UNIVERSITÀ DEGLI STUDI DI BARI ALDO MORO

Dipartimento di Giurisprudenza

General information		
Academic subject	History of Roman Law	
Degree course	Science in Legal Services	
Academic Year	2025-2026	
Year of the course	First year	
European Credit Transfer and Accumulation System (ECTS)		9 ECTS
SSD		GIUR-15/A GSD: 12/GIUR-15
Language	Italian	
Academic calendar (starting and ending date)	First semester 1 october 2025- 16 december 2025	
Attendance	Attendance is not mandatory, but recommended	

Professor/ Lecturer	
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Department and address	Department of Law- Palazzo Del Prete, Cesare Battisti Square, 1 - 70121 Bari
Tutoring (time and day)	On appointment, by writing an e-mail to the institutional address. If necessary, the lecturer will arrange an online meeting with the student.

Syllabus	
Learning Objectives	This fundamental teaching, given in the first year of the course of study, intends to provide the student with the basic elements for understanding the legal phenomenon from a historical perspective as an essential moment of its complexity, for the purposes of a solid training as a jurist.
Course prerequisites	It is a first-year, first-semester exam; there are no specific prerequisites different from those required for admission to the degree program. There is no propedeuticity.
Contents	Premises: Roman law and the Roman tradition. Essential chronological lines and historical perspective. Documents and the problem of the text. The late ancient period. Codified law and jurisprudential law. A legalistic mentality. *Iura et leges*: the problem of legal certainty. The code: book and regulatory text. Ancient code and modern code. Late ancient codifications. Justinian's compilation. The republican and classical legal experience. An “oral” culture. Law: an aristocratic profession. Jurisprudence as literature and as a practical activity. Social contexts and political institutions. Techniques and “values”. The normative sources: a "stratified" system. The catalogs of the sources of law production in late republican and imperial jurisprudential reflection. Civil law: semantic versatility. The XII Tables and archaic formalism. *Ius gentium*: overcoming formalism and new principles. *Ius honorarium*: the edict, a fragile and persistent text. Imperial regulatory activity.

	Jurisprudence. From priest-jurists to lay jurists. Sesto Elio and the Tripertitas. Quintus Mucius and his "systematic" work. Servius Sulpicius Rufus: Servian response and new literary forms. From case to problem. Interpretative techniques and argumentative methods. The Prince and the jurist. *Ius respondendi* and *consilium principis*. Literary typologies in the classical era. Labeone between conservatism and innovation. The legal schools of the Principality: Sabinians and Proculians. Gaius and his literary legacy. Severan jurisprudence: absolutism and natural law. Postclassical events of jurisprudential works. The preparation cannot ignore the exegesis of particularly significant fragments contained in the manual, with particular attention to the profiles inherent to the interpretative techniques and methodologies of the Roman jurists and to the progressive formation of the lived experience of law as a "science". There are no specific teaching programs for Erasmus students.
Books and bibliography	M. BRETONE, STORIA DEL DIRITTO ROMANO, Roma-Bari, Laterza, 2024[24] (excluding chapters I and XII). Reccomended reading: G. SANTUCCI, *Diritto romano e diritti europei*, Bologna, Il Mulino, 2018[2], pp. 11-32
Additional materials	With regard to the indicated textbook, the student may use any edition, even those that are not recent. Any additional teaching materials may be made available by the lecturer also by using the Microsoft Teams platform.

