UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

History of Roman Law

2627-4-A5810037

Learning objectives

The course has the following specific training objectives:

1. acquisition of knowledge and understanding of the main institutions of Roman public law in their singularities and in relation to each other, with specific focus on dictatorship;
2. acquisition of knowledge and understanding of historical-comparative methodology in its application to law;
3. acquisition of autonomy of judgment in the evaluation of categories of legal thinking and the history of ideas that emerge from it, with a view to achieving a critical approach to the contemporary legal phenomenon;
4. acquisition of communicative skills in the exposition of critical legal thinking applied to constitutional systems of all times;
5. Acquisition of the ability to learn through the teacher's indication of paths and in-depth texts.

Contents

History of Roman Law is a description of Roman constitutional law. The course therefore examines the constitutional history of Rome, with particular attention to the institutions of public law during the Republican era, with a view to gaining a better understanding of their development in subsequent and contemporary history, paying particular attention to the theme of dictatorship and the historical and legal foundations of freedom.

Detailed program

The course focuses on constitutional forms in their development through the royal, republican, and proto-imperial eras. Starting from an analysis of the social, political, and institutional structures of early Rome, we will study the monarchical era with particular attention to the institutional figures of the king, his military auxiliaries, the senate,

and the popular assemblies.
The complex institutional changes that took place during the transition from the monarchy to the republic will then be examined, taking into consideration the forms and structures of the first republican religious and civil institutions and the individuals who played a role in them at the constitutional and social levels.
The main focus of the course will be the birth and development of the concept of dictatorship, examined through a case study using ancient sources, the texts of which will be provided by the lecturer during the course and on the e-learning platform. The social and political dynamics in which the judiciary in question operates will be taken into consideration, with particular attention to the conflict between plebeians and patricians.
The course will then move on to examine the last two centuries of the republic and the different forms of dictatorship that emerged as circumstances changed, with increasingly personalistic forms of power management, before moving on to the 1st century BC and the dictatorships of Sulla and Caesar, as well as the circumstances in which the republican experience came to an end.
Finally, we will examine the constitutional foundations of the advent of the Principate and Augustus' rejection of the dictatorial office.
The course will conclude with a review, from a comparative historical perspective, of the developments of the concept of dictatorship in the subsequent history of philosophical and political thought up to the dawn of modernity.

Prerequisites

Good knowledge of Italian language and scholastic knowledge of Roman history.
The class will be entirely in Italian. All Latin words will be explained and traduced.

Teaching methods

The course will be delivered in 21 lectures of 2 hours each delivered in the in-person delivery mode. If necessary, up to 4 lectures of 2 hours each may be conducted in asynchronous remote delivery mode (recorded lectures), at the discretion of the lecturer, to meet exceptional situations and in order to ensure the continuity of teaching activities. More details will be provided during the semester.

Assessment methods

Learning is assessed through an oral exam, which involves discussing the sources and topics covered in the textbooks in order to verify the student's understanding of the topics illustrated therein.
For those wishing to undertake it, there will be a continuous assessment task to be carried out in groups, consisting of an analysis of a case study of a dictatorship based on source material, to be presented both in class and in a written report. The combined marks for both will contribute to the final mark awarded during the regular oral examination.
The competences evaluated will be all those which constitute specific training objectives of the course, with a greater weight being given to the Dublin Descriptors (1) (2) (3).

Textbooks and Reading Materials

B. Biscotti, *Dictatura. Roma e l'invenzione di un potere assoluto*, Solferino, 2025

L. Capogrossi Colognesi, *Storia di Roma tra diritto e potere*, il Mulino, 2021 (only up to chapt. XIV included)
The textbook can be supplemented with teaching materials uploaded to the e-learning platform.

Sustainable Development Goals

QUALITY EDUCATION | REDUCED INEQUALITIES | PEACE, JUSTICE AND STRONG INSTITUTIONS