary from one year to another). This will usually be an area which has been dealt with in one of the major courses of the legal curriculum. Within the general configuration of the seminar, there is sufficient flexibility for individual students or small groups of students to examine in-depth any topic in which they have an interest, provided the examination includes an historical perspective (which, in practice, usually means considering a particular issue for a period of time of at least two or three generations).

Main themes

Students are each given a twofold task. First, they have to make a short oral presentation on a given topic. Second, they are required to collect source-material on a given topic and process that material into a brief critical synthesis, the length of an average article (ca. 5000 words).

The oral presentation takes place during the first year of the seminar in a series of common sessions which all participants in the seminar are required to attend.

The collection of source-material should also be completed and submitted before the Easter vacation of the seminar's first year. The actual assessment of the material and the completion of the article is to be carried out during the second year, and the written result should again be submitted before the Easter vacation. Foreign (exchange) students are allowed to complete both parts of the seminar during the same academic year.

The topics may differ from year to year (see the summary below).

Content and teaching methods

In 2004-2006, the theme is: the Civil code, a mirror of Belgian society?

During the two centuries of its existence, the Civil code of 1804 has been repeatedly modified so as to adapt, although with some delay, to the great changes which have affected society at large: the relations between men and women, children and adults, social classes, between rural and urban populations, or individuals of different origins etc. The role of the family, of personal and family property, of links between members of a family and of various related groups, the relationship between unequal contracting parties, and the reshaping of various forms of property have all been thoroughly reorganised since the Napoleonic Code.

During the first year, the group reads E. Zola's series of novels *Les Rougon-Macquart*. Each student is required to present one novel, for which he or she focuses on the way legal issues appear explicitly or implicitly. The purpose of the exercise is to show how the writer perceived or organised his perception of the law in novels intended to reflect his interpretation of French society during the third quarter of the 19th century.

The research on legal source-material consists in most cases of tracing all the changes in the Civil code during a limited period between 1804 and 2004, and outlining briefly which shifts of interests or values these statutory changes reflect.

The article (or essay in the format of an article) may touch upon any topic related to the Civil code. The period to be taken into account depends on the issues the student wishes to discuss in his or her work. The topics and issues must be fairly specific and approved by the lecturer.

Other information (prerequisite, evaluation (assessment methods), course materials recommended readings, ...)

Prerequisites. For research on 20th-century developments, a capacity to read Flemish source-material may be useful. For earlier periods, most primary sources are in French, although there is a growing historiography written in Dutch. Calendar. During the first year, there is an introductory meeting to assign tasks and to explain the purpose and the requirements of the seminar. The oral presentations are scheduled for the second term. During the second year, the work is mainly carried out individually under the supervision of the lecturer

Other credits in programs

DROI23	Troisième licence en droit	(9 credits)
HIST21	Première licence en histoire	(4 credits)
HIST22	Deuxième licence en histoire	(4 credits)