



UNIVERSITÀ DEGLI STUDI DI PALERMO

DEPARTMENT	Giurisprudenza		
ACADEMIC YEAR	2021/2022		
MASTER'S DEGREE (MSC)	LAW		
SUBJECT	HISTORY OF ROMAN LAW		
TYPE OF EDUCATIONAL ACTIVITY	A		
AMBIT	20004-Storico-giuridico		
CODE	06740		
SCIENTIFIC SECTOR(S)	IUS/18		
HEAD PROFESSOR(S)	TERRANOVA FRANCESCA	Professore Associato	Univ. di PALERMO
OTHER PROFESSOR(S)			
CREDITS	7		
INDIVIDUAL STUDY (Hrs)	119		
COURSE ACTIVITY (Hrs)	56		
PROPAEDEUTICAL SUBJECTS			
MUTUALIZATION			
YEAR	1		
TERM (SEMESTER)	1° semester		
ATTENDANCE	Not mandatory		
EVALUATION	Out of 30		
TEACHER OFFICE HOURS	TERRANOVA FRANCESCA Wednesday 9:00 13:00	In presenza o su MTeams, a scelta dello studente, previa richiesta di prenotazione da inviare alla Docente per email: francesca.terranoval@unipa.it	

PREREQUISITES	Concepts and basic categories of general theory of law; essential elements of Roman history; command of the historical method.
LEARNING OUTCOMES	<p>Knowledge and understanding Acquisition of knowledge and comprehension of the origin and development of the constitutional structures, of the normative and procedural models of Roman legal experience, as well as of the main processes concerning the interpretation and application of the legal rules, of the techniques and of the case methodologies developed by Roman jurisprudence.</p> <p>Applying knowledge and understanding Providing students with the critical ability to relativize the legal phenomenon through the analysis of Roman constitutional systems in their historical evolution: students must be able to apply their knowledge in order to compare the different forms of government, court systems and legal production, including possible impact on European legal tradition.</p> <p>Making judgements Improving the ability to independently develop a conscious thought in relation to the topics of the lectures with a critical and independent reasoning of the main positions expressed by scholars.</p> <p>Communication skills Being able to express themselves properly, organically, clearly and effectively. Ability to fully convey the concepts using as appropriate the technical legal language. Mastery of the techniques of argumentation in communication of the expressed views.</p> <p>Lifelong learning skills Ability to read the sources and critically compare with each other to being able to draw from them the fundamental knowledge about the evolution of the law in its early stages of development. Ability to learn the law in his casuistic way, in the light of the method developed by the Roman jurists. Ability to derive from analysis of individual cases, the rules applicable to similar cases, identifying the limits in relation to the historical context in which they exist.</p>
ASSESSMENT METHODS	<p>Oral final exam (grades on a scale between 18 and 30 cum laude). The final oral exam consists of an interview (on at least two questions) on all topics in the syllabus by reference to suggested bibliography. The interview aims at ascertaining the level knowledge and understanding of the topics in the syllabus and the ability of the candidate to critically examine also specific issues and legal cases. The evaluation will be sufficient if the candidate proves basic knowledge and understanding of the topics at least in general outline. He/she must also demonstrate command in the specialized language and argumentation skills able to convey his/her knowledge to the examiner. Under those thresholds, the outcome will be insufficient. The more on the contrary the candidate will be able to interact with the examiner and he/she demonstrates detailed knowledge and understanding of the topics the more the evaluation will be positive.</p> <p>The evaluation will take place according to the following grid:</p> <p>“excellent”, 30-30 cum laude: excellent knowledge of the topics, excellent ability to frame the historical and dogmatic development of the institutes, excellent property of language, excellent capacity of analysis;</p> <p>“very good”, 27-29: very good knowledge of the topics, very good ability to frame the historical and dogmatic development of the institutes, very good property of language, very good capacity of analysis;</p> <p>“good”, 24-26: good knowledge of the topics, good ability to frame the historical and dogmatic development of the institutes, good property of language, good capacity of analysis;</p> <p>“satisfactory”, 21-23: satisfactory knowledge of the topics, satisfactory ability to frame the historical and dogmatic development of the institutes, satisfactory property of language, satisfactory capacity of analysis;</p> <p>“sufficient”, 18-20: sufficient knowledge of the main teaching and technical language issues, sufficient capacity to independently apply theoretical knowledge;</p> <p>insufficient outcome: the student does not have a sufficient knowledge of the various syllabus topics and appropriate command in the specialized language.</p>
EDUCATIONAL OBJECTIVES	Command of language and legal categories. Punctual and informed knowledge both of formative processes and of concepts related to the course. Identification

	of the main differences between the Roman legal experience and legal systems based on a conception of law as a set of rules established by the State. Remark on the essential historicity of law and its concepts as an indispensable tool for the training of the necessary sensitivity to the jurist in the setting and evaluation of the most important legal issues
TEACHING METHODS	Lectures. Exercises.
SUGGESTED BIBLIOGRAPHY	<p>Tra i manuali in commercio, si consiglia uno dei seguenti testi: - P. Cerami, A. Corbino, A. Metro, G. Purpura, Roma e il diritto, Jovene ed., Napoli 2010, ISBN: 8824319378, oppure - P. Cerami, M. Miceli, Storicita' del diritto, strutture costituzionali, fonti, codici. Prospettive romane e moderne. G. Giappichelli ed., Torino 2018, ISBN: 9788892118553 (escluso il cap. I, pp. 29-114).</p> <p>Per la conoscenza delle fonti si raccomanda lo studio di: - (a cura di) N. Palazzolo et al., Ab urbe condita. Fonti per la storia del diritto romano dall'eta' regia a Giustiniano, Libreria Editrice Torre, III ediz., Catania 2002, ISBN: 9788871320373.</p>

SYLLABUS

Hrs	Frontal teaching
6	Introduction. Subject of the course and chronological context of the discipline. Propaedeutic notions.
8	The Monarchy.
14	The Republic: genesis and historical development; apogee; crisis.
10	The Principate.
9	The Dominate.
9	Criminal repression and citizen's guarantees. Production and interpretation of the Law. Codifications: modern and Roman experiences.