

Language :	French
Place of the course	Bruxelles Saint-Louis
Main themes	<p>Roman law lies at the foundation of civil tradition, both in Antiquity and throughout its successive lives, in the former European <i>ius commune</i> and in the era of modern codifications. It is, moreover, at the origin of the distinction between the Romano-canonical family of laws or the world of Civil Law, mainly on the European continent, and the Common Law of the Anglo-Saxon countries. In this respect, it makes it possible to highlight the civil tradition's founding figures, starting with that singularly original figure in the universal history of law: the jurist. It also makes it possible to identify archetypes of private law technique, such as property and its transfer, obligation and its payment, the contract, the (so-called) Aquilian liability, legal personality, lawsuits, etc.</p> <p>By a particular position: a system of positive law in the past, the foundation of a tradition that has continued to be shaped through such considerable historical, cultural, and technical upheavals – Roman law, thanks to the perspective and freedom of judgment it provides, contributes par excellence to the formation of critical thinking. Moreover, by its technicality, it fosters this particular way of thinking referred to as the legal mindset.</p>
Learning outcomes	
Evaluation methods	<p><u>Type of assessment</u> (and possible arrangements) The exam is written and lasts 2h30. It generally consists of different parts, such as multiple-choice questions designed to test the student's basic knowledge; True/False statements, where the student is invited to judge a proposal as true or false with a short justification in a limited space; a casus; and sometimes open questions, which may take the form of a critical commentary on a legal provision of the Civil Code or even the Napoleonic Code, requiring both writing and argumentative skills.</p> <p><u>Language of the assessment</u> French</p> <p><u>Evaluation criteria</u> Great importance is attached to the rigorous qualification of legal concepts and to the quality of drafting. This requires not only mastery of the French language, but also the ability to answer the question actually asked, to distinguish the essential from the incidental, and to argue convincingly. The relevant and critical use of the Civil Code is also valued.</p> <p><u>Other details</u> Students may have their Code available for the duration of the exam, in accordance with the general instructions set out in the Code BAC made available by the Faculty. Since the course is annual, the mark obtained in January is dispensatory for the first part of the course and counts for half of the total, in June and September, provided it is equal to or greater than 10/20. Students who have passed the January exam therefore only sit the subject of the second term in June (or September): their January grade is retained to calculate the average. Students who obtained less than 10/20 in January, however, see their grade "cancelled," and retain two chances to pass: their June (and/ or September) exam covers the entire year's subject.</p>
Teaching methods	<p>The course is delivered <i>ex cathedra</i> in a large amphitheatre.</p> <p>The course materials (PowerPoint) will be distributed via Moodle. They serve as a support to facilitate learning by highlighting key concepts and legal provisions. To situate oneself within the general outline of the subject, it is recommended to follow the PowerPoint while referring simultaneously to the table of contents of the syllabus (see below for course materials).</p> <p>Note-taking is encouraged, and students are invited to revise and refine their notes regularly with the help of the syllabus or slides.</p> <p>Each class begins with a summary of the material covered in the previous one. The knowledge acquired is regularly tested through a question, most often a multiple-choice question, on which students vote orally.</p> <p>Tutoring is organized weekly, giving students the opportunity to receive additional explanations on the material covered in class, based on clear and effective summaries. They can also ask questions individually and practice the methodology for solving a casus: careful reading of the facts, systematic analysis of the difficulties, and relevant use of the Civil Code, among others.</p> <p>A "question and answer" session is organised at the end of the term.</p>
Content	<p>Roman law lies at the foundation of our civil law, particularly in its traditional branches, which include the law of persons and the family, the property law, the law of obligations, the law of succession, as well as private judicial law (or civil procedure). The history of Roman law spans more than a millennium in antiquity, ending with the reign of Emperor Justinian in the VI century. Justinian is remembered among jurists, legal</p>

