**History of Roman Law**

Prof. Francesca Silvia Scotti

***COURSE AIMS AND INTENDED LEARNING OUTCOMES***

The course aims at highlighting, from a historical perspective, the most significative features of the Roman public law through both the exegesis of Latin literary sources and the review of a series of paintings reproducing episodes taken from the Roman legal history. On the one hand Latin literary sources show the celebratory function of the greatness of Rome performed by the historical narration according to the ancients. On the other hand those paintings express an account of the most relevant episodes in the history of Rome that has been strongly influenced by the customs, the morals and the mentality of the societies the artists who created those paintings belonged to in the different epochs of history (from the Middle Ages until today). The purpose, in this sense, is therefore to claim the importance of the knowledge of the past in the ways and forms it has been handed down, without necessarily seeking, as it has been done by many in the past, for a clear distinction between the legendary and the ‘realistic’ element, being the latter, in the absence of any historical evidence, the outcome of mere conjectures conditioned by the culture and mentality of our time.

At the end of the course, students:

* will acquire a basic knowledge of the Roman public legal system in its various historical phases;
* will be able to use the lexicon and the interpretative categories of the discipline;
* will be familiar with the main legal sources;
* will acquire the necessary critical approach for a better understanding of our contemporary legal reality.

The acquisition of these skills will be facilitated by the attendance of the course. Attendance, however, will not be compulsory: non-attending students will be able to prepare themselves on an alternative program (see below).

***COURSE CONTENT***

The course will undertake a detailed exploration of the constitutional system of Rome during the monarchy, the republic and the principate through the account of Livy and Appianus and the pictorial representations of the artists who, from the Middle Ages to today, have reviewed the history of Rome with their own eyes crystallizing significant episodes and thus offering them to posterity.

***READING LIST***

For *attending* students:

Notes, supplemented by both literary sources (which will be made available to students in the ‘Materials’ area of blackboard in due time) and the images that will be expounded in class available in the volume L. Maganzani, *L’arte racconta il diritto e la storia di Roma*, Pisa 2016, pp. 13-285.

For *non-attending* students the following volumes:

* + A. Petrucci, *Corso di diritto pubblico romano*, Giappichelli – Torino, 2017, pp. 7-154, 269-305, 313-383, 387-480.
  + L. Maganzani, *L’arte racconta il diritto e la storia di Roma*, Pisa 2016, pp. 13-285.

***TEACHING METHOD***

Frontal lectures held by the lecturer with a wide space to direct reading and exegesis of ancient sources and guided observations on various images with the active participation of students. The regular course will be accompanied by:

* extraordinary lectures held by authoritative colleagues at the invitation of the lecturer;
* optional educational visits (even lasting several days) to places that are significant for Roman legal history (from its origins to the Augustan age).

The active participation of students in scientific events organized by the Chair will also be optional.

***ASSESSMENT METHOD AND CRITERIA***

Oral exam based on the course syllabus as indicated above according to the distinction between *attending* and *non-attending* students.

The assessment method – notwithstanding the different study materials for *attending* and *non-attending* students – will consist in verifying the fundamental knowledge of the discipline, the relevance of the answers, the coherent and organized structure of the discourse, the mastery of the technical-legal language, the ability of personal elaboration of the acquired contents. With regard to *attending* students, the assessment will also take into account their commitment during the course, and their active participation in special lectures and scientific meetings organized by the Chair. In addition, *attending* students will be able to arrange unofficial tests with the lecturer during the Academic Year.

***NOTES AND PREREQUISITES***

All students, both *attending* and *not-attending*, are strongly advised to avoid adopting the method of summarizing the textbooks in order to study for the exams: the only way to pass the exam for *attending students* is to study directly the notes, the ancient sources and the textbook cited above and for *not-attending* students the textbooks above indicated.

Further information on the method of preparation for the exam may be provided by the lecturer during classes. Information will also be given concerning any scientific seminars and talks organized by the Chair students may be invited to participate to.

The prerequisites – for both *attending* and *non-attending* students – consist of:

• a basic knowledge of the historical period covered by the course;

• interest in public law institutions;

• desire to wear the “glasses” of the history of Roman public law to observe and evaluate the contemporary constitutional assets with a greater awareness;

• love for pictorial art.

The knowledge of Latin, certainly useful, is not essential to follow the lectures and achieve the intended learning outcomes.

Office hours will be on Thursday at 5.00 p.m. in Professor Scotti’s room, unless otherwise indicated on the Professor’s web page, which can be consulted at <http://docenti.unicatt.it/web/searchByName.do?language=ENG>

Should new periods of health emergency arise, the reception will take place on the Teams platform, according to a previous appointment with Professor Scotti at [francescasilvia.scotti@unicatt.it](mailto:francescasilvia.scotti@unicatt.it)