

# Teoria E Storia Del Diritto Privato

**Olivier Sykes, John Sturzaker**

**The Oxford Handbook of Roman Law and Society** Paul J. du Plessis, Clifford Ando, Kaius Tuori, 2016 The Handbook is intended to survey the landscape of contemporary research and chart principal directions of future inquiry. Its aim is to bring to bear upon Roman legal study the full range of intellectual resources of contemporary legal history, from comparison to popular constitutionalism, from international private law to law and society. This unique contribution of the volume sets it apart from others in the field. Furthermore, the volume brings the study of Roman law into closer alignment, and thus into dialogue, with historical, sociological, and anthropological research in law in other periods. The volume is therefore directed not simply to ancient historians and legal historians already focused on the ancient world, but to historians of all periods interested in law and its complex and multifaceted relationship to society.

**Environmental Thought in the Graeco-Roman World** Orietta Dora Cordovana, 2024-09-23 The debate that has arisen around the concept of the Anthropocene forms the basis of this book. It investigates certain forms of environmental interrelation and 'ecological' sensitivity in the Graeco-Roman world. The notions of environmental depletion, exploitation and loss of plant species, and the ancients' knowledge of species diversity are the main cores of the research. The aim is to interrogate historical sources and diverse evidence and to analyse political and socioeconomic structures, according to a reading focused on possible antecedents, cultural prodromes, alignments of thought or divergencies, with respect to major modern environmental problems and current ecological conceptualisations. As a result, 'sustainable' behaviour, 'biodiversity' and its practical uses can also be identified in ancient societies. In the context of environmental studies, this contribution is placed from the perspective of a historian of antiquity, with the aim of outlining the *forma mentis* and *praxis* of the ancients with respect to specific environmental issues. Ancient civilizations always provided ad hoc solutions for specific emergencies, but never developed a comprehensive ecological culture of environmental protection as in modernity.

**Planning in a Failing State** Olivier Sykes, John Sturzaker, 2023-11-23 This topical, edited collection analyses the state of the planning system in England and offers a robust, evidence-based review of over a decade of change since the Conservative-led coalition government came to power. With a critique of ongoing planning reforms by the UK government, the book argues that the planning system is often blamed for a range of issues caused by ineffective policy making by government. Including chapters on housing, localism, design, zoning and the consequences of Brexit for environmental

planning, the contributors unpick a complicated set of recent reforms and counter the claims of the think-tank-led assault on democratic planning.

**Openings and Closures: Socialist Strategy at a Crossroads** Greg Albo, Stephen Maher, 2025-03-12T00:00:00Z  
Socialists are at a crossroads, facing the return of Donald Trump to the presidency of the American empire, concerned by planetary warming if previous commitments to phase out fossil fuels are dashed, and seeing neoliberalism's inability to provide a humane framework for macroeconomic stability, ideological legitimacy or global political order. What can the left carry forward from recent strategies, tactics and organizations that, not so long ago, seemed so promising? Is the left starting over, or moving on?

**Preclassical Conflict of Laws** Nikitas E. Hatzimihail, 2021-07-22 To better appreciate present-day private international law and its future prospects and challenges, we should consider the history and historiography of the field. This book offers an original approach to the study of conflict of laws and legal history that exposes doctrinal lawyers to historical context, and legal historians to the intricacies of legal doctrine. The analysis is based on an in-depth examination of Medieval and Early Modern conflict of laws, focusing on the classic texts of Bartolus and Huber. Combining theoretical insights, textual analysis and historical perspectives, the author presents the preclassical conflict of laws as a rich world of doctrines and policies, theory and practice, context and continuity. This book challenges preconceptions and serves as an advanced introduction which illustrates the relevance of history in commanding private international law, while aspiring to make private international law relevant for history.

**The Position of Roman Slaves** Martin Schermaier, 2023-03-20 Slaves were property of their dominus, objects rather than persons, without rights: These are some components of our basic knowledge about Roman slavery. But Roman slavery was more diverse than we might assume from the standard wording about servile legal status. Numerous inscriptions as well as literary and legal sources reveal clear differences in the social structure of Roman slavery. There were numerous groups and professions who shared the status of being unfree while inhabiting very different worlds. The papers in this volume pose the question of whether and how legal texts reflected such social differences within the Roman servile community. Did the legal system reinscribe social differences, and if so, in what shape? Were exceptions created only in individual cases, or did the legal system generate privileges for particular groups of slaves? Did it reinforce and even promote social differentiation? All papers probe neuralgic points that are apt to challenge the homogeneous image of Roman slave law. They show that this law was a good deal more colourful than historical research has so far assumed. The authors' primary concern is to make this legal diversity accessible to historical scholarship.

