UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Roman Law Institutions - M-Z

2627-1-LMG01A002-MZ

Learning objectives

The specific objectives of the course are:

1. To gain an understanding of the foundations of Roman private law and to comprehend the historical dimension of law, as a human creation, within different social structures.
2. To understand and master legal terminology, and to be able to apply conceptual categories to practical cases from the past or the present.
3. To develop independent judgement through an understanding of the roots of current fundamental legal principles, so as to recognise Roman law as a valid scientific tool for independently and critically seeking the solutions that societies continue to demand in increasingly diverse contexts.
4. To develop effective and precise legal communication skills, including in relation to practical cases.
5. To develop the ability to learn independently, to study the assigned texts critically, and to critically seek solutions to the cases and discussions presented in class.

Contents

Law is a human creation, rooted in history. Over the course of more than a thousand years, Roman jurists developed the law as a technical and argumentative discipline, aimed at resolving specific conflicts. Much of the terminology, language and methodology used by contemporary jurists has its roots in Roman legal practice. For this reason, the course examines the main categories of Roman private law in terms of their historical and systematic development.
The course will analyse the sources of law, private litigation and the system of legal actions, persons and family relationships, legal facts and transactions, obligations, property and rights in rem, and succession and gifts.
The course focuses on the procedural perspective and the method of argumentation developed by Roman jurists. Proceedings and actions are, in fact, a key to understand the formation and evolution of legal categories.

Detailed program

Subject of this class will be the historical development of the institutions of Roman private law from the beginning (VIII century b.C.) to the Corpus iuris civilis of Justinian (VI century A.D.), namely about the following topics:

- Roman law, periods, sources

- trial: kind of actions, standard private roman trials

- persons and ends-familial relationships

- legal transactions

- things and their categories

- real rights and concerning legal transactions

- obligations

- inheritance law

Prerequisites

Students should have a good knowledge of Italian language, a good general culture and specifically a good general knowledge of Roman history.

Teaching methods

The course will be delivered in 36 lectures of 2 hours each, conducted in face-to-face delivery mode, plus tutoring (optional) in an interactive form of exercise. If necessary, up to 8 lectures of 2 hours each, may be conducted in asynchronous remote delivery mode (recorded lectures), at the discretion of the lecturer, to cope with exceptional situations and in order to ensure the continuity of teaching activities. More details will be provided during the semester.

Assessment methods

- Modality of examination for the **January and February appeals only**:
  written partial exam covering the topics of the textbook, chapters I-V, excluding obligations, donations and successions + oral exam (conditional on passing with a score of more than 18/30 in the written test of 30 questions, each of which is evaluated, with correct answers, with 1 point; there is no negative score for incorrect answers) on the topics of chapters VI-VIII of the chosen text (obligations, donations and successions).
  The grades of the two partials combine to determine the final grade.
- Mode of testing for **other appeals**:
  oral examination on the entire program.

In all tests, oral and written, the committee will assess the skills acquired by the candidates in terms of: basic legal notions, establishment of links between them, legally correct presentation.

**INTEGRATIONS:Those who have to take the integration, having made the transition from Legal Services Science, should bring the parts of the syllabus related to TRIAL and SUCCESSION. The textbook already used in the three-year degree is also fine.

Textbooks and Reading Materials

Matteo Marrone, Manuale di diritto privato romano, Giappichelli, Torino, 2004

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