# Principles of Roman Law

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

Derived from the Latin ‘*instituere’*, the term ‘Institutions’ directly refers to the aim of providing novice students with the basic tools to gradually penetrate the complex but unitary world of law. The aim of the course is, therefore, to illustrate the essential lines of the Roman private law system in its reference context, by highlighting the key role of the Justinian compilation in the history of the Western legal tradition as well as the historical foundations of the current dogmatic categories, typical of all the private law systems of the Roman law tradition. Students’ intended outcomes are knowledge of the sources of Roman law in their historical context and in their evolution; ability to present the contents of the addressed legal principles with correct legal terminology; acquisition of good command of specific legal language as well as mastery of the main legal categories already elaborated by Roman jurists and often still present, even after a long and complex evolution, in the current legal experience. For the acquisition of these skills, course attendance is strongly recommended. Also non-attending students will be expected to achieve similar outcomes through the study of paper manuals.

***COURSE CONTENT***

The first part of the course will focus on a comprehensive introduction to the Roman legal sources and, more specifically, on the various parts of the Justinian compilation, presented as a central episode in Western legal history. The second part of the course will address the main principles of Roman private law through the reading and exegetical commentary of a Latin textbook with Italian translation of the Justinian Institutions, and the elementary teaching manual of the Law School of Constantinople in the sixth century A.D. Being it a model of synthesis and simplicity and, at the same time, of scientific rigour, for students the work will be the first approach to the world of law and will facilitate their acquisition of the legal concepts and the technical language of jurists. From time to time then, the lecturer will indicate which topics to deepen on the recommended manual in the bibliography.

***READING LIST***

For attending students

L. Maganzani, *Formazione e vicende di un’opera illustre. Il Corpus Iuris nella cultura del giurista europeo,* Turin, 2007 (pages 3-99).

Lecture notes, supplemented by the parts that ,during the course, will be indicated of the manual: P. Giunti, F. Lamberti, P. Lambrini, L. Maganzani, C. Masi Doria, I. Piro, *Il diritto nell’esperienza di Roma antica: per un’introduzione alla scienza giuridica*, Torino, Giappichelli, 2021

For *non*-*attending* students*:*

L. Maganzani, *Formazione e vicende di un’opera illustre. Il Corpus Iuris nella cultura del giurista europeo,* Turin, 2007 (pp. 3-99; 196-270).

entire manual by P. Giunti, F. Lamberti, P. Lambrini, L. Maganzani, C. Masi Doria, I. Piro, *Il diritto nell’esperienza di Roma antica: per un’introduzione alla scienza giuridica*, Torino, Giappichelli, 2021, except the first chapter dedicated to the various historical phases of Roman law and the sources of law (by C. Masi Doria) and the chapter dedicated to the private trial (by P. Lambrini).

***TEACHING METHOD***

Frontal lectures held by the lecturer, with considerable space devoted to direct reading and exegetical commentary on ancient legal sources in Latin with Italian translation. For its entire duration, the course will be complemented with the above-mentioned volume by L. Maganzani (*Formazione e vicende di un’opera illustre*, cit.,), which contains the ancient texts examined. Students are therefore expected to always have the volume with them during lectures. The regular course will be combined with thematic seminars: information about these exercises will be provided during lectures.

***ASSESSMENT METHOD AND CRITERIA***

Assessment of attending students will consist of an oral exam. Students will take the exam at the end of the course, following a regular registration in one of the official exam sessions. Attending students will be examined on course contents and on manuals (on the parts indicated in class). Non-attending students will be examined on course contents provided for them. Assessment criteria will be level of students’ knowledge acquired, their command of technical and legal language, their mastery of the main dogmatic categories of Roman law tradition, their ability to process contents with a personal approach.

***NOTES AND PREREQUISITES***

Other information and suggestions may be provided by the lecturer during lectures, both as regards the ideal methods for exam preparation, and any seminars and scientific meetings organised by the course to which students may be invited to participate.

Students may contact the lecturer, either personally or via email (lauretta.maganzani@unicatt.it), for any doubts or questions they might have.

Knowledge of Latin, although very useful, is not considered an indispensable prerequisite for the full understanding of the lectures and optimal achievement of the intended learning outcomes.

Further information can be found on the lecturer's webpage at http://docenti.unicatt.it/web/searchByName.do?language=ENG or on the Faculty notice board.