**Wergild, Compensation and Penance**, 2021-07-15 This volume offers the first comprehensive account of the monetary logic that guided the payment of wergild and blood money in early medieval conflict resolution. In the early middle ages,

wergild played multiple roles: it was used to measure a person's status, to prevent and end conflicts, and to negotiate between an individual and the agents of statehood. This collection of interlocking essays by historians, philologists and jurists represents a major contribution to the study of law and society in Western Europe during the early Middle Ages. Contributors are Lukas Bothe, Warren Brown, Stefan Esders, Wolfgang Haubrichs, Paul Hyams, Tom Lambert, Ralph W. Mathisen, Rob Meens, Han Nijdam, Lisi Oliver, Harald Siems, Karl Ubl, and Helle Vogt. See inside the book.

**Law and Ethics in Greek and Roman Declamation** Eugenio Amato, Francesco Citti, Bart Huelsenbeck, 2015-03-10 Ancient declamation—the practice of delivering speeches on the basis of fictitious scenarios—defies easy categorization. It stands at the crossroads of several modern disciplines. It is only within the past few decades that the full complexity of declamation, and the promise inherent in its study, have come to be recognized. This volume, which contains thirteen essays from an international team of scholars, engages with the multidisciplinary nature of declamation, focusing in particular on the various interactions in declamation between rhetoric, literature, law, and ethics. Contributions pursue a range of topics, but also complement each other. Separate essays by Brescia, Lentano, and Lupi explore social roles—their tensions and expectations—as defined through declamation. With similar emphasis on historical circumstances, Quiroga Puertas and Tomassi consider the adaptation of rhetorical material to frame contemporary realities. Schwartz draws attention to the sometimes hazy borderline between declamation and the courtroom. The relationship between laws and declamation, a topic of abiding importance, is examined in studies by Berti, Breij, and Johansson. Also with an eye to the complex interaction between laws and declamation, Pasetti offers a narratological analysis of cases of poisoning. Citti discovers the concept of natural law represented in declamatory material. While looking at a case of extreme cruelty, Huelsenbeck evaluates the nature of declamatory language, emphasizing its use as an integral instrument of performance events. Zinsmaier looks at discourse on the topic of torture in rhetorical and legal contexts.

**Comparative Law** Sean Patrick Donlan, Jane Mair, 2019-12-06 This book discusses a number of important themes in comparative law: legal metaphors and methodology, the movements of legal ideas and institutions and the mixity they produce, and marriage, an area of law in which culture – or clashes of legal and public cultures – may be particularly evident. In a mix of methodological and empirical investigations divided by these themes, the work offers expanded analyses and a unique cross-section of materials that is on the cutting edge of comparative law scholarship. It presents an innovative approach to legal pluralism, the study of mixed jurisdictions, and language and the law, with the use of metaphors not as an illustration but as a core element of comparative methodology.

*The Acts of the Early Church Councils* Thomas Graumann, 2021-08-20 The Acts of Early Church Councils Acts examines the acts of ancient church councils as the objects of textual practices, in their editorial shaping, and in their material conditions. It traces the processes of their production, starting from the recording of spoken interventions during a meeting,

to the preparation of minutes of individual sessions, to their collection into larger units, their storage and the earliest attempts at their dissemination. Thomas Graumann demonstrates that the preparation of 'paperwork' is central for the bishops' self-presentation and the projection of prevailing conciliar ideologies. The councils' aspirations to legitimacy and authority before real and imagined audiences of the wider church and the empire, and for posterity, fundamentally reside in the relevant textual and bureaucratic processes. Council leaders and administrators also scrutinized and inspected documents and records of previous occasions. From the evidence of such examinations the volume further reconstructs the textual and physical characteristics of ancient conciliar documents and explores the criteria of their assessment. Reading strategies prompted by the features observed from material textual objects handled in council, and the opportunities and limits afforded by the techniques of 'writing-up' conciliar business are analysed. Papyrological evidence and contemporary legal regulations are used to contextualise these efforts. The book thus offers a unique assessment of the production processes, character and the material conditions of council acts that must be the foundation for any historical and theological research into the councils of the ancient church.