Work schedule			
Total	Lectures	Hands on (Laboratory, working groups, seminars, field trips)	Out-of-class study hours/ Self-study hours
Hours			
225	*72*		153
ECTS			
9			

Teaching strategy	*Lectures*
	Possible integration of the teaching activity through exercises/seminars
Expected learning outcomes	
Knowledge and understanding on:	Knowledge and ability to understand the Roman legal experience in a historical sense
Applying knowledge and understanding on:	Knowledge and understanding applied to the analysis of texts of Roman jurisprudential literature containing cases and problems.
Soft skills	• *Making informed judgments and choices* • Independent judgment: At the end of the preparation the student will have to demonstrate that he has developed a critical sense regarding the development and relevance of historical phenomena. • *Communication skills:* At the end of the preparation, the student will have to demonstrate that he has acquired mastery of the technical vocabulary for an appropriate

	communication of legal concepts, both oral and written, also to approach to the research experience. • *Ability to learn independently*: At the end of the preparation, the student must demonstrate that he has developed the ability to understand and systematize notions, historical events, methodologies of ancient legal thought and awareness of the foundations of the European legal tradition. • *Communicating knowledge and understanding* Upon completion of the preparation, the student should demonstrate mastery of the technical vocabulary for appropriate communication of legal concepts, both oral and written, and for coping with the research experience. • *Capacities to continue learning* Upon completion of the preparation, the student should demonstrate the ability to understand and systematize notions, historical events, and methodologies of ancient legal thought and awareness of the foundations of the European legal tradition.

Assessment and feedback	
Methods of assessment	
Evaluation criteria	The student is subjected to an oral verification of learning consisting of traditional questions asked to ascertain the actual acquisition of the knowledge and skills described in the "Learning Objectives and Intended Learning Outcomes" and "Teaching Content" sections. *Knowledge and understanding* The student should demonstrate familiarity with the chronology and logic of events for the purpose of understanding the historical reasons and modalities that connoted the Roman legal experience. • *Applying knowledge and understanding:* The student must demonstrate the ability to deal with the analysis of historical evidence • *Autonomy of judgment* The student should demonstrate critical reasoning skills with regard to historical events and their concatenation. • *Communicating knowledge and understanding* the student should demonstrate adequate expository ability with appropriate use of technical-legal vocabulary through which to read and grasp the peculiarities of the legal system in general, and Roman in particular; • *Communication skills* The student should demonstrate the ability to identify the legal problem (case, institute, action), to reconstruct the reasoning underlying the jurist's interpretation and the techniques employed, and to know how to contextualize it within the relevant historical framework.

	• *Capacities to continue learning* Learning skills will be tested in light of the reference program and the indicated textbook, indicative of a particular approach in studying the discipline.
Criteria for assessment and attribution of the final mark	*Knowledge and ability to understand*: the student must demonstrate that they have acquired familiarity with the chronology and logic of events in order to understand the historical reasons and methods that characterized the Roman legal experience; • *Applied knowledge and understanding*: the student must demonstrate the ability to deal with the analysis of a historical testimony • *Independence of judgement*: the student must demonstrate that he has developed a critical reasoning ability with regard to historical events and their concatenation. *Communication skills*: the student will have to demonstrate adequate presentation skills with appropriate use of a technical-legal vocabulary through which to read and grasp the peculiarities of the legal system in general, and Roman in particular; *Ability to learn*: the student must demonstrate that he has developed the ability to identify the legal problem (case, institution, action), to reconstruct the reasoning underlying the jurist's interpretation and the techniques used, and to know how to contextualise it within the relevant historical framework.
Criteria for assessment and attribution of the final mark	The examination is conducted exclusively in oral form. For a high grade, account will be taken not only of the preparation on the indicated reference texts, but also of the critical ability of argumentation and exposition, as well as of the autonomy of judgment acquired by the student during the course. The final grade is given in thirtieths. The exam is considered passed when the grade is greater than or equal to 18/30. For the purposes of the evaluation in thirtieths, the level of preparation achieved in accordance with the aforementioned criteria will be taken into account and, in keeping with the expected learning outcomes, the different levels of preparation will lead to different judgments: excellent (30/30 and cum laude), excellent (28/29), good (25/27), fair (21/24), sufficient (18/20). The awarding of honors presupposes the unanimous consent of the examination committee.
Additional information	No additional information