

8.00 credits

60.0 h

Q1

Teacher(s)	Guillain Christine ;
Language :	French
Place of the course	Bruxelles Saint-Louis
Learning outcomes	<p>At the end of this learning unit, the student is able to :</p> <p>By the end of the course, the students should be able to master the main currents of modern criminal and criminological thinking, as it has developed since the 18th century, the general principles of Belgian substantive criminal law and the main characteristics of offences and sentences. The aim is to link the theoretical perspectives of criminal and criminological thinking with the positive law solutions in order to generate a reflexive approach of contemporary criminal law. The students should also be able to handle the different sources of criminal law (legislative, doctrinal or jurisprudential).</p>
Evaluation methods	<p>The evaluation is based on a oral examination, covering the subject matter of the course. Students are given a sheet with two questions and thirty minutes to prepare. The questions aim to measure the students' level of knowledge, to test their ability to read, understand and explain the legal texts and case law related to the subject.</p> <p>The student must bring his/her code to the examination, as well as the case law folder (see below for annotation instructions).</p> <p>The student must also bring the legal and regulatory texts relating to the subject being taught, as well as the index to a penal code other than the BAC Code.</p> <p>The student may not bring to the examination either the criminal law syllabi or the Power Point projected during the course.</p>
Teaching methods	<p>The course consists of a lecture centred on highlighting the most important points of the subject, on establishing links between the different parts of the course and comparisons between principles and concepts, on commenting on the applicable provisions and on illustrating the principles on the basis of case law decisions.</p> <p>The course is supported by three syllabi (which follow the three parts of the course), available in PDF format on the course's Moodle site and for sale at the reprography.</p> <p>A Power Point, available on the course's Moodle site, is projected during the course to facilitate commentary on legal texts and analysis of case law. Students are invited to study with their BAC code (2024-2025 edition).</p> <p>A "case law folder", also available on the course's Moodle site and for sale at the reprography, contains all the extracts of decisions seen during the course. Students must be in possession of this case law folder at the time of the exam.</p> <p>Students are invited to consult the course Moodle regularly for the latest news, including announcements.</p> <p>An online forum is available to answer questions during the exam session.</p> <p>At the end of the year, students are asked to evaluate the course.</p>
Content	<p>The course is divided into three parts.</p> <p>a) The first, shorter part is devoted to the study of criminal and criminological thinking («Introduction to criminal and criminological thinking I»). It provides a review of the different currents of modern criminal and criminological thinking following a single analysis pattern facilitating their comparison: traditional criminal thinking, positivist criminology, functionalist sociological theories, theories of social reaction, currents of thought centred on the return of the victim in the criminal field, penal thinking and risk and the return of a biological explanation of crime.</p> <p>b) The second part is devoted to the study of general criminal law ("Criminal law"). It focuses on the main questions relating to this field of law: criminal law (definition, purpose, relationship with the other branches of law, divisions, sources, scope in time, interpretation); the offence (definition, classification, conditions of existence) and the offender (subjects, criminal involvement, recidivism).</p> <p>c) The third part continues the study of general criminal law and is devoted to the criminal sentence (definition and characteristics, classification, functions, measure, modalities, alternatives, execution...).</p>
Bibliography	<p>Les étudiant-es qui désirent approfondir la matière peuvent consulter l'ouvrage de référence, disponible à la bibliothèque (Fr. Tulkens, M. van de Kerchove, Y. Cartuyvels et Chr. Guillain, <i>Introduction au droit pénal. Aspects juridiques et criminologiques</i>, 10e éd., Bruxelles, Story-Scientia, 2014), ouvrage qui comporte une bibliographie importante, mais n'est plus à jour sur de nombreux points.</p> <p>Une bibliographie se trouve également à la fin du syllabus.</p> <p>Students wishing to study the subject in greater depth can consult the reference work available in the library (Fr. Tulkens, M. van de Kerchove, Y. Cartuyvels and Chr. Guillain, <i>Introduction au droit pénal. Aspects juridiques et criminologiques</i>, 10th ed. Brussels, Story-Scientia, 2014), which includes an extensive bibliography, but is out of date on many points.</p> <p>A bibliography can also be found at the end of the syllabus.</p>

<p>Other infos</p>	<p>With regard to the annotation of the BAC Code, holders should refer to the instructions included in the BAC Code. Bookmarks (or "post-its") may be used, but they may only mention the official title and date of the legislation in question.</p> <p>The index of the BAC Code may be supplemented by verbo, provided that they refer only to the titles of the legislation.</p> <p>As regards annotation of the case law folder, its content may only be circled, underlined or "highlighted" in whole or in part, using different colours if necessary. The folder may also be divided using bookmarks (or "post-its") on which the folder titles and sub-titles may be reproduced, without any other annotation (no indication of the legal provision relating to the subject).</p> <p>CAUTION: any annotation, even a single word, which exceeds the limits indicated here will be considered as fraud.</p>
<p>Faculty or entity in charge</p>	<p>DRTB</p>

Programmes containing this learning unit (UE)

Program title	Acronym	Credits	Prerequisite	Learning outcomes
Bachelor in Law (shift schedule)	DRDB1BA	8		