

ROMAN LAW I (A-L)
Academic year 2022/2023
I Year, I Semester

Prof. Donatella Monteverdi
(6 ECTS)

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| <p style="text-align: center;">COURSE INFORMATION</p> | <p>Master's Degree in Law (LMG/01) Course of Roman Law (A-L), 10 ECTS, 70 hours 1st year, 1st semester, a.y. 2021/2022 Language: Italian 1st Unit (6 ECTS) Prof. Donatella Monteverdi</p> <p>The course consists of: 1st UNIT (6 ECTS) Prof. Donatella Monteverdi 2nd UNIT (3 ECTS) 4 ECTS Prof. Isabella Piro</p> |
| <p style="text-align: center;">PROFESSOR INFORMATION</p> | <p>Prof. Donatella Monteverdi Department of Law, Economic and Sociology Contacts: Email: montever@unicz.it</p> <p>Student Reception: room 3, Department of Law, Economic, Sociology, "S. Venuta University Campus", Legal-economic building. Wednesday for the whole academic year. It is possible to arrange receptions on the University platform, upon request by e-mail to the address indicated above. Timetables are available on the faculty page of the Department website in the section reserved for notices for students.</p> |
| <p style="text-align: center;">COURSE DESCRIPTION</p> | <p>The course aims to introduce students to constitutional structures, legal culture, private and procedural law institutes of the Roman legal system.</p> |
| <p style="text-align: center;">COURSE OBJECTIVES AND EXPECTED LEARNING OUTCOMES</p> | <p>At the end of the course, students are expected to be able to know the Roman legal system, place it in the historical context and understand the methods of production and application.</p> |
| <p style="text-align: center;">PROGRAM (CONTENTS, METHODS OF DEVELOPMENT)</p> | <p>READING LIST: CORBINO A., <i>Diritto privato romano. Contesti, fondamenti, discipline</i>, quarta edizione, Padova Cedam 2019.</p> |

**POSSIBLE
DISTINCTION
OF PROGRAMS
BETWEEN
ATTENDING
AND NON-
ATTENDING
STUDENTS**

(Attending and non-attending have to study chapters and paragraphs below. In the absence of specific paragraphs, the chapters must be studied in full).

THE GENERAL PROGRAM OF THE COURSE IS SHOWN BELOW, WITH INDICATION - FOR REASONS OF EXPOSURE COMPLETENESS - OF THE CONTENTS OF BOTH UNITS:

1ST UNIT (6 ECTS) Prof. D. Monteverdi:

1. THE ROMAN CIVITAS

1.1: From the city on the Tiber to the universal empire:

- Royal age and the original characteristics of the city community
- *Libera res publica* (excluding paragraphs 35 and 37)
- The Mediterranean empire (paragraphs: 40, 44, 45, 47, 48, 49, 50, 51)

1.2 THE ROMAN COMMUNITY (only the reading of chapters I, II, II, IV is recommended).

2. THE ROMAN LEGAL CULTURE

- **The Romans and the Law**

3. PRIVATE LAW

Introduction

3.1. PERSONAE

- subjectivity and legal capacity;
- ability to act;
- Freedom and Citizenship;
- The patrimonial condition of the *personae*. The Roman *familia*
- Changes in status and subjectivity

3.2: RES

3.2.1: ORDERING LOGICS

- The object of the rights
- The rights on the object and the *patrimonium*

3.2.2: DISCIPLINES

- *Civil Obligationes*
- *Succesio mortis causa* (The heritage) (paragraphs 265 to 269 inclusive).

- *Damnum*, infringement of private rights and their aftermath

4. **ACTIONES** (Procedural law)

- The judicial application of the law
- The private lawsuit
- Judicial procedures
- The executive procedures

2ND UNIT (4 ECTS) PROF. I. PIRO:

PRIVATE LAW

RES

- Legal facts
- Private *negotia*
- The belonging of things (own and property) and the *Patrimonium*
- *Iura in re aliena*
- Structure and events of the obligatory relationship
- Types, *causae* and disciplines of *obligatio* in the Roman vision

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NOVEMBER, 2021:

INTERMEDIATE TEST ON THE PROGRAM OF THE UNIT OF PROF. MONTEVERDI, UP TO: PART TWO, THE BELONGING OF THINGS (OWN AND PROPERTY) AND THE *PATRIMONIUM* (INCLUDED).

