CLA 333 Roman Law

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214 Old Horticulture
Office Hours MW 12:00-12:30 F 10:30-12:30 (and by appt.)

Texts:


This class focused on Roman private law of the first three centuries CE. Classes format will primarily be based on the "case method": we will discuss problems presented by the cases found in Frier's book, A Casebook on the Roman Law of Delict. There will also be some lecture/discussion in the beginning portion of the course and on those days when we cover background of a case or relevant aspects of Roman culture.

Class participation is essential and will be a major portion of your grade. Each of you should come prepared to discuss the cases assigned for that day. You should not be shy or reluctant to speak in class. Our goal is to have equal participation by all students. We will often divide the class into groups for the presentation of a case or for discussion aspects of an upcoming case. I will not take attendance, but will record your class participation. Chronic absenteeism will severely impact your grade and will likely result in failing the course. If you are absent for a period of time due to illness, or if you cannot come for the midterm or the final, you will need to provide suitable documentation, such as a doctor's note.

The principle goals of the course will be: understanding terms and concepts of Roman Law; demonstrating skill in legal reasoning, and developing knowledge Roman law in its social and cultural contexts.

Your grade will determined as follows:

class participation 40%

midterm exam 25%

Final examination 35%

The midterm will consist of two cases that were discussed in class; you will be asked to select one of the two and to comment on it for 60 minutes. The final exam be two hours in length and will be similar to the midterm. In the first hour of the final you will be asked to comment one of two cases discussed in class since the midterm; in the second hour you will present a legal problem that you will have previously selected and cleared by me and will discuss it in terms of Roman law.

When grading the exams I will look for accuracy in representing Roman law, clarity, and quality of legal thought, and the good use of English. It is also important that you write legibly.

Jan 11 Introduction

Jan 13 Nicholas, pp. 1-38

Jan. 18 Martin Luther King, Jr. Day: No Class

Jan 20 Nicholas, pp. 38-97

Jan 25 Nicholas, pp. 98-157
Jan 27  Nicholas, pp. 158-207  
Feb 1  Nicholas, pp. 207-233; and Frier, Preface, Introduction, Wording of the Lex Aquilia, and Case 1.  
Feb 3  Frier Cases 2-5  
Feb 8  Frier Cases 6-9  
Feb 10 Frier Cases 10-13  
Feb 15 Frier Cases 14-18  
Feb 17 Frier The Components of Aquilian Liability, The Duty of Care, Cases 19-22  
Feb 22 Frier Cases 23-25  
Feb 24 Frier Cases 26-29  
Mar 1  Frier Cases 30; 34-37  
Mar 3  **Midterm Exam**  
Mar 8  *Spring Break*  
Mar 10 *Spring Break*  
Mar 15 Frier Cases 39, 40; Defenses (p. 88); Cases 60, 61  
Mar 17 Frier Cases 64-66; 70  
Mar 22 Frier Procedural Problems in Aquilian Liability Cases 72-76  
Mar 24 Frier Cases 83-86  
Mar 29 Frier Cases 87-91; Liability for Animals; Case 98  
Mar 31 Frier Other Major Delicts; Cases 107, 108, 113, 121  
Apr 5 Frier Cases 122, Inuria; Cases 127, 128, 131  
Apr 7 Frier Cases 131, 135, Praetorii Delict; Cases 144, 146  
Apr 12 Frier Cases 148, 150, 151; 152  
Apr 14 Frier Cases 153; 155; Quasi Delicts; Cases163;167  
Apr 19 Nicholas 234-70; Frier and McGinn Case 171 (handout)  
Apr 21 Frier and McGinn Cases 175, 176, 177, 178 (handout)  
Apr 26 Frier and McGinn Cases 187, 188, 198; A Specimen of a Roman Will (handout)  
Apr 28 Conclusions  

Final Exam    Thursday, May 6 10:00 AM (note: the Final will be in our regular classroom)