

Legal History (A002115)

Course size *(nominal values; actual values may depend on programme)*

Credits 5.0

Study time 135 h

Course offerings and teaching methods in academic year 2025-2026

A (semester 2)

Dutch

Gent

independent work
lecture

0.0h
45.0h

Lecturers in academic year 2025-2026

Heirbaut, Dirk

RE21

lecturer-in-charge

Delafontaine, Ramses

RE21

co-lecturer

Offered in the following programmes in 2025-2026

[Bachelor of Arts in History](#)

crdts

offering

5

A

[Linking Course Master of Arts in History](#)

5

A

[Preparatory Course Master of Arts in History](#)

5

A

Teaching languages

Dutch

Keywords

Legal history, law, institutions, history

Position of the course

The aim of this basic course is to introduce historians and other non-lawyers to legal history, so that they should be able to understand the legal background and legal terminology of legal texts from the past.

Contents

As an introduction, an overview is given, very briefly, of some of the basic concepts of contemporary law and the major views on the legal history.

A first part of the course then consists of

an overview of the formation of law in Europe from the early

Middle Ages to the present. This includes a discussion of legislation, legal doctrine jurisprudence and custom in the different eras. This part

is done through guided self-study. The guided self-study programme also covers a number of specific topics from external legal history or legal historical research.

Possible topics include factors of legal historical development or global legal history.

In the second part, the

legal rules of ancient law. Here the focus is mainly

on topics of interest to historians.

The lecturers discuss some of these themes in detail in the lectures. Possible topics include:

- Criminal law.
- the various legal positions of people in the past (women, minors, foreigners, etc.)
- family structures, marriage and divorce
- ancient property law (concisely), inheritance law and matrimonial property law.
- judicial institutions, procedure and proof.

In

a third part, the course deals with the specific problem of the historian as an expert in litigation and students are given an introduction to conducting legal history research themselves.

Initial competences

To have a general knowledge of history and the method of the historian.

Final competences

- 1 To be familiar with the main points in the development of law in Europe and with the evolution of important branches of it.
- 2 To better understand the legal elements of social phenomena from the past.
- 3 To recognise the fact that law has been an important social force in the past, which must not be ignored in historical research.
- 4 Consulting general legal historical literature for research as a student.
- 5 Knowledge of a limited number of specific legal terms and expressions.
- 6 Understanding of the relationship between law and society.
- 7 Understanding the difference between law in the books and law in action.
- 8 Adapting the methods of historical research to the specific needs of legal historical research.
- 9 Awareness of the difference between law in the past (instrument of discrimination e.g. of women and foreigners) and today (weapon against discrimination).

Conditions for credit contract

Access to this course unit via a credit contract is determined after successful competences assessment

Conditions for exam contract

Access to this course unit via an exam contract is unrestricted

Teaching methods

Lecture, Independent work

Extra information on the teaching methods

See content description.

1. Lecture
2. (Guided) Independent study. For more information see the lectures and Ufora.

Study material

Type: Handbook

Name: Translated title: A history of private law from the Romans until the Belgian Civil Code

Indicative price: € 20

Optional: no

Language : Dutch

Author : Dirk Heirbaut

ISBN : 978-9-40148-829-7

Number of Pages : 460

Oldest Usable Edition : Editions after 2013

Online Available : No

Available in the Library : Yes

Available through Student Association : Yes

Usability and Lifetime within the Course Unit : intensive

Usability and Lifetime within the Study Programme : one-time

Usability and Lifetime after the Study Programme : not

Additional information: Use during studies and thereafter: depends of the topic of the master thesis and the further career. Obligatory, because a part of the exam is an open book exam.

Type: Handbook

Name: Gilissen, Introduction historique au droit

Indicative price: Free or paid by faculty

Optional: yes

Language : Dutch

Author : John Gilissen

Number of Pages : 800

Alternative : None. This book is only recommended as additional material

Oldest Usable Edition : 1980

Online Available : Yes

Available in the Library : Yes

Available through Student Association : No

Usability and Lifetime within the Course Unit : one-time

Usability and Lifetime within the Study Programme : one-time

Usability and Lifetime after the Study Programme : not

Additional information: Pdf, both the Dutch and French versions are available for free download via Ufora.

Complements the handbook with information about judicial institutions, procedure and evidence. Use within the course, within the study programme in general and thereafter: depends on the interest, the topics of the bachelor's and master's thesis and the later career. This can therefore be anything from not at all to very intensive.

Type: Syllabus

Name: Short introduction to research in legal history

Indicative price: Free or paid by faculty

Optional: no

Language : Dutch

Number of Pages : 50

Oldest Usable Edition : 2024

Available on Ufora : Yes

Online Available : No

Available in the Library : No

Available through Student Association : No

Additional information: Free download of the pdf from the UFora-site

References

GILISSEN, J., Historische inleiding tot het recht; VAN CAENEGEM, R., Geschiedkundige inleiding tot het recht; GODDING, P., Le droit privé dans les Pays-Bas méridionaux; DE RUYSSCHER, D., Westers recht in ontwikkeling; MONBALLYU, J., Zes eeuwen strafrecht; MONBALLYU, J., Geschiedenis van het familierecht.

Course content-related study coaching

By the lecturers either during or after class and other moments by an appointment with the lecturer-in-charge. Questions can be posed via e-mail: dirk.heirbaut@ugent.be; ramses.delafontaine@ugent.be.

Assessment moments

end-of-term assessment

Examination methods in case of periodic assessment during the first examination period

Written assessment with open-ended questions

Examination methods in case of periodic assessment during the second examination period

Written assessment

Examination methods in case of permanent assessment

Possibilities of retake in case of permanent assessment

not applicable

Extra information on the examination methods

Assessment moment

Periodical: exam (100%)

Assessment form

Written exam with open questions (lectures).

Written open book exam (individual study).

Calculation of the examination mark

Periodical: exam (100 %)

Up to 10 rounding up.

From 10 rounding down.

Facilities for Working Students

1 1. Possibility of not attending classes

1 After consultation with the lecturers, recognized working students can be offered the opportunity to be exempt from attendance during certain classes by making additional task(s) or studying additional course material.

1 2. Possibility of moving the exam to alternative date

1 Not possible.

1 3. Alternative date for feedback

- 1 Possible to schedule the feedback at an alternative moment during office hours.