

8.00 credits	60.0 h	Q1
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Teacher(s)	Guillain Christine ;
Language :	French
Place of the course	Bruxelles Saint-Louis
Main themes	<ul style="list-style-type: none"> <li>• Genealogical Introduction to Penal and Criminological Thought. This introduction is designed as a "toolbox" intended to understand how and on what foundations contemporary criminal law has been built, but also to shed light on the philosophical, ethical, and political issues that criminal law is called upon to address and arbitrate today. This genealogical introduction continues, for those interested, with the optional course <i>Introduction à la pensée pénale et criminologique II</i> (BDROI1266), given by Marie-Sophie Devresse and Thibaut Slingeneyer in the second semester of the 2025-2026 academic year.</li> <li>• Analysis of the main issues relating to the sources, structure, and characteristics of criminal law, proposing a detour through international and European sources, and examining the main pillars of criminal law, namely the offence, the perpetrator, and the sanction. These three cardinal dimensions of criminal law have undergone significant changes in recent years. They regularly highlight the evolution of the social debate concerning the right to punish, its aims, and its limits.</li> <li>• While criminal law is built based on legal texts, its contours are also largely defined by their judicial application. An important place is therefore given to case law to shed light on the principles in the context of practices.</li> </ul>
Learning outcomes	<p><b>At the end of this learning unit, the student is able to :</b></p> <p>With regard to the programme's framework of learning outcomes, the teaching unit contributes to the development and acquisition of the following skills:</p> <p>I. Acquire general culture and interdisciplinary knowledge. In particular, this involves understanding the main currents of modern penal and criminological thought, from the 18th century to the present day.</p> <p>II. Acquire specific legal knowledge. On the one hand, this involves mastering the general principles of Belgian positive criminal law, as well as the characteristics of offences and sanctions, in the light of the new Criminal Code coming into force in 2026. On the other hand, it involves mobilizing the different sources of criminal law, whether legislative, doctrinal, or jurisprudential. Particular importance is given to the use of the Code BAC in relation to the subject taught.</p> <p>IV. Acquire analytical, reflective, and argumentative skills based on concrete situations. The aim is to link the theoretical perspectives of criminal and criminological thought with positive law solutions, so as to stimulate a reflexive approach to contemporary criminal law and develop an interdisciplinary perspective.</p> <p>V. Master written and oral communication in French and a target language.</p> <p>More broadly, and in terms of transferable skills, students who have completed the criminal law teaching unit will have:</p> <ul style="list-style-type: none"> <li>- Perfected the mastery of the French language</li> <li>- Developed a sense of autonomy</li> <li>- Refined a personal ethic.</li> </ul>

