INSTRUCTOR: Dr. K. Olson (kolson2@uwo.ca)

OFFICE: Lawson Hall 3227 (661-2111 x 84525)

OFFICE HOURS: TBA

TIME AND PLACE OF CLASS: MWF 12:30 -1:30, WSC 240

COURSE OBJECTIVES  This course examines the legal system of ancient Rome. We will examine the rules, procedures, and institutions of classical Roman law, the influence of social norms and political and cultural traditions on law, and the function of law in Roman society. To this end we will look closely at primary sources for what they can tell us of law and litigation: both Roman laws themselves and forensic speeches from antiquity. Among the topics covered will be the laws governing wills and property disputes, marriage, property, slavery and commerce, as well as homicide, adultery, and assault.

LEARNING OBJECTIVES:
On successful completion of this course students are expected to be able to:

• have acquired a knowledge of ancient Roman law and litigation practices and how law worked within ancient society as a whole
• read, comprehend, and sum up ancient literary sources in translation concerning Roman law
• summarize how Roman law changed over time
LEARNING OUTCOMES/TRANSFERABLE SKILLS:
Students completing this course are expected to have acquired:

- an understanding of the importance of historical perspective, and how social norms and customs, and the construction of law, are products of time, events and context
- a developed understanding of the limits of primary evidence as embodying actual historical fact

REQUIRED TEXTS:

GRADES
Writing assignments (3; problems in Roman law) 10% x 3 = 30%
One in-class exam 30%
Final exam (scheduled by the Registrar) 40%

A grade will not be awarded in this course unless all five components have been completed.

NOTE FROM THE DEAN OF ARTS and HUMANITIES: You are responsible for ensuring that you have successfully completed all course prerequisites and that you have not taken an antirequisite course. Lack of prerequisites may not be used as basis of appeal. If you are not eligible for a course, you may be removed from it at any time, and you will receive no adjustment to your fees. These decisions cannot be appealed.

PLAGIARISM: Students must write their essays and assignments in their own words. Whenever students take an idea, or a passage of text from another author, they must acknowledge their debt both by using quotation marks where appropriate and by proper referencing such as footnotes or citations. Plagiarism is a major academic offence (see Scholastic Offence Policy in the Western Academic Calendar).

POLICY ON ACCOMMODATION FOR MEDICAL ILLNESS:
http://www.uwo.ca/univsec/handbook/appeals/accommodation_medical.pdf
[downloadable Student Medical Certificate (SMC): https://studentservices.uwo.ca [under the Medical Documentation heading]
Students seeking academic accommodation on medical grounds for any missed tests, exams and/or assignments worth 10% or more of their final grade must apply to the Office of the Dean of their home faculty and provide documentation.
ACADEMIC ACCOMMODATION CANNOT BE GRANTED BY THE INSTRUCTOR OR DEPARTMENT.

UWO ACCESSIBILITY POLICY. Western has many services and programs that support the personal, physical, social and academic needs of students with disabilities. For more information and links to these services: http://accessibility.uwo.ca/

EMOTIONAL/MENTAL DISTRESS Students who are in emotional/mental distress should refer to Mental Health@Western http://www.uwo.ca/uwocon/mentalhealth/ for a complete list of options about how to obtain help.
ESSAY AND EXAMS:

The in-class exam and the final exam are designed to test the students' knowledge of textbook reading and lectures. Information on the three writing assignment topics (problems in Roman law, 3 double-spaced typed pages each) will be provided in class and on the OWL site. Late assignments will be penalized at the rate of 5% per day. Please find the Dept. of Classical Studies grading rubric on the 'resources' section of our OWL site.

NOTES TO STUDENTS:

1. Since the tests are given in class time, there can be no conflicts. **More than one test on the same day does not constitute a conflict. Please plan your schedule ahead of time.**

2. Exam questions will be based on lectures as well as assigned readings. Failure to complete the required readings before an exam does not constitute a valid reason for postponing that exam. **Please plan your schedule ahead of time.**

3. Those who miss classes or parts of classes remain responsible for the material they have missed. Attendance is **essential.** I do not review the contents of lectures for those who arrive late or miss classes.

