Classical Roots of American Law  
HIS 3930 sec 591  
Credits: 3  
Spring Semester 2015

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Office Location: C257  
Office Hours: by appointment

PREREQUISITES: None.

COURSE DESCRIPTION: This course offers an overview of the American Legal System and the contributions of the Ancient Greeks and Romans to the development of that system.

COURSE TOPICS AND OBJECTIVES:
There are three components to this course with corresponding objectives. The first is an overview of the American legal system; its underlying philosophical assumptions, its civil and criminal components, and its history. The objective is to provide you with an understanding of how the system works and the philosophical premises upon which it is based, so that you will have the context for understanding the contributions of the Greeks and Romans.

The second component centers on the Greek and Roman legal systems and the historical context in which they developed. Particular emphasis will be placed on the contributions of the Greeks; their concept of the role of law in society, their law codes, their use of juries and how many of their developments were adopted and refined by the Romans. There will be a detailed examination of Roman legal concepts and institutions during the Republic and the Empire.

The final component of the course is the identification of the specific areas of modern legal theory and practice which have been most influenced by the Greeks and Romans and to develop in you an appreciation for why those contributions remain relevant today.

COURSE STUDENT LEARNING OUTCOMES: The students at the end of this course will understand how the American Legal System functions and the contributions which the Ancient Greeks and Romans made to the development of American Law.
GRADING: There will be a mid-semester and a comprehensive examination. Both examinations will be essay. The mid-semester examination will count for 40% of the final course grade and the final will count for 60%.

REQUIRED TEXTBOOKS:
An Introduction to the American Legal System, Scheb
The Law in Classical Athens, Macdowell
Roman Law, Wolff

GRADING, EVALUATIONS AND ATTENDANCE POLICIES:
Practical suggestions for earning a good grade in this course:

- Attend every class
- Take careful and comprehensive notes; focus on the material as the class notes are the heart of this course
- Study those notes each day; revise them if necessary to further your comprehension
- Form a weekly study group with other students in the class to discuss the material
- Study the texts and use them to supplement the class notes
- Prepare for the examinations ahead of time

Nota Bene: There is an attendance policy in effect for this course that allows a maximum of two absences during the semester before an academic penalty attaches to the final grade. That includes medical excuses and family emergencies.

CANVAS USE:
The class syllabus is posted in Canvas, an outline course management system. In this class Canvas will be used for distribution of announcements, date changes or other pertinent information.

COURSE SCHEDULE:

January 5 and 7
Introduction to the course: explanation of the instructor’s objectives, class requirements and grading standards.
A discussion of why law matters and approaches to the study of law
Readings: Scheb, Chapters one and two
January 12 and 14
The types of modern legal systems: adversarial, continental and religious.
How law works; its advantages, limitations and the problem of interpretation
Readings: Scheb, Chapter three, Camus, *The Stranger* (recommended)

January 21
The types of law; common law, statute law, codified law, religious law
The adversarial system of justice in theory and practice
Readings: Scheb, Chapters four and ten

January 26 and 28
The adversarial system of justice in theory and practice
Overview of the legislative, judicial, executive and administrative structures
Readings: Scheb, Chapters five and six

February 2 and 4
Criminal law: theory, standards of proof and rules of evidence
Criminal justice: structure and function
Readings: Scheb, Chapters seven, eight and nine

February 9 and 11
Civil law: theory, standards of proof and rules of evidence
Civil procedure: structure and function
Readings: Scheb, Chapters seven, eight and nine

February 16 and 18 (examination review)
Civil procedure: structure and function
Readings: Scheb, Chapters seven, eight and nine

February 23
Overview of classical Greece
Readings: MacDowell, Part I

February 25 mid-term examination

March 2 and 4: Spring Break

March 9 and 11
Athens and Sparta: political theory and systems of law
Readings: MacDowell, Part I

March 16 and 18
Athenian and Spartan law givers
Readings: MacDowell, Parts I and II

March 21, Saturday
Last day to drop with a “W”; no refund & no academic penalty for Spring 2015
March 23 and 25
Greek legislative and judicial institutions
Readings: MacDowell, Part II

