

CLAS - 3350 - Law and Society in Ancient Rome
3d. UH Core - Create New Course and add to Core (UGRD only)

1. Course Ownership/Implementation/Justification

Department* Classical Studies

Required Approval Steps*

- Undergraduate Studies Department Committee Review
- Undergraduate Studies Department Chair/Program Director
- Undergraduate Studies College Curriculum Committee

Will the course be cross-listed with another area?*

- Yes
- No

If yes, has an agreement with department(s) been reached?

- Yes
- No

Department(s) and Course(s) that will be cross-listed with this course

Catalog year of implementation*

- 2016 - 2017
- 2017 - 2018

Term(s) Course will be TYPICALLY Offered:*

- Fall (including all sessions within term)
- Spring (including Winter Mini all sessions within term)
- Summer (including Summer Mini and all sessions within term)
- Contact Your Academic Advisor

Justification(s) for Adding Course*

d. To meet instructional needs of students

Justification - if "other" selected above:

State the rationale for creating this new course:*

This course will expand offerings for Roman history for students in Classical Studies and World Cultures and Literatures. It would be an elective in the Phronesis minor (Honors College) and "strongly recommended" for students accepted into the 3+3 Law program or other students considering a legal education.

2. Course Catalog Information

Former Selected Topics Course Prefix (Rubric)

Former Selected Topics Course Code (Number)

Former Selected Topics Course TOPIC TITLE

Instructional Area/ Course Prefix* CLAS

Course Number* 3350

Long Course Title* Law and Society in Ancient Rome

Short Course Title (30 character limit)* Law & Society in Ancient Rome

Instruction Type*

Lecture ONLY

Lecture* 3

Lab* 0

Course Credit Level* Junior

Grade Option* Letter (A, B, C.....)

Can this course be repeated for credit?* Yes No

If Yes, how often and/or under what conditions may the course be repeated?

Number of credit hours required of this course in degree plan* 3.0

Number of course completions (attempts) allowed* 3

Are multiple enrollments allowed for course within a session or term?* Yes No

CIP Code* 54 .0103 .0001

Prerequisite(s):* ENGL 1304

Corequisite(s)

**Requisite Checks
in PeopleSoft***

- Need to adjust requisite checks already in place - Begin enforcement Fall
- Need to adjust requisite checks already in place - Begin enforcement Spring
- Need to create requisite checks for course - Begin enforcement Fall
- Need to create requisite checks for course - Begin enforcement Spring
- No adjustment required - requisites not being changed
- No requisite check desired for course at this time

**Course
Description***

A survey of key Roman legal ideas and texts from the archaic period to the late Republic and early Empire. Special attention paid to the law's relation to Rome's religion and changing social and political structures. Through Cicero the course explores the situation of the practicing advocate in complicated times. Ends with a look at later Roman jurisprudence.

Course Notes

3. Authorized Degree Program(s)/Impact Study

**Is this a required
course for any**

- Yes - enter additional information in field below

program (degree, certificate, or minor)?* No

If yes, for which program(s)?

Does this change cause a change in any program?* Yes - attach copy of program plan
 No

If yes, to which program(s)?

Does this change force changes in prerequisites for other courses?* Yes - enter additional information in field below
 No

If yes, which course(s) and is a proposal being submitted to reflect the change?

4. Core Curriculum Information

Learning Outcomes*

- Students will become conversant with the historical foundations and some central concepts of Roman Law, itself the foundation of the Civil Law tradition.
- Through the careful reading of primary source texts in translation, students will learn to analyze legal disputes from the Roman point of view and reflect upon the social values and political struggles represented in these disputes.
- By reflecting on the Roman situation of the law, students will heighten their critical thinking abilities in relation to how law is connected to other aspects of culture and society.
- By writing regular assignments for the class, students will improve their skills at critical analysis and argument as well as literary interpretation.

Foundational Component Area for which the course is being proposed (select one)*

Language, Philosophy, & Culture

Component Area Option (optional)

None Selected

UH Core: Single or Double Category Listing

List course in BOTH the Foundational Component Area and the Component Area Option

List course in ONLY the Component Area Option

Core Objectives addressed by the course*

Critical Thinking

Critical Thinking, if applicable

Students will regularly analyze primary texts to assess the fuller situation in which legal disputes arise and take their actionable form. They will also analyze legal court speeches to understand the strategies of argument that were effective with the Roman juries. Students in their written analysis will demonstrate critical thinking.

Communication Skills, if applicable

Students will write in response to detailed questions on a weekly basis, and will be given regular critical feedback on their written work. In addition, they will regularly rehearse arguments and counter-arguments relevant to the cases under review in class, and come to understand the Roman rhetorical tradition in its original context. Students will demonstrate Communication Skills in the weekly written responses.

