

University of the West of Scotland

Module Descriptor

Session: 2024/25

Title of Module: Roman Law in Scots Private Law Contexts			
Code: LAWW	SCQF Level: 8 (Scottish Credit and Qualifications Framework)	Credit Points: 20	ECTS: 10 (European Credit Transfer Scheme)
School:	School of Business & Creative Industries		
Module Co-ordinator:	Nishant Gokhale		
Summary of Module			
<p>Across common and civil law worlds, few modern legal systems can claim to have had as profound an influence as Roman Law. The popularity of Roman law is attributable to several reasons including survivals of ancient manuscripts, continuity, and proliferation of languages like Greek and Latin, sustained scholarly interest, and not least Roman law's linkages to European colonialism.</p> <p>This module aids in:</p> <ul style="list-style-type: none"> • Developing a contextual understanding of sophisticated rules and ideas of law that influence modern law across various jurisdictions, including Scotland • Understanding Roman social structures and institutions like slavery, the status of women, and ideas of property • Examining principles of contracts and quasi-contracts • Exploring the evolution of the law of delict and quasi-delicts • Understanding key sources of Roman law and case-based learning by reading original Roman legal texts (in English translation), and scholarly writing about them. <p>Knowledge of this area of law is a pre-requisite to those seeking enrolment to the Faculty of Advocates in Scotland. This module will also be of interest more generally to students curious about how societies before ours resolved tricky legal issues, or those seeking to develop a deeper understanding of modern Scots private law. Students do not need to have studied Latin, Roman history, or Classics as pre-requisites for this module.</p> <p>There will be an opportunity to apply the concepts and engage with problems in workshops wherein fundamental ideas around law will be explored through problem questions, interactive debates and moot simulations. Where class sizes and schedules permit, this course will also include a field-trip to a museum, or a Roman site in Scotland.</p>			

Module Delivery Method					
Face-To-Face	Blended	Fully Online	HybridC	Hybrid 0	Work-Based Learning
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
See Guidance Note for details.					

Campus(es) for Module Delivery						
The module will normally be offered on the following campuses / or by Distance/Online Learning: (Provided viable student numbers permit) (tick as appropriate)						
Paisley:	Ayr:	Dumfries:	Lanarkshire:	London:	Distance/Online Learning:	Other:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Add name

Term(s) for Module Delivery					
(Provided viable student numbers permit).					
Term 1	<input type="checkbox"/>	Term 2	<input checked="" type="checkbox"/>	Term 3	<input type="checkbox"/>

Learning Outcomes: (maximum of 5 statements) These should take cognisance of the SCQF level descriptors and be at the appropriate level for the module. At the end of this module the student will be able to:	
L1	Investigate the nature and changes within Roman society from (c. 753 BCE- 534 CE), and its afterlives
L2	Contextualize Romans ideas of property and personhood and its implications on modern Scots law
L3	Examine and apply principles of Roman law of contracts and quasi-contracts
L4	Examine and apply principles of Roman law of delicts and quasi-delicts.
L5	Understand the scheme and contents of original legal texts like the Institutes of Gaius and the Institutes of Justinian (both translated into English), which are accessible digitally thereby enhancing autonomous learning skills
Employability Skills and Personal Development Planning (PDP) Skills	
SCQF Headings	During completion of this module, there will be an opportunity to achieve core skills in:

Knowledge and Understanding (K and U)	<p>SCQF Level 8</p> <p>Understanding key concepts and factors contributing to the growth and persistence of Roman law</p> <p>Demonstrating an awareness of Roman Law's influence on Scots private law</p> <p>Understanding the influence of Roman Law in other jurisdictions</p>	
Practice: Applied Knowledge and Understanding	<p>SCQF Level 8</p> <p>Identify, retrieve and analyse primary and secondary legal resources from both physical and electronic sources.</p> <p>Apply such resources to legal arguments in order to provide reasoned opinions supported by relevant authorities.</p>	
Generic Cognitive skills	<p>SCQF Level 8</p> <p>Critically analysing and evaluating complex legal concepts and information;</p> <p>Evaluating evidence based solutions/responses to defined and/or routine legal problems</p> <p>Using a range of approaches to formulate evidence-based solutions in contexts where the scope of the task and the criteria for decisions are well-defined.</p>	
Communication, ICT and Numeracy Skills	<p>SCQF Level 8</p> <p>Support class-based learning through the use of online databases and other electronic resources.</p> <p>Following a long timeline of the changes and mapping developments in Roman Law onto it</p> <p>Contributing to class discussions and moot simulation exercises during workshops</p>	
Autonomy, Accountability and Working with others	<p>SCQF Level 8</p> <p>Support class-based learning with independent research and study of original Roman Law Source materials.</p>	
Pre-requisites:	Before undertaking this module the student should have undertaken the following:	
	Module Code:	Module Title:
	Other:	
Co-requisites	Module Code:	Module Title:

*Indicates that module descriptor is not published.