Artificial Intelligence and Normative Challenges Angelos Kornilakis, Georgios Nouskalis, Vassilis Pergantis, Themistoklis Tzimas, 2023-11-20 Artificial intelligence (AI) – both in its current, comparatively limited form and even more so in its potential future forms (such as general and superintelligence) – has raised both concerns and hopes. Its actual and potential consequences are increasingly far-reaching, affecting almost every facet of human life on a collective and individual level: from the use of mobile phones and social media to autonomous weapons, and from the digitalization of knowledge and information to the patentability of AI innovations, unexpected philosophical, ontological, political and legal questions continue to arise. This book offers an insightful and essential guide to the scientific questions that are shaping humanity's present and future. Presenting a collection of academic essays written by prominent scholars, it addresses the major legal issues concerning AI: its impact on a wide range of human behavior and the general legal response, including questions on AI and legal personhood; responsibility, liability and culpability in the age of AI; the challenges AI poses for intellectual property regimes; human rights challenges; and AI's impact on *jus ad bellum* and *jus in bello*. Given its scope, the book will appeal to researchers, scholars and practitioners seeking a guide to this rapidly transforming landscape.

**The Cambridge Companion to Roman Law** David Johnston, 2015-02-16 This book reflects the wide range of current scholarship on Roman law. The essays, newly commissioned for this volume, cover the sources of evidence for classical Roman law, the elements of private law, as well as criminal and public law, and the second life of Roman law in Byzantium, in civil and canon law, and in political discourse from AD 1100 to the present. Roman law nowadays is studied in many different ways, which is reflected in the diversity of approaches in the essays. Some focus on how the law evolved in ancient Rome, others on its place in the daily life of the Roman citizen, still others on how Roman legal concepts and doctrines have been

deployed through the ages. All of them are responses to one and the same thing: the sheer intellectual vitality of Roman law, which has secured its place as a central element in the intellectual tradition and history of the West.

La circolazione mortis causa dell'azienda Giuseppe Lo Sardo, 2020-06-09 I volume mira ad una trattazione esaustiva ed analitica delle tematiche relative alle vicende dell'azienda dopo la morte dell'imprenditore individuale. Esamina in prospettiva unitaria le opinioni dottrinali e gli orientamenti giurisprudenziali sulle questioni di maggiore interesse, tenendo conto anche dei problemi relativi agli incapaci di agire e alle connesse implicazioni di volontaria giurisdizione. La parte introduttiva è dedicata allo sviluppo storico della disciplina, a partire dai casi affrontati e dalle soluzioni fornite dai giuristi romani fino ad arrivare all'età delle codificazioni europee e, infine, alla normativa del codice civile del 1942, ricostruendo in via interpretativa la disciplina applicabile alle vicende successorie a titolo universale e particolare. L'illustrazione non ha mancato di tener conto delle problematiche che sono insorte o potrebbero insorgere nella prassi notarile, oltre che degli orientamenti espressi dagli organismi istituzionali del notariato sulle varie questioni. Per quanto il lavoro sia ispirato ad un'impostazione teorica, si è cercato di indirizzarne le conclusioni ad un ragionato esame delle varie difficoltà che insorgono nella realtà quotidiana e che esigono dall'interprete una soluzione adeguata dei problemi concreti.