**Empirical &
Quantitative
Skills, if
applicable**

**Teamwork, if
applicable**

**Social
Responsibility, if
applicable**

By examining the emergence of a foreign (and very influential) legal system, students will come to see how social values, political structures, and a shared history are fundamental to the law's place in society. They will also come to see how the law relies on rituals and formalities in order to give shape to and contain conflict in society. They will also see the dire consequences of increasing lawlessness for a free society in the case of the Late Republic. In a written assignment students will demonstrate Social Responsibility.

Personal

Responsibility, if applicable

By viewing the law as an aspect of society and culture, students will come to learn about the interdependence of social values and legal structures, and the individual's role in navigating conflict by recourse to the law, as well as the law's limitations in addressing private wrongs. In a written assignment, students will demonstrate personal responsibility.

Will the syllabus vary across multiple sections of the course?*

Yes

No

If yes, list the assignments that will be constant across sections

5. Supporting Documentation

- Type of Attachments***
- Course Syllabus
 - Degree Plan
 - Memo
 - Other Document(s)

"Other" documents: Core competency sample assignment and explanation.

6. Additional Information Regarding This Proposal

**Contact person
for questions
about proposal:*** Monroe, William - wmonroe@uh.edu

Comments: Dean Monroe can answer questions concerning the Phronesis Minor in Honors or the developing 3+3 Law program at UH.

Administrative Use Only

**(Administrative
Use Only)
Proposal ID#**

Memorandum on CLAS 3350 in relation to Developing Programs.

The proposed course will serve multiple constituencies across already existing and developing programs.

First, it will serve as a Classical Studies and World Cultures and Literatures elective course; both are existing programs in the Modern & Classical Language Departments. It can also serve as an elective in the Latin minor.

Second, it will serve as an elective course in the Phronesis minor in the Honors College, already up and running.

Third, it can serve as an offering for students in the developing 3+3 law program and for students who might have an interest in studying law in the future.

Concerning the 3+3 law program, contact:

Dean William Monroe
Honors College
wfmonroe@Central.UH.EDU

CLAS 3350: Law and Society in Ancient Rome
Prof. Richard H. Armstrong

Purpose: This course is an introduction to key themes in Roman history and society through the theme of Roman law. It is not a technical course on Roman Law of the kind taught in Law School, which can be useful for gaining a background in the Civil Law tradition, but is too technical for undergraduates. It is rather a survey of key moments in Roman history as seen through legal cases and the emergence of legal structures and practices. It can thus serve as both a useful introduction to basic aspects of Roman Law in their historical context and as an introduction to Roman civilization generally, a chief legacy of which is the Roman legal tradition. While students heading for a legal career will doubtless enjoy the course, any student of history or European culture will find plenty of things of interest in the primary source readings that will take up most of the coursework.

Scope: We will cover three periods with a degree of unequal attention, but working in detail on each one using primary sources in translation. 1) The early period of Roman history as seen through Livy's *History of Rome* (Books 1-5), in which a good deal of drama and intrigue surrounds particular legal cases, legal rituals, and emerging structures. 2) The late Republic as seen through the law cases of Marcus Tullius Cicero, a great political figure of his age who began his career as a highly skilled advocate negotiating the courts in a period of increasing violence and lawlessness. 3) The later jurisprudence of the Empire, which eventually led to the codification of Roman law in later antiquity. We will read selections of the later jurists and address the changing legal imperial framework.

Assignments: As with other upper-level courses I teach, students will write weekly responses to questions that will keep them fixed on the material of the course. The total written work for the semester is higher than in other courses (upwards of 8,000 words), but this work is cumulative and not rolled into larger research projects. Consistent reading and attendance, and careful participation in the class discussion will allow a student plenty of resources to succeed. The writing and analytical habits developed in the course will be very useful for graduate or professional school.

Course Outline:

Unit 1: *Ius* and *lex* in Early Rome.

Themes: How to read the legendary history of the law-giving Kings of Rome; law and religion in archaic Rome; the emergence and nature of fetial law; the foundation of the Republic and the "rule of law"; the Twelve Tables of the Law and the emergence of legislation.

Texts used: selections from Livy, *History of Rome*, Mousourakis chapters 1-3, fragments of the Twelve Tables.

Unit 2: The Late Republic and the Crisis of Law

Themes: The law courts of the late Republic and the role of the advocate; the politics of the law courts; legal challenges to official corruption; the crisis of lawlessness in the late Republic; legal theory at the end of the Republic.

Texts: Cicero, defense speeches (*Pro Roscio Amerino*, *Pro Milone*), prosecution and political speeches (*In Verrem*, *In Catilinam*), *De legibus*; Mousourakis chapters 4-6; Riggsby chapters 5-11.

Unit 3: Later Jurisprudence in the Roman Empire

Themes: the changing political structure under the Emperors; the “family legislation” of Augustus and social engineering; law and the family; the emergence of “classical” jurisprudence; the codification of law in the *Corpus Iuris Civilis*.

