

## ROMAN LAW OF OBLIGATIONS

CFU 7 – INSEGNAMENTO A SCELTA

(Prof. Salvatore Randazzo)

### OBIETTIVI FORMATIVI / *LEARNING OBJECTIVES*

The aim of the course is to discover and describe the characteristic concepts and Institutions of the Roman law of obligations and then to trace their subsequent development and influence through the Middle Ages and the early modern period, up to the present day.

### RISULTATI DELL'APPRENDIMENTO ATTESI / *LEARNING OUTCOMES*

#### **Conoscenza e capacità di comprensione**

**At the end of the course of study, the student will have acquired general knowledge on the discipline of Roman obligations.**

#### **Autonomia di giudizio**

The analysis of the Roman obligations through the casuistic method will contribute to forming in the student awareness about the ductility of the law and the possibility of seeking different interpretative solutions to adapt the fact to the rule.

#### **Abilità comunicative**

**The competencies acquired by the student will be essential for gaining awareness of the historical dimension of law and of the relationships between legal systems. In particular, the cultural component of the legal phenomenon will be developed, offering refined communication tools, improving the student's cultural baggage and helping to improve communication skills.**

### PROGRAMMA/COURSE SYLLABUS

#### **Disposizioni generali.**

Obligations: The Conceptual Map.

Contracts: The Organisation of Roman Contract. The Contract Litteris and the Rôle of Writing Generally. Contracts Verbis. Contracts Consensu. Contracts Re.

Delicts: Furtum (Theft). Rapina (Robbery). Damnum Iniuria Datum (Loss Wrongfully Caused)

Iniuria (Contempt).

The Quasi Categories.

### MODALITÀ DI INSEGNAMENTO/COURSE STRUCTURE

The teaching program, 7 CFU, will be structured in 2/3 hours frontal lessons according to the academic calendar. Frontal examination for evaluating the full knowledge of the programme. Attending students may participate in exemptions and / or initiatives for encouraging active participation in the course

### MODALITÀ DI VERIFICA DELL'APPRENDIMENTO/COURSE GRADE DETERMINATION

The assessment of the preparation of the students will take place with an oral examination that will focus on the individual parts of the program whose knowledge must be complete and conscious. The preparation will be evaluated in more discursive terms, in order to evaluate also the degree of maturity, also linguistic, acquired by the student.

During the course the attending students will be able, in agreement with the teacher and in the periods dedicated to it, to support partial checks on the parts of the program already dealt with in class, which will help to define the final evaluation.

### ATTIVITÀ DI SUPPORTO/OPTIONAL ACTIVITIES

Specific support and orientation activities will be proposed, at pre-established times, in order to help, in particular, students with cultural and linguistic shortcomings.

TESTI CONSIGLIATI E BIBLIOGRAFIA/*READING MATERIALS*

P. Birks, *The Roman Law of Obligations*, Oxford, 2014.

S. Randazzo, *An Anthropology of Fault at Rome*, in T.A.J. McGinn, *Obligations in Roman Law: Past, Present, and Future*, Ann Arbor, 2008 (free available for students at LUM Library)