*Phenomenology and Mind* 24 AA.VV., 2023-10-25 INTRODUCTION Paolo Di Lucia and Lorenzo Passerini Glazel, Introduction. Veritas in Dicto, Veritas in Re Amedeo Giovanni Conte, Three Paradigms for a Philosophy of the True: Apophantic Truth, Eidological Truth, Idiological Truth SECTION I. Truth of Language (De Dicto Truth) vs. Truth of Things (De Re Truth) Roberta De Monticelli, Ockham's Razor, or the Murder of Concreteness. A Vindication of the Unitarian Tradition Richard Davies, Monadic Truth and Falsity Stefano Caputo, One but not the Same Paolo Heritier, True God and True Man: Some Implications SECTION II. Truth of Things and the Normative and Axiological Dimensions of Reality Anna Donise, A Stratified Theory of Value Venanzio Raspa, On Emotional Truth Sergei Talanker, No True Persuasive Definition Marginalizes? Carlos Morujão, Subjective Meanings and Normative Values in Alfred Schutz's Philosophy of Human Action SECTION III. Truth, Validity, and Normativity Pedro M. S. Alves, A Phenomenological Analysis of the Nomothetic Noema. Discussing the De Dicto and De Re Formulations of Normative Sentences Wojciech Żelaniec, Things We Must Never Do (If Any) Sara Papić, Can Linguistic Correctness Provide Us with Categorical Semantic Norms? Virginia Presi, Custom in Action. Ferdinand Tönnies' Ontology of the Normative SECTION IV. Truth and Validity in Action: Norm Effectiveness and Nomotropic Behaviour Pascal Richard, Norms as Intentional Systems Alba Lojo, The Semantic Conception of Efficacy and Constitutive Rules: Mapping a Tough Relationship Giovanni Bombelli, Normativity, Truth, Validity and Effectiveness. Remarks Starting from the Horizon of the Common Sense SECTION V. Further Contributions Caterina Del Sordo and Roberta Lanfredini, Matter at a Crossroads: Givenness vs Forceful Quality Stefano Colloca, On the Deontic Validity of the General Exclusive Norm Alessandro Volpe, Doing Justice to Solidarity: On the Moral Role of Mutual Support

**"Messages from Antiquity"** Ulrike Babusiaux, Mariko Igimi, 2019-06-17 Roman law has shaped the Civil law tradition but its influence undoubtedly also extends to Common law countries. Legal institutions as well as legal reasoning reassembled in the Corpus iuris civilis have been studied for nearly one thousand years in Western Europe and have been a constant point of reference. Japanese law adopted this tradition since the Meiji-era. Roman law does not only offer a historical insight into the foundations of modern legal thinking, but can also be a useful tool for deeper understanding and analysis of current legal problems. The international seminar held at the University of Kyushu in February 2016 intended to show the validity of Roman law for contemporary legal practitioners facing current challenges by looking at selected issues. Das römische Recht hat die Tradition des Civil law geprägt, aber ohne Zweifel auch das Common law beeinflusst. Die Rechtsinstitute und die rechtliche Argumentation, welche im Corpus iuris civilis gesammelt sind, stehen in Westeuropa seit über tausend Jahren im Zentrum juristischer Studien und bilden auch im Japanischen Recht seit der Meiji-Ära einen wichtigen Bezugspunkt. Allerdings erlaubt das römische Recht nicht nur einen Zugang zu den historischen Grundlagen des modernen Rechtsdenkens; vielmehr kann es auch als Instrument zum tieferen Verständnis und zur Analyse aktueller Rechtsprobleme dienen. Die internationale Tagung an der Universität Kyushu im Februar 2016 verfolgte den Zweck, anhand ausgewählter Rechtsfragen den zeitlosen Wert des römischen Rechts auch für die Herausforderungen der heutigen Jurisprudenz aufzuzeigen.

**Tulane Law Review** ,1993

*The Civilian Legacy of the Roman Army* ,2024-06-24 The Roman army represented an important social and organizational reference model for the Romano-Barbarian societies, which progressively replaced the Western Empire in the transition from Late Antiquity to Early Middle Ages. The great flexibility of the decision-making and organizational solutions used by the Roman army allowed the 'new lords' to readapt them and thus maintain power in early medieval Europe for a long time. From a perspective ranging from political, social and economic history to law, anthropology, and linguistic, this book demonstrates how interesting and fruitful the investigation of this specific cultural imprint can be in order to gain a better understanding of the origins of the civilization that arose after the fall of the Roman world. Contributors are Francesco Borri, Fabio Botta, Francesco Castagnino, Stefan Esders, Carla Falluomin, Stefano Gasparri, Wolfgang Haubrichs, Soazick Kerneis, Luca Loschiavo, Valerio Marotta, Esperanza Osaba, Walter Pohl, Jean-Pierre Poly, Pierfrancesco Porena, Iolanda Ruggiero, Andrea Trisciuglio, Andrea A. Verardi, and Ian Wood.