Learning and Teaching	
In line with current learning and teaching principles, a 20-credit module includes 200 learning hours, normally including a minimum of 36 contact hours and maximum of 48 contact hours.	
Learning Activities During completion of this module, the learning activities undertaken to achieve the module learning outcomes are stated below:	Student Learning Hours (Normally totalling 200 hours): (Note: Learning hours include both contact hours and hours spent on other learning activities)
Lecture/Core Content Delivery	12
Tutorial/Synchronous Support Activity	24
Independent Study	164
Choose an item.	
Choose an item.	
Choose an item.	
Choose an item.	
Choose an item.	
Choose an item.	
	200 Hours Total
**Indicative Resources: (eg. Core text, journals, internet access)	
<p>The following materials form essential underpinning for the module content and ultimately for the learning outcomes:</p> <p>Institutes of Gaius (in English translation)</p> <p>Institutes of Justinian (in English translation)</p> <p>Anderson, Criag, <i>Roman Law for Scots Law Students</i>, Edinburgh University Press, 2021.</p> <p>Riggsby, A, <i>Roman Law & the Legal World of the Romans</i>, Cambridge University Press, 2010</p>	

du Plessis, P.J., *Borkowski's Textbook on Roman Law* (6th edn), Oxford University Press, 2020

Thomas, J.A.C., *Roman Law*, Philip McDonald, 1976 (Reprint 2013)

Please ensure the list is kept short and current. Essential resources should be included, broader resources should be kept for module handbooks / Aula VLE.

Resources should be listed in Right Harvard referencing style or agreed professional body deviation and in alphabetical order.

(*N.B. Although reading lists should include current publications, students are advised (particularly for material marked with an asterisk*) to wait until the start of session for confirmation of the most up-to-date material)

Attendance and Engagement Requirements

In line with the [Student Attendance and Engagement Procedure](#): Students are academically engaged if they are regularly attending and participating in timetabled on-campus and online teaching sessions, asynchronous online learning activities, course-related learning resources, and complete assessments and submit these on time.

For the purposes of this module, academic engagement equates to the following:

Students are required to attend scheduled teaching sessions and engage with the Virtual Learning Environment, lack of which could result in the student being referred to the Engagement Panel, and could prevent student progression, and ultimately successful degree completion.

Equality and Diversity

The University's Equality, Diversity and Human Rights Procedure can be accessed at the following link: [UWS Equality, Diversity and Human Rights Code](#).

Please ensure any specific requirements are detailed in this section. Module Co-ordinators should consider the accessibility of their module for groups with protected characteristics..

(N.B. Every effort will be made by the University to accommodate any equality and diversity issues brought to the attention of the School)

Supplemental Information

Divisional Programme Board	Accounting, Finance and Law
Assessment Results (Pass/Fail)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

School Assessment Board	Accounting, Finance and Law
Moderator	
External Examiner	
Accreditation Details	e.g. ACCA Click or tap here to enter text.
Changes/Version Number	

Assessment: (also refer to Assessment Outcomes Grids below)
<p>This section should make transparent what assessment categories form part of this module (stating what % contributes to the final mark). Maximum of 3 main assessment categories can be identified (which may comprise smaller elements of assessment). NB: The 30% aggregate regulation (Reg. 3.9) (40% for PG) for each main category must be taken into account. When using PSMD, if all assessments are recorded in the one box, only one assessment grid will show and the 30% (40% at PG) aggregate regulation will not stand. For the aggregate regulation to stand, each component of assessment must be captured in a separate box. Please provide brief information about the overall approach to assessment that is taken within the module. In order to be flexible with assessment delivery, be brief, but do state assessment type (e.g. written assignment rather than “essay” / presentation, etc) and keep the detail for the module handbook. Click or tap here to enter text.</p>
<p>Assessment 1: Essay counting towards 40% of the mark, related to topics considered during the module.</p>
<p>Assessment 2: Class test (written) for 60% of the final module mark which will be a composite of essay and problem questions.</p>
<p>(N.B. (i) Assessment Outcomes Grids for the module (one for each component) can be found below which clearly demonstrate how the learning outcomes of the module will be assessed. (ii) An indicative schedule listing approximate times within the academic calendar when assessment is likely to feature will be provided within the Student Module Handbook.)</p>

Assessment Outcome Grids (See Guidance Note)

Component 1							
Assessment Type (Footnote B.)	Learning Outcome (1)	Learning Outcome (2)	Learning Outcome (3)	Learning Outcome (4)	Learning Outcome (5)	Weighting (%) of Assessment Element	Timetabled Contact Hours
Essay	✓	✓	✓	-	✓	40	0

Component 2							
Assessment Type (Footnote B.)	Learning Outcome (1)	Learning Outcome (2)	Learning Outcome (3)	Learning Outcome (4)	Learning Outcome (5)	Weighting (%) of Assessment Element	Timetabled Contact Hours
Class Test (written)	✓	✓	✓	✓	✓	60	0

Change Control:

What	When	Who
Further guidance on aggregate regulation and application when completing template	16/01/2020	H McLean
Updated contact hours	14/09/21	H McLean
Updated Student Attendance and Engagement Procedure	19/10/2023	C Winter
Updated UWS Equality, Diversity and Human Rights Code	19/10/2023	C Winter
Guidance Note 23-24 provided	12/12/23	D Taylor
General housekeeping to text across sections.	12/12/23	D Taylor

Version Number: MD Template 1 (2023-24)