4. **I do not re-weight exams** except in cases of serious illness or provable personal crisis. Nor are extra-credit assignments allowed to make up for poor performance on an exam.

5. Please note the **study questions** posted on our OWL site. We will go over some of these in class, but you are responsible for making sure you have answered all of them. I will draw freely on these for exam purposes.

6. I will also post **handouts and other study aids** on OWL, so check the site regularly.

LECTURE OUTLINE

**Frid Jan 6** Introduction; Roman history  
**Reading:** Nicholas 3-14; *Outline of Roman History* (on the OWL site)

**Mon Jan 9** Sources and legal texts for the study of Roman law I; *ius naturale* and *ius gentium*  
**Reading:** Nicholas 14-45, 54-59; Crook 7-30 (sources); 30-35 (application)

**Weds Jan 11** Sources and legal texts for the study of Roman law II

**Frid Jan 13** trials and procedures; the machinery of the law  
**Reading:** Crook 68-97

**Mon Jan 16** Law of Status I  
**Reading:** Nicholas 60-65; Crook 36-49

**Weds Jan 18** Law of Status II

**Frid Jan 20:** **CLASS CANCELLED** (Dr. Olson in Senate)
Mon Jan 23  The Law of Property I: fundamentals, possession, modes of acquisition, conveyance; *mancipatio/ traditio*
   Reading: Nicholas 98-120, Crook 139-78
Weds Jan 25  The Law of Property II
   Reading: Nicholas 120-157
Frid Jan 27  The Law of Property III
Mon Jan 30  Obligations I: Contracts (background, real contracts, sale, hire, partnership, mandate, stipulation) *Writing assignment #1 DUE
   Reading: Nicholas 158-205, 227-233
Weds Feb  1  Obligations I con’t
Frid Feb  3  Commerce and Labor I
   Reading: Crook 179-249
Mon Feb  6  Commerce and Labor II
Weds Feb  8  Obligations II: Delict (crime, insult and injury, *damnum inuria datum*, liability)
   Reading: Nicholas 207-226
Frid Feb 10  *Furtum*: the law of theft
   Reading: handout; review Nicholas 211-215
Mon Feb 13  Damages: the *Lex Aquilia*
   Reading: handout; review Nicholas 218-222
Weds Feb 15: **IN CLASS EXAM**
Frid Feb 17: CLASS CANCELLED (Dr. Olson in Senate)

**READING BREAK**

Mon Feb 27: Homicide
Weds Mar  1  *Patria potestas* *Writing assignment #2 DUE*
   Reading: Nicholas 65-69, 76-80
Frid Mar  3  *Tutela*
   Reading: Nicholas 90-96
Mon Mar  6  Dowry
Weds Mar  8  Roman marriage I
   Reading: Nicholas 80-90, Crook 99-104
Frid Mar 10  Roman marriage II
Mon Mar 13  Sexual offenses I (adultery, *stuprum*, bigamy, incest, rape)
Weds Mar 15  Sexual offenses II
Frid Mar 17  Sexual offenses III
Mon Mar 20  Divorce, widowhood, remarriage I
Weds Mar 22  Divorce, widowhood, remarriage II
Frid Mar 24  Children, adoption/*adrogatio*, emancipation, *capitis deminutio* I
   Reading: Nicholas 90-96; Crook 98-118
Mon Mar 27  Children, /adoption/*adrogatio*, emancipation, *capitis deminutio* II
Weds Mar 29  Laws of inheritance I principles, *bonorum possessio*, intestate succession, wills
   Reading: Nicholas 234-70
Frid Mar 31  Laws of inheritance II *Writing assignment #3 DUE*
   Reading: Crook 118-138
Mon Apr  3  The law of slavery I
**Reading:** Nicholas 69-80; review Crook 179-92; and **handout**

**Weds Apr 5**  The law of slavery II

**Frid Apr 7**  *Infames* and the amphitheatre