*A Companion to Byzantine Law* ,2025-07-24 The so-called Byzantine Empire, which existed for more than a thousand years with Constantinople as its capital, demonstrates the birth of a new world with the wedding of Western and Eastern traditions. This study of Byzantine legal texts, mainly from the 6th to the 11th centuries, illustrates this clearly, following the evolution of Roman law into Byzantine law. By outlining and analysing the influence of various historical, social, and religious

factors on this progression, the present handbook not only presents a condensed picture of the evolution of law in the area beyond the Adriatic Sea, but also indirectly sheds light on Byzantine society more broadly. Contributors are: Kalliopi (Kelly) Bourdara, Wolfram Brandes, Zachary Chitwood, Giuseppe Falcone, Andreas Gkoutzioukostas, Fausto Gorla, Vasileios-Alexandros Kollias, Alexander Liarmacopulus, Valerio Massimo Minale, Eleftheria Papagianni, Kalliopi Papakonstantinou, Daphne Penna, Peter Sarris, Dieter Simon, Marios Th. Tantalos, Spyros Troianos†, and Thomas van Bochove.

*Roman Law and Economics* Giuseppe Dari-Mattiacci, Dennis P. Kehoe, 2020-05-26 Ancient Rome is the only society in the history of the western world whose legal profession evolved autonomously, distinct and separate from institutions of political and religious power. Roman legal thought has left behind an enduring legacy and exerted enormous influence on the shaping of modern legal frameworks and systems, but its own genesis and context pose their own explanatory problems. The economic analysis of Roman law has enormous untapped potential in this regard: by exploring the intersecting perspectives of legal history, economic history, and the economic analysis of law, the two volumes of *Roman Law and Economics* are able to offer a uniquely interdisciplinary examination of the origins of Roman legal institutions, their functions, and their evolution over a period of more than 1000 years, in response to changes in the underlying economic activities that those institutions regulated. Volume I explores these legal institutions and organizations in detail, from the constitution of the Roman Republic to the management of business in the Empire, while Volume II covers the concepts of exchange, ownership, and disputes, analysing the detailed workings of credit, property, and slavery, among others. Throughout each volume, contributions from specialists in legal and economic history, law, and legal theory are underpinned by rigorous analysis drawing on modern empirical and theoretical techniques and methodologies borrowed from economics. In demonstrating how these can be fruitfully applied to the study of ancient societies, with due deference to the historical context, *Roman Law and Economics* opens up a host of new avenues of research for scholars and students in each of these fields and in the social sciences more broadly, offering new ways in which different modes of enquiry can connect with and inform each other.

*Law and Agroecology* Massimo Monteduro, Pierangelo Buongiorno, Saverio Di Benedetto, Alessandro Isoni, 2015-05-06 This book represents a first attempt to investigate the relations between Law and Agroecology. There is a need to adopt a transdisciplinary approach to multifunctional agriculture in order to integrate the agroecological paradigm in legal regulation. This does not require a super-law that hierarchically purports to incorporate and supplant the existing legal fields; rather, it calls for the creation of a trans-law that progressively works to coordinate interlegalities between different legal fields, respecting their autonomy but emphasizing their common historical roots in the process. Rural, the rural phenomenon as a whole, reflects the plurality and interdependence of different complex systems based jointly on the land as a central point of reference. "Rural" is more than "agricultural": if agriculture is understood traditionally as an activity aimed at exploiting the land for the production of material goods for use, consumption and private exchange, rurality marks the

reintegration of agriculture into a broader sphere, one that is not only economic, but also social and cultural; not only material, but also ideal, relational, historical, and symbolic; and not only private, but also public. In approaching law, the natural and social sciences first became specialized, multiplied, and compartmentalized in a plurality of first-order disciplines; later, they began a process of integration into Agroecology as a second-order, multi-perspective and shared research platform. Today, Agroecology is a transdiscipline that integrates other fields of knowledge into the concept of agroecosystems viewed as socio-ecological systems. However, the law seems to still be stuck in the first stage. Following a reductionist approach, law has deconstructed and shattered the universe of law into countless, disjointed legal elementary particles, multiplying the planes of analysis and, in particular, keeping Agricultural Law and Environmental Law two separate fields.

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