<p>Evaluation methods</p>	<h2 style="margin: 0;">Assessment Methods</h2> <p><b>Type of assessment:</b> Oral exam covering course material.</p> <ul style="list-style-type: none"> <li>• The student draws a sheet with two questions and has thirty minutes of preparation.</li> <li>• Mandatory: BAC Code and the case law binder.</li> <li>• Optional: legal and regulatory texts related to the subject.</li> </ul> <p><b>Evaluation criteria:</b></p> <ul style="list-style-type: none"> <li>• Measure students' knowledge level.</li> <li>• Test their ability to read, understand, and explain legal texts and case law, and to use the BAC Code.</li> <li>• Possible tasks: compare chapters/sections of the course, compare provisions of the 1867 Penal Code with those of the 2024 Penal Code, comment on a case discussed in class, calculate the applicable penalty for an offense.</li> </ul> <p><b>Other details:</b></p> <ul style="list-style-type: none"> <li>• BAC Code annotations: only as per instructions inside the Code.</li> <li>• Case law binder: may only be highlighted, underlined, or marked with different colors. Dividers or sticky notes may be used with titles/subtitles only (no legal references). Any annotation beyond these rules is considered fraud.</li> </ul> <p>Feedback is given immediately after evaluation. Students may schedule an appointment the following week to discuss results (details announced on Moodle).</p>
<p>Teaching methods</p>	<h2 style="margin: 0;">Teaching Methods</h2> <ul style="list-style-type: none"> <li>• In-person lectures emphasizing key points, connections between topics, comparisons of principles, commentary on legal provisions, and case law illustrations.</li> <li>• Current events may be included. Students may be asked to read materials, watch documentaries, or take part in debates. Experts may be invited.</li> <li>• At the end of each chapter: summary + multiple-choice quiz or Wooclap.</li> <li>• Final class: practical exercises, exam preparation, Q&amp;A session.</li> </ul> <p><b>Course materials:</b></p> <ul style="list-style-type: none"> <li>• Part I: syllabus (available on Moodle and reprography).</li> <li>• Part II: textbook <i>Th. Moreau, D. Vandermeersch &amp; J.-M. Hausmann, Éléments de droit pénal. Ancien et nouveau Code pénal, La Charte, 2024.</i></li> <li>• PowerPoints on Moodle used in lectures.</li> <li>• Students must study with their BAC Code (2025–2026 edition).</li> <li>• Two case law binders (Part I &amp; II) on Moodle and reprography, mandatory for the exam.</li> </ul>
<p>Content</p>	<h2 style="margin: 0;">Course Content</h2> <p><b>1. Part I (shorter): Penal and criminological thought</b></p> <ul style="list-style-type: none"> <li>• Overview of major schools: classical penal thought, positivist criminology, functionalist sociology, social reaction theories, victim-centered approaches, risk-focused penal thought, and biological explanations of crime.</li> <li>• Ends with a section on the historical milestones of contemporary criminal law (18th century–present).</li> </ul> <p><b>2. Part II: General Criminal Law</b></p> <ul style="list-style-type: none"> <li>• Topics: definition, scope, relation to other branches, divisions, sources, temporal scope, interpretation.</li> <li>• Offenses: definition, classification, conditions.</li> <li>• Perpetrators: subjects, participation, recidivism.</li> <li>• Penalties: definition, classification, functions, measurement, modalities, execution.</li> </ul> <p><b>Note:</b> Contemporary criminal law will be studied through the 2024 Penal Code (in force from 2026) while referencing the 1867 Code.</p>
<p>Inline resources</p>	<p>Many resources and links on PowerPoints and Moodle.</p>

<p>Bibliography</p>	<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 détaillée est annexée à la fin du syllabus (première partie du cours).</p> <p>Concernant le nouveau Code pénal de 2024, les étudiant-es peuvent se référer aux ouvrages suivants :</p> <p>* D. Vandermeersch, J. Rozie et J. De Herdt, <i>Le livre 1er du nouveau Code pénal – Les principes généraux du droit pénal revisités</i>, Bruxelles, La Charte, 2024 ;</p> <p>* Fr. Kutty, <i>Précis de droit pénal. Commentaires du livre 1er du Code pénal</i>, Larcier, Coll. de la Faculté de droit et de criminologie de l'U.L.B., 2024 ;</p> <p>* J. Hubert (dir.), <i>Réforme du Code pénal et questions choisies</i>, Limal, Anthemis, 2024 ;</p> <p>*H.-D. Bosly, Ch. De Valkeneer (dir.), <i>La réforme du Livre 1er du Code pénal</i>, Bruxelles, Larcier, 2024 ; * Th. Moreau, D. Vandermeersch et J.-M. Hausmann, <i>Éléments de droit pénal. Ancien et nouveau Code pénal</i>, La Charte, 2024 ;</p> <p>* D. Scalia, Ch. Guillain et L. Kennes, <i>Le Nouveau Code Pénal - Commentaire article par article du livre 1er</i>, Anthemis, 2024 ;</p> <p>* Ch. Guillain (cord.), A. de Brouwer, D. Ribant, P.-V. Ciocotisan et A. Verhoustraeten « Chronique spéciale de législation sur le nouveau livre 1er du Code pénal », <i>Rev. dr. pén. crim.</i>, 2025/1, pp. 17-44 ;</p> <p>* A. Masset, « Chronique de législation : le nouveau livre II du Code pénal », <i>Rev. dr. pén. crim.</i>, 2025/2, pp. 128-168.</p>
<p>Other infos</p>	<p><b>Other Information</b></p> <ul style="list-style-type: none"> <li>• Schedule and course plan on Moodle.</li> <li>• Students should regularly check Moodle for announcements, resources, and activities.</li> <li>• Online forum available for questions year-round.</li> <li>• End-of-year student evaluation of the course on Moodle.</li> </ul>
<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		