

Unit(s)	Topics	Schulz	Borkowski/D u Plessis	Other	Extra	outcomes
1–4	Historical Introduction • Law creation in Early Rome • Trial procedures • Jurisdiction and Edict • Jurisprudence • Law creation in the imperial era • Simplification • Late Antique Codifications • Post-justinianic history of Roman law.	Trial: Part I. Law of Actions chapter I	Chapter I, II, III, XI	R.W. Leage & A. M. Prichard, Roman Private Law, Part 1 (Outline of the History) ; O. F. Robinson, The sources of Roman law. Problems and methods for ancient historians, ch p. 2: Sources and and ch. 4: Settling disputes The Law of XII Tables	K. Raaflaub, Between Myth and History: Rome's Rise from Village to Empire (the Eighth Century to 264), ch. 6 of A Companion to the Roman Republic. Malinowski's classic <i>The coral Gardens and their magic</i> Pomponius, Enchiridion Livy, on Twelve Tables <i>Aldo Schiavone, The Jurist</i> Gaius, Book I, §§ 1-8 Schulz, <i>The Principles of Roman Law: Isolation.</i>	1/ describe and illustrate the conditions necessary for law-creation 2/ understand and illustrate the early sources of law and their relation (custom, religion, magic) 3/ characterise the epochs of Roman law 4/ know the most important solutions of the Law of XII Tables and explain their rationality/functionality (this will all serve us in the coming classes on family and property). 5/ describe and understand the role of jurisprudence from pontiffs to imperial officials in law creation (some knowledge of particularly important jurists, schools of law would be very welcome, too). 6/ see the function of edict and magistrates in law creation as well as know the basic notions of the formulary procedure (and understand the relation between citizens' law, law of nations and honorary (magistrates' law) and the function of equity in its foundation). 7/ point out and briefly characterise the imperial law creation and the new 'extraordinary' procedure. 4+5+6+7 —> estimate and justify why Roman law could be considered as 'experts' law', 8/ describe and evaluate factors leading to a codification in context. 9/ understand the standing of Roman law in our legal tradition
Unit 4	Persons I General Notions, Divisions of persons Free vs. slaves Citizens and non-citizens	Part II, Chapter 1–2 (single persons;	Chapter IV		Gaius , Book I, §§ 9–50; 55–89; 97–107.	1. characterise the legal standing of an individual, explaining its defining factors and their function (three statuses : freedom, citizenship, and family standing), as well the ability to use one rights and its conditions (age, state of mind,

		corporations				historically: gender): modern legal capacity and capacity go legal transactions/acts
Unit 5	Persons II Roman family, Pater familias Paternal power (creation, termination, limits)	Part II, Chapter 4 (Parents and Children)	Chapter V §§ 1, 3		Cook, Patria potestas	2. understand the concept of ancient and Roman citizenship, assess the particularly inclusive nature of the later and know how it conditions law-application.
Unit 6	Persons III Autonomous persons Limited. Guardianship	Chapter V	Chapter V § 4			3. understand the concept of competent law, and know how the praetors managed to broaden the application of Roman law to non-citizens.
Unit 7-8	Persons IV Subjects in Commerce	Part II, Chapter I (§ 4) and IV (§ 5) of Schulz's handbook. and Part I chapter II (Actions).	Chapter IX § 9.3.3.4 a–f.	Gaius, IV §§ 69-74a (p. 263–267) and De Zulueta, Commentary on Gai Inst. IV §§ 69-74a (pp. 268–271).		4. describe the structure of Roman family, understand the role and standing of pater familias and his competences
Unit 9	Law of Persons V Marriage	Part II Chapter III (Husband and Wife)	Chapter V § 5	Urbanik, Husband and Wife	Urbanik, On the Uselessness of it all Kreuzsaler-Urbanik, Schulz, The Principles of Roman Law: <i>Humanitas</i> . Kreuzsaler-Urbanik, Humanity and Inhumanity of Law. The Case of Dionysia	5. explain the notion of paternal power: its creation, termination and limitations (and appreciate its social and historical dimension). 6. understand and know the role of presumptions in the case of presumption of paternity (also its historical impact). 7. explain the notion of representation and its types (direct, indirect); also in the context of guardianship and participation in commerce of subordinated persons; 8. explain the role of guardian of infants. understand the consequences of the acts of infants, the notion of limping transaction 9. understand the role of curators of minors (persons younger than 25 y.o.age) and the legal efficacy of the minors' transactions (voidable transactions) 10. know and apply the basic division of legal transactions in regards to their consequences (onerous and beneficial; valid, voidable, void). 11. know basic notions of slavery, incl modes of enfranchisement, and the legal standing of slaves. 12. explain the role of depended persons (children alieni iuris and slaves) vis-à-vis their

