

MODULE DESCRIPTOR

MODULE TITLE	CLASSICAL FOUNDATIONS OF MODERN LAW		
MODULE CODE	LW1033 (L4)	CREDIT VALUE	20 UK CREDITS / <u>10 ECTS</u>
SCHOOL	SCHOOL OF LAW		

MODULE AIMS

The primary purpose of this module is to highlight the impact of ancient Athens and ancient Rome upon the constitutional culture of the UK, British Parliamentary Democracy, elements of English Law, elements of the English Legal System and the wider concept of liberal democracy. To this end, the module will be sub-divided into two main parts.

The module will introduce the students to the emergence of law, justice, the separation of powers and democracy in ancient Athens.

The module will also introduce the students to the emergence of law, justice and Republican governance in ancient Rome.

The module will focus on a number of specific case studies which show the lasting impact of ancient Greek and Roman Law upon English Law. Examples include but are not limited to the right to be heard, other common law standards of procedural fairness and the concept of unjust enrichment.

In the light of the above, the module will introduce students to some of the thinkers and other key figures of the ancient world whose works have influenced the development of English Law, the English Legal System, British Parliamentary Democracy and liberal democracy. Examples include Socrates, Plato, Aristotle, Cicero and Justinian. The module will also introduce students to concepts, such as obedience and disobedience, which are common to ancient Athens, ancient Rome and the modern world.

MODULE CONTENT

Indicative syllabus content:

This module will provide students with an introduction to the following topics and their impact upon the English Law, the English Legal System and British Parliamentary Democracy and liberal democracy:

1. The emergence of law, justice, the separation of powers and democracy in ancient Athens
2. The characteristics of direct democracy in ancient Athens, as compared to British parliamentary democracy.
3. The philosophy as well as the structures of justice and attitudes to law in ancient Athens (particularly as reflected in the works of writers such as Plato and Aristotle)
4. The foundations of Roman Law and the degree to which they have had an impact upon English Law.

In view of the nature of this module, which has a comparative character, comparisons will not only be made between ancient Athens, ancient Rome and the United Kingdom. From time to time, comparisons will also be made with other modern jurisdictions, such as the United States of America, the Republic of Cyprus and the European Union.

INTENDED LEARNING OUTCOMES

On successful completion of this module a student will be able to:

1. Understand how and why ancient Athens has come to be associated with the historico-intellectual foundations of law, justice, the separation of powers and other cardinal features of liberal democracy;
2. Analyse the main characteristics of (i) direct democracy in ancient Athens and (ii) representative democracy as applied today in the United Kingdom and other liberal democracies;
3. Evaluate the degree to which the philosophy, structures of justice and attitudes to law of ancient Athens have had an impact upon English Law and the English Legal System;
4. Evaluate the degree to which the foundations of Roman Law have had an impact upon the English Legal System and English Law.

TEACHING METHODS

The primary objective of the lectures is to provide an outline of the subject matter and a framework for its understanding which students can use as a base for their independent study directed to the requirements of the seminars. This session will also include within it, in addition to traditional lecture delivery, Socratic dialogues involving the lecturer and the students. In view of the character of this module, the Socratic method will hopefully enliven the module. In addition, the classes will include small group discussions, debates, interactive exercises, relevant video or other pre-recorded material plus discussion and other learning activities as appropriate.

Seminars (small group tutorials) take place fortnightly. The students build upon their understanding gained in the lecture session by reading specified cases, articles and appropriate textbooks in preparation for the seminars. The aims and learning outcomes of each individual seminar are clearly set out and students are encouraged to consider the short, self-help questions before talking the essay and problem question set for the group discussion.

Both essays will assist in the development of research skills, written communication skills and skills of analysis. They will give the student valuable individual feedback as to the degree of understanding of the course. The student will also receive valuable guidance as to how his or her essay writing skills can be improved.

ASSESSMENT METHODS

This module is assessed through two Essays.