To January 2021 (on January and February), examination on the remaining part of the program:

- Legal facts
- Private *negotia*
- The belonging of things (own and property)
- *Iura in re aliena*
- Structure and events of the obligatory relationship
- Types, *causae* and disciplines of *obligatio* in the Roman vision

- Civil *Obligationes*
- *Succesio mortis causa* (The heritage) (paragraphs 265 to 269 inclusive).
- *Damnum*, infringement of private rights and their aftermath

- The judicial application of the law
- the private lawsuit

| | <ul style="list-style-type: none"> - Judicial procedures - The executive procedures <p>Attending students can also take whole exam, starting from the examination of January 2023.</p> | | | | | | | | |
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| ESTIMATE OF THE COMMITMENT REQUIRED FOR INDIVIDUAL STUDY IN TERMS OF HOURS | The whole program requires an individual study of approximately 350 hours. | | | | | | | | |
| TEACHING METHODS | The course is based on theoretical lectures with the support of didactic material distributed from time to time (schemes or sources) or slides; for some topics, cycles of seminars are organized, slides or additional material will be made available in class. | | | | | | | | |
| LEARNING RESOURCES (RECOMMENDED TEXTBOOKS, FURTHER RECOMMENDED READING, OTHER DIDACTIC MATERIAL) | <p>TEXBOOK: CORBINO A., <i>Diritto privato romano. Contesti, fondamenti, discipline</i>, quarta edizione, Padova Cedam 2019 (The chapters must be studied in full, when the paragraphs are not expressly excluded).</p> <p>The structure of the textbook is divided into two levels, distinguishable by the different font size. In order to pass the exam, the necessary knowledge required of the Student will only relate to the parts of the text written with a larger font.</p> | | | | | | | | |
| SUPPORT ACTIVITIES | The Professor reserves the right to indicate alternative texts as well as in-depth readings during the course. Supplementary and supporting teaching material will be distributed in the classroom. Forms of support are agreed upon according to the student's individual needs (e.g. working student; students on maternity leave or with children; students with disabilities), through the publication of a notice on the teacher's page and on the e-learning platform, forms of support agreed upon by chance in relation to the student's needs. | | | | | | | | |
| MODALITY OF ATTENDANCE | Attendance is not compulsory. Attending students will be able to take intermediate tests. | | | | | | | | |
| MODALITY OF ASSESSMENT OF KNOWLEDGE | <p>Grading is based on a final oral exam generally covering the indications below:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Grade</th> <th style="width: 30%;">Knowledge and understanding of the topic</th> <th style="width: 30%;">Ability to analyze and synthesize</th> <th style="width: 30%;">Use of references</th> </tr> </thead> <tbody> <tr> <td>Fail</td> <td>Severe shortcomings</td> <td>Irrelevant. Frequent generalizations.</td> <td>Completely inappropriate</td> </tr> </tbody> </table> | Grade | Knowledge and understanding of the topic | Ability to analyze and synthesize | Use of references | Fail | Severe shortcomings | Irrelevant. Frequent generalizations. | Completely inappropriate |
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| Fail | Severe shortcomings | Irrelevant. Frequent generalizations. | Completely inappropriate | | | | | | |

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|--|--------|-------------------------------------|--|---|
| | | and inaccuracies | Inability to synthesize | |
| | 18-20 | Sufficient. Important shortcomings. | Sufficient capabilities | Sufficient |
| | 21-23 | Basic knowledge | The student is capable of correct analysis and synthesis, argues logically and consistently | The student uses standard references |
| | 24-26 | Satisfactory. Good knowledge | The student has good analysis and synthesis skills. The arguments are expressed consistently | The student uses standard references |
| | 27-29 | Very Good | The student has considerable skills in analysis and synthesis | The student deepened the topics of the exam |
| | 30-30L | Excellent | The student has excellent analysis and synthesis skills | Important insights. |