This course focuses on certain features of the Roman law of persons that define important aspects of legal status and social identity, starting with the dividing lines between free and slave, citizen and non-citizen. Its major subject areas embrace marriage and patria potestas. A particular concern will be with sexual offenses, such as adultery, incest, and bigamy, since these are especially useful for examining questions of status and identity from a Roman perspective. In some cases they have served as cultural markers, distinguishing Roman citizens from non-citizens, both inside the boundaries of the empire and beyond. As such, their function becomes especially interesting in the wake of the Constitutio Antoniniana.

A major orientation in teaching Roman law in this century is to demonstrate its immediate relevance for modern concerns. This course will take a somewhat different tack, by suggesting that its indirect relevance is no less important. The areas of the law of persons mentioned above emerge in fact as rather peculiar in their fundamental details, whether judged by ancient standards or by our own. We will explore the reasons for this, and attempt to develop a sense of how to evaluate similar "peculiarities" in other parts of the historical record including our own legal cultures.

The Roman Law of the Family:
Cases on Personal Status and Identity
April-May 2016

Students will be recognised 3 CFU (20 hours)

Applicants must fill in the Application form available on Department’s website and mail it to: antonello.calore@unibs.it or giovanni.turelli@unibs.it

Dipartimento di Giurisprudenza
Brescia, Via S. Faustino, 41 - Via delle Battaglie, 58