Texts: Mousourakis chapters 7-9, Riggsby chapters 12-19, Readings from Justinian’s *Digest* and excerpts of other legal texts.

Booklist:

- 1) Livy, *The Early History of Rome*, tr. De Séincourt, Penguin Books.
- 2) Cicero, *Defense Speeches*, tr. D. H. Berry, Oxford World Classics.
- 3) Cicero, *Political Speeches*, tr. D. H. Berry, Oxford World Classics.
- 4) Justinian, *The Digest of Roman Law: Theft, Rapine, Damage and Insult*, tr. C. F. Kolbert, Penguin Books.
- 5) Riggsby, Andrew, *Roman Law and the Legal World of the Romans*, Cambridge UP.
- 6) Mousourakis, George, *A Legal History of Rome*, Routledge.
- 7) Recommended: Boatwright, Mary, et alii, *The Romans: From Village to Empire*. 2nd edition. Oxford UP.

Learning Outcomes:

- Students will become conversant with the historical foundations and some central concepts of Roman Law, itself the foundation of the Civil Law tradition.
- Through the careful reading of primary source texts in translation, students will learn to analyze legal disputes from the Roman point of view and reflect upon the social values and political struggles represented in these disputes.
- By reflecting on the Roman situation of the law, students will heighten their critical thinking abilities in relation to how law is connected to other aspects of culture and society.
- By writing regular assignments for the class, students will improve their skills at critical analysis and argument as well as literary interpretation.

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- By reflecting on the Roman situation of the law, students will heighten their critical thinking abilities in relation to how law is connected to other aspects of culture and society. They will be able to apply this awareness to their own situation under the law.
- By writing regular assignments for the class, students will improve their skills at critical analysis and argument as well as literary interpretation.

Core Competency Areas Addressed by the Course:

- 1) **Critical Thinking.** Students will regularly analyze primary texts to assess the fuller situation in which legal disputes arise and take their actionable form. They will also analyze legal court speeches to understand the strategies of argument that were effective with the Roman juries.
- 2) **Communication Skills.** Students will write in response to detailed questions on a weekly basis, and will be given regular critical feedback on their written work. In addition, they will regularly rehearse arguments and counter-arguments relevant to the cases under review in class, and come to understand the Roman rhetorical tradition in its original context.
- 3) **Social Responsibility.** By examining the emergence of a foreign (and very influential) legal system, students will come to see how social values, political structures, and a shared history are fundamental to the law's place in society. They will also come to see how the law relies on rituals and formalities in order to give shape to and contain conflict in society. They will also see the dire consequences of increasing lawlessness for a free society in the case of the Late Republic.
- 4) **Personal Responsibility.** By viewing the law as an aspect of society and culture, students will come to learn about the interdependence of social values and legal structures, and the individual's role in navigating conflict by recourse to the law.

Sample Assignment for Core Competency Assessment.

Note: throughout the semester, student will write short (min. 500-word) responses to questions on the reading material. This will require them to regularly analyze, critique and formulate ideas as the course continues through the readings. The written word total for the semester varies according to the student (some inspired students will write well above the minimum), but 8,000-10,000 words would not be unusual for a course like this. They produce at a constant rate, which helps them pace their progress in the course.

Sample assignment for Unit 1:

Answer the following questions in a *minimum* of 500 words. Remember to structure your answer well (writing more does not always mean you are actually *saying* more) and make relevant references to the text under discussion.

1. In what way does the legendary figure of Romulus function to ground Roman society's sense of lawfulness? In what way does he challenge the notion? How can a story of violent origins serve as a "foundation myth"?
2. What do the legendary achievements of Numa Pompilius say about the Roman sense of social order? How do they contrast with the first King of Rome?
3. On pp. 55-62, examine the ritual and legal details Livy discusses in his account of the conflict between Rome and Alba Longa. What do they say about the Roman sense of lawfulness in the context of inter-state and individual conflict? How do they help to resolve the conflict?
4. What is the nature of kingship in relation to lawlessness in the case of Tarquin the Proud? How does this square with the account of Romulus' reign?
5. Livy says much about Republican equality under the law, but how does this lead to tragedy for Brutus the Liberator? How does this story resonate with other early legends at Rome concerning the family and the state?

Assessment of Student Work:

Since all work is submitted to Turnitin.com, I will have a bank of student papers to use for assessment of the learning outcomes. I will select a number of them to rate according to a rubric designed by Classical Studies for student writing.

See below for the rubric utilized.

Classical Studies Assessment Rubric for Student Writing

	Poor (1)	Fair (2)	Good (3)	Excellent (4)
Use of evidence (includes sufficient citations from the text, handles evidence from primary and secondary sources critically, draws reasoned conclusions from various sources)				
Critical Analysis (depth, ingenuity and originality of their insights into ancient texts)				
Argument (structure and organization of ideas)				