ROMAN LAW

The reading we want you to do for Roman law falls into two sections.

1. The History of Ancient Rome

This section is background reading for the Roman Law course and does not form part of the course itself. You should not take that to mean, however, that this material is unimportant. One of the interesting things about Roman Law is how and why it developed over time. You therefore need to be thoroughly comfortable with the historical framework and will be expected throughout the course to be able to refer to it with ease. You will not have time to do this reading once you start the course proper; it is important to cover it now.

You need only a general overview, which can easily be gleaned from the reading below. Try to focus on understanding the basic nature and progression of the different 'periods' of Rome: Monarchy, Republic, Empire. Do not worry about the detail given about specific laws or political offices, as the most important ones will be covered more fully later in the course.

• Paul du Plessis, *Borkowski's Textbook on Roman Law* (6th ed, OUP 2020): pp 1- 23 (but you need only skim the section on territorial expansion).

2. The Sources of Roman Law

This section of the reading forms part of your first week of tutorial work. We are setting you a chunk of the first week's reading in advance so that your workload will be lessened while you are settling in to the University. Although we have set a few questions below to ensure that you have properly understood the material, you should not just read the bits relevant to the questions, as you may be set an essay in first week on any part of this reading. For the moment, do not worry about the quotations from Roman texts that the author uses. You do not need Latin to understand the Roman law course, but you will naturally become more familiar with Latin as you go. Indeed, you will be going further than this with other sources and materials too, but you need a basic grounding in advance.

• Paul du Plessis, *Borkowski's Textbook on Roman Law* (as above): pp 27-54 (but you need only skim pp 47-50 on 'some outstanding jurists' and pp 50-54 on 'the post-classical era').

After completing the reading, please answer – as far as possible in your own words – the following questions:

i. Should we be reluctant to describe the praetor as a source of Roman law?
ii. Why were the jurists important in the development of the law?
iii. In what ways did the shift from Republic to Empire affect the sources of Roman law?

In the exams (Moderations after two term, Final Honours School after nine), your writing will be timed. Pager numbers and word counts are irrelevant. You need to read the paper very carefully to choose the questions for which you are best prepared, especially the problem questions. That leaves you with around 40 minutes for each question. In that time, you need to jot down an outline, some arguments you want to raise, and at which point, some academic opinions with which you want to engage, and similar.

That leaves you with no more than 34–36 minutes pure writing time. Please keep to this when you answer the above questions. Simply stop working once the time is up. If you did not quite manage to get everything down that you wanted to say, no problem: we shall practice writing against the clock time and again. The sooner you realise that you need to work on this, the better. You will manage eventually, do not worry.