						superior in regards to estate; comprehend and describe how honorary law introduced limited liability of pater familias for the acts of their subjects; apply rules of settlement of accounts to practical cases on participation in trade (peculium and versio, iussum, praepositio). 13. describe the principles of pater familias's liability for the illicit acts of their subjects (noxal liability, primary duty to noxal surrender and the alternative compensation). 14. explain the evolution of legal standing of independent (sui iuris) women from strict limitation in the archaic times to practical freedom at height of classical Roman law (and how that liberty was achieved). 15. appreciate the uniqueness of the Roman construct of marriage and explain its reasons; understand the role of marriage in a community and how a community institutionalise unions of its members in function of the recognised aims thereof.
Unit 10	Law of things I General introductions Definitions	Part IV, Chapter I §§ 1-2, Chapter IV, §§ 1–2.	Chapter VI § 1, 2, 5		Shand/Stein Property	• define the notion of property and of limited property rights (especially their exceptional character as creators of legal relationships: the protection effective against everyone), • to show how property could be legally defined, what kind of difficulties there are (and what kind of limitations are admitted to property right); • understand the fundamental distinction between property and possession • categorise and define the object of property: res (things);
Unit 11	Law of things IV Law of things Protection and types of Ownership	Part IV, Chapter I § 6, Chapter IV, § 4.				
Unit 12	Law of things IV Acquisition of Ownership	Part IV, Chapter I Them 3–5, Chapter IV, §§ 2–3.	Chapter VII, § 1–2			

Unit 13	Law of things IV Rights in alien property	Part IV Chapter II and III.	Chapter VI, § 3			• explain how praetorian law provides legal remedies to situations unknown to ius civile (protection of bonitary and quiritary ownership); • be able to show differences between abstract and causal acts on the example of transfer (tradition) and mancipatio. • know and be able to describe all types of property acquisition; • explain the role of conveyance-transfer (traditio); refer to its post Roman tradition culminating in the construct of abstract transfer in German law. • explain the notion of usucaption, and define its conditions; • justify controversies arising in the case of production (specification); • solve practical problems involving the above.
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Unit 2.1	Obligations I Introduction and general notions Stipulation	Part V Chapter I §§ 1, 2 Chapter IV, § 2	Chapter IX, §§ 1–2			
Unit 2.2	Obligations II Stipulation	Part V Chapter I §§ 2–3	Chapter IX, § 4			
Unit 2.3	Obligations Real Contracts	Part V Chapter I, §§ 5, 6, 7 and 4	Chapter IX, § 5			
Unit 2.4	Obligations III Consensual Contracts, Sale	Part V Chapter I §§ 9, 10	Chapter IX, § 3			
Unit 2.5	Obligations IV	Part V Chapter I §§ 11, 12	Chapter IX, § 3			

	Consensual Contracts, Lease/Hire, Partnership					
Unit 2.6	Obligations V Mandate and Agency without Commission	Part V Chapter I § 13 Chapter II § 2	Chapter IX, § 3, 9			
Unit 2.7	Obligations VI Breaking the limits of contract-making	Part V Chapter III, § 1; Chapter I, §§ 1,2, 3, 8 and 14	Chapter IX, §§ 7, 8, 9			
Unit 2.8	Obligations VII Elements of Delictual Liability Damage before and after Lex Aquilia	Part V Chapter II, § 1, 3, 4	Chapter X §§ 1, 2 & 4			
Unit 2.9	Obligations VIII Damage beyond Aquilian Liability		Chapter X, §§ 5, 6, 7			