March 30 and April 1
Overview of Roman history: the monarchy, the republic and the empire
The development of law in Roman society during the monarchy
Wolff, Chapters one, two and three

April 6 and 8
The Roman Republic; its political and legal institutions
Wolff, Chapters four and five

April 13 and 15
The place of law in the Roman Empire
The Byzantine Empire: The law codes and legal institutions of Justinian
Wolff, Chapter six, seven and eight

April 20 and 22
Summation: How did Greece and Rome influence the development of western and specifically American law?
Review for final examination

April 27 Comprehensive Final Examination

USFSM AND USF SYSTEM POLICIES

A. Academic Dishonesty: The University considers any form of plagiarism or cheating on exams, projects, or papers to be unacceptable behavior. Please be sure to review the university's policy in the USFSM Catalog, the USF System Academic Integrity of Students, and the USF System Student Code of Conduct.

B. Academic Disruption: The University does not tolerate behavior that disrupts the learning process. The policy for addressing academic disruption is included with Academic Dishonesty in the USFSM Catalog, USF System Academic Integrity of Students, and the USF System Student Code of Conduct.

C. Contingency Plans: In the event of an emergency, it may be necessary for USFSM to suspend normal operations. During this time, USFSM may opt to continue delivery of instruction through methods that include but are not limited to: Canvas, Elluminate, Skype, and email messaging and/or an alternate schedule. It's the responsibility of the student to monitor Canvas site for each class for course specific communication, and the main USFSM and College websites, emails, and Mobull messages for important general
information. The USF hotline at 1 (800) 992-4231 is updated with pre-recorded information during an emergency. See the Campus Police Website for further information.

D. Disabilities Accommodation: Students are responsible for registering with the Office of Students with Disabilities Services (SDS) in order to receive academic accommodations. Reasonable notice must be given to the SDS office (typically 5 working days) for accommodations to be arranged. It is the responsibility of the student to provide each instructor with a copy of the official Memo of Accommodation. Contact Information: Disability Coordinator, 941-359-4714, disabilityservices@sar.usf.edu, http://usfsm.edu/disability-services/

E. Fire Alarm Instructions: At the beginning of each semester please note the emergency exit maps posted in each classroom. These signs are marked with the primary evacuation route (red) and secondary evacuation route (orange) in case the building needs to be evacuated. See Emergency Evacuation Procedures.

F. Religious Observances: USFSM recognizes the right of students and faculty to observe major religious holidays. Students who anticipate the necessity of being absent from class for a major religious observance must provide notice of the date(s) to the instructor, in writing, by the second week of classes. Instructors canceling class for a religious observance should have this stated in the syllabus with an appropriate alternative assignment.

G. Sexual Misconduct/Sexual Harassment Reporting: USFSM is committed to providing an environment free from sex discrimination, including sexual harassment and sexual violence (USF System Policy 0-004). The Counseling and Wellness Center is a confidential resource where you can talk about incidents of sexual harassment and gender-based crimes including sexual assault, stalking, and domestic/relationship violence. This confidential resource can help you without having to report your situation to either the Office of Student Rights and Responsibilities (OSSR) or the Office of Diversity, Inclusion, and Equal Opportunity (DIEO), unless you request that they make a report.

Please be aware that in compliance with Title IX and under the USF System Policy, educators must report incidents of sexual harassment and gender-based crimes including sexual assault, stalking, and domestic/relationship violence. If you disclose any of these situations in class, in papers, or to me personally, I am required to report it to OSSR or DIEO for investigation. The Deputy Coordinator for USFSM is Mary Beth Wallace, AVP for Student Enrollment, Engagement and Success, 941-359-4330 or marybeth@sar.usf.edu.

Campus Resources:
- Counseling Center and Wellness Center 941-487-4254
- Victim Advocate (24/7) 941-504-8599
- List of off-campus resources:
  - Hope of Manatee: 941-755-6805
  - Safe Place & Rape Crisis Center (SPARCC) – Sarasota: 941-365-1976
H. **Web Portal Information:** Every newly enrolled USF student receives an official USF e-mail account. Students receive official USF correspondence and Canvas course information via that address.