	<p>historians, and philosophers for having ordered a vast compilation of the sources of Roman law from the beginning, which during the Renaissance would be called the <i>Corpus iuris civilis</i>, "the Collection of Civil Law." After falling into oblivion during the High Middle Ages, it was rediscovered in Italy at the end of the XI century, a colossal event that made possible the formation of a legal tradition in the West, in the dual form of civil law and canon law, which became the basis of common European law (<i>ius commune europaeum</i>).</p> <p>We will mainly study classical Roman law, in the first two centuries of the Roman Empire, when the system of private law and the science of law that we still know and practice today were first conceived.</p> <p>Its study will then continue beyond the end of Antiquity to understand the major qualitative transformations that the civilizations emerging from the Middle Ages, on the one hand, and from the French Revolution, on the other, imprinted on the fundamental concepts of private law inherited from Roman law: the person, property and real rights, obligation and contract (notably the advent of consensualism), and civil liability.</p> <p>For the entire part of the course relating to the history of European common law (Middle Ages and Ancien Régime), close links will be established with the History of Institutions and Law I course.</p> <p>The first part of the course will be devoted to the main guiding principles of the legal institution of the ancient city. It is essentially a matter of tracing the historical and conceptual framework of the material. Emphasis will be placed on the notions of sources of law, the rule of law, and the legal order. We will also address the contrasts between so-called positive law and natural law, raising the question of slavery. Finally, particular attention will be given to the fundamental framework for the invention of private law in trial practice and to its most characteristic figure, the jurist, produced by Roman society within the legal order and highly original in the general framework of the universal history of law.</p> <p>Property law will introduce rights in rem, considered separately from rights of claim or obligations. The fundamental institutions of private patrimonial law will thus be studied to highlight both their conceptual logic and their dependence on the societies, ancient, modern, or contemporary, that they are intended to give legal form.</p> <p>The course is adapted to the Bachelor of Laws program, with 75 hours of classes, so that students will complete it having received a coherent teaching in the law of obligations (subject taught in Q2). One weekly tutoring session will be dedicated specifically to these students. Other special questions will be pursued later for students enrolled in the other programs (unilingual and bilingual English French).</p>
<p>Inline resources</p>	<p>Le Trésor informatisé de la Langue Française (TLFi) : <a href="http://atilf.atilf.fr/">http://atilf.atilf.fr/</a></p> <p>Roman Law Library (site qui rassemble tous les textes juridiques anciens, dont certains traduits en anglais ou en français, comportant en outre une bibliographie, des vidéos, et des liens vers d'autres sites) : <a href="https://droitromain.univ-grenoble-alpes.fr/">https://droitromain.univ-grenoble-alpes.fr/</a></p> <p>Le cours de droit romain de feu le prof. Vigneron, Vinitor, comporte un QCM (une manière ludique de s'exercer) : <a href="http://local.droit.ulg.ac.be/sa/vinitor/">http://local.droit.ulg.ac.be/sa/vinitor/</a></p> <p>Bibliotheca classica Selecta (UCLouvain), ce site d'orientation bibliographique en philologie et en histoire ancienne comporte une section « Droit, justice et châtement dans le monde grec et romain » : <a href="http://bcs.fltr.ucl.ac.be/Droit.html">http://bcs.fltr.ucl.ac.be/Droit.html</a></p> <p>Bibliographie d'Histoire du droit en langue française : <a href="https://bibliographienumeriquedehistoiredudroit-ifg.univ-lorraine.fr/s/droit/page/welcome">https://bibliographienumeriquedehistoiredudroit-ifg.univ-lorraine.fr/s/droit/page/welcome</a></p> <p>Blogs and discussion forum: iuscivile.com: <a href="http://iuscivile.com/information/blogs/">http://iuscivile.com/information/blogs/</a></p>
<p>Bibliography</p>	<p>A bibliography of manuals and basic works in Roman law, in the history of law, introduction to Common Law, and collections of adages, mainly in French, is provided in the syllabus.</p> <p>The usefulness of this small lexicon should be pointed out here: Pichonnaz P., Dunand J.-Ph. J., <i>Lexique de droit romain</i>, 2e édition revue et augmentée, Bruxelles, Zurich, 2010.</p>
<p>Other infos</p>	<p>Students cannot be strongly advised to have a good command of the French language, the basis of written and oral communication. The Computerized Treasury of the French Language (TLFi) is available free of charge online, so you should never hesitate to use it about an unknown word or a word whose nuances escape us.</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 of Laws (French-Dutch-English / Droit-Rechten-Laws)	DREB1BA	6		