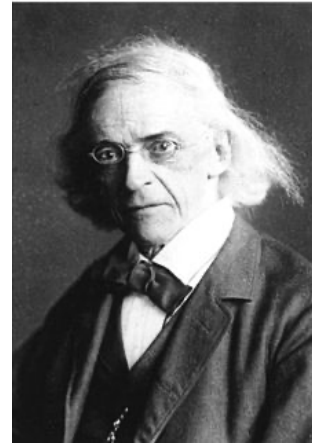


Seminar 'Roman constitutional law'

Prof. Dr. Elsemieke Daalder
Wintersemester 2024/2025

Roman constitutional law

Between 1871 and 1888 the famous German legal historian and classicist Theodor Mommsen published his monumental '*Römisches Staatsrecht*' in three volumes. He himself said that if he were to be remembered by anything, it would be by this work. Indeed, his efforts were foundational for the study of Roman constitutional law. In contrast to Roman private law, Roman constitutional law was never codified and rules belonging to this area of Roman law can barely be found in Justinian's *Corpus iuris civilis*. Mommsen was the first to create a systematized account of Rome's constitution and its development through the centuries, making use of both legal, literary and other types of classical sources (inscriptions, papyri etc.). His work is still seen as the



definitive account on the subject. Consequently, the study of Roman constitutional law by legal historians has been relatively limited in the last century compared to the research done in the field of Roman private law. In this seminar we will explore this often overlooked area of Roman law, where there is – in spite of Mommsen's work – still much to discover.

The seminar is most suited for students of Schwerpunktbereiche 6, 9 and 11. However, students from other Schwerpunktbereiche can also apply for this seminar, provided that the chosen topic is related to the focus of their Schwerpunktbereich. I am happy to advise students in individual cases.

Topics

A list of possible topics for the presentations and/or papers can be found below. Please note that most of them are formulated somewhat broadly and require students to look for a more specific research question for their presentation/paper. Students are also allowed to make suggestions for a topic themselves based on their individual interests.

1. The Roman *rex* and the constitution of the Monarchy (753-510 BCE)
2. The constitution of the Republic (510-27 BCE)
3. Legislative practices during the Republic
4. The civil wars of the first century BCE and their impact on the Roman constitution
5. The legal aspects of the Republican dictatorship
6. Marcus Tullius Cicero and constitutional law
7. The use of law and legislation in political struggles of the Republic
8. The constitution of the Principate / legal position of the *princeps*
9. The so-called '*lex regia*' (Gai. 1,5 and D. 1,4,1 *pr.*)
10. Constitutional and administrative law in legal writing
11. Imperial legislation
12. Imperial adjudication
13. Law and legislation as a tool for imperial representation
14. The constitution of the Dominate
15. Legislation and legislative practices in late Antiquity, including the *Corpus Iuris Civilis*

Logistics

Application

This seminar is limited to 20 participants. Interested students can apply before the deadline specified by the faculty's examination office via the electronic registration system (WILMA III). Additionally, you must register at the chair's secretariat (Ms. Scholz, fscholz@uni-muenster.de). Please mention in this email your Schwerpunktbereich and whether you will take part in the seminar in the form of a written paper (Seminararbeit), a presentation (Kolloquium) or both. If the number of interested students surpasses the limit of participants, a selection will be made on the basis of academic results and language skills.

First meeting

The first meeting will be on Wednesday **10 July at 15.00 hrs** and will take place in the Koschaker room of the Rechtshistorische Bibliothek. At the meeting, we will discuss the seminar arrangements. I will also give a short introduction on the topic of the seminar.

Deadlines

This seminar will take place as a 'Blockseminar' in Münster. The exact date of the oral presentations will be announced during the meeting on 10 July - they will probably be scheduled in November. The written papers must be submitted on 15 January 2025 at 12.00 hrs at the latest. They must be submitted with me via email (elsemieke.daalder@uni-muenster.de) and in hardcopy form with the chair's secretariat (Frau Scholz, JUR 208a). **Please note that both the oral presentation and the written paper have to be in English.**

Contact and questions

In case of questions, please feel free to contact me via email: elsemieke.daalder@uni-muenster.de.