AHIS305

Athenian Law and Society

S2 Day 2018

Dept of Ancient History

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Disclaimer

Macquarie University has taken all reasonable measures to ensure the information in this publication is accurate and up-to-date. However, the information may change or become out-dated as a result of change in University policies, procedures or rules. The University reserves the right to make changes to any information in this publication without notice. Users of this publication are advised to check the website version of this publication [or the relevant faculty or department] before acting on any information in this publication.

General Information

Unit convenor and teaching staff Ian Worthington ian.worthington@mq.edu.au
Credit points 3
Prerequisites 39cp at 100 level or above or (6cp in AHIS or AHST units at 200 level)
Corequisites
Co-badged status
Unit description Why did the Athenians consider adultery a worse crime than rape? What was the Greek attitude to women and the family in society, and why? In what circumstances could a citizen kill another and get away with it? Why did the Greeks embrace child prostitution but made male homosexuality a crime? Why were slaves tortured before their testimony was admissible in court? These are some of the questions addressed in this course, which mines the rich information found in contemporary court speeches to shed light not only on the admirable aspects of Greek society, but also the often overlooked contemptible side to that society. The course surveys the Athenian law code and the workings of the judicial system in the fifth and fourth centuries BC to see why Athenian society is referred to as 'the rule of the law'. Then we move to reading in class (and discussing) actual forensic speeches (in translation) from a variety of lawsuits and procedures (e.g., homicide, adultery, personal injury). We will talk about as society changed, the Athenians changed their ideas and developed new laws – modern society is no different, or is it?

Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at https://www.mq.edu.au/study/calendar-of-dates

Learning Outcomes

On successful completion of this unit, you will be able to:

- consolidate knowledge in relation to the historical processes and fundamental historical developments in ancient history
- develop more sophisticated research skills

articulate approaches to evaluating source material and, in particular, to critically use ancient sources and evaluate modern interpretations of these sources to a higher level
formulate arguments and articulation of ideas to an advanced level
appreciate the larger issues that engage historians of the ancient world and of the learning experiences encountered in the Ancient History Major as well as see the connections between the ancient world and the modern
be open to new approaches and different arguments that might make you rethink your previous positions, so learn to have an open mind, and especially carefully evaluate an ancient society through its own mores

General Assessment Information

1) You MUST submit **ALL THREE** pieces of written work in order to pass the course.

2) **LATE PENALTY**: Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – two (2) marks out of 100 will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original submission deadline. No late submissions will be accepted for timed assessments – e.g. quizzes, online tests.

3) **IMPORTANT NOTE ON FINAL MARKS**: The department has moved to include the following statement concerning all of its courses with respect to the marks you receive for work during the session: 'that the marks given are indicative only; final marks will be determined after moderation'.

4) Do not plagiarise: plagiarism will not be tolerated; see 'MQ Academic Honesty' (linked in iLearn site).

Assessment Tasks

Name	Weighting	Hurdle	Due
Short Essay	30%	No	Friday, 31 August, Week 5
Long Essay	40%	No	Friday, 9 November, Week 13
Speechwriting	30%	No	Friday, 2 November, Week 12

Short Essay

Due: **Friday, 31 August, Week 5**
Weighting: **30%**

Select ONE of the following essays. Your essay should be 1,000 words, double-spaced, size 12 font throughout. On a separate page at the end provide a bibliography listing all works consulted (this page is not included in the page count). See the short essay marking rubric on how to write

it.

Correct English grammar and syntax are essential; I do not mark on what I think you mean, but on what you write.

Put your name and question number at the top of p. 1 otherwise I will assume you are answering the first question and will mark accordingly.

You must cite and quote from MacDowell, *Law*, and other modern works that are relevant to your topic (see iLearn Syllabus 'Unit Readings').

If you do not follow the above guidelines, your essay is likely to be failed.

Submit by the due time and date or penalties for lateness will be applied.

1) Discuss the similarities and differences between the Athenian legal system and that of today. To what extent is the Athenian judicial system the 'ancestor' of our modern one?

2) Do you think it is fair to say that the developed Athenian judicial system was amateurish in nature and that a trial was another form of entertainment?

3) The Greeks never talked about an individual's 'rights' but only about the laws. Does the classical Athenian judicial system reveal that the Athenians thought only in terms of their *polis'* welfare, not the individual's welfare?

4) Who were the sycophants and the arbitrators, what specific functions did each have in the judicial system, and how limited were the roles they played in the judicial system?

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Long Essay

Due: **Friday, 9 November, Week 13**

Weighting: **40%**

Write an essay on any ONE of the questions given below. It must be 1,500 words, double-spaced, size 12 font, throughout. On a separate page at the end provide a bibliography listing all works consulted (this page is not included in the page count). Put your name and question number at the top of p. 1 otherwise I will assume you are answering the first question and will grade accordingly. Follow the long essay writing rubric carefully. Always give specific examples to support your answers.

Correct English grammar and syntax are essential; I do not mark on what I think you mean, but on what you write.

Each essay must include (1) quotations from the speeches in Carey, and (2) reference to, and quotations where relevant from, modern scholars' works as given in the iLearn 'Unit Readings' list (including MacDowell) AND at least 3 modern books and/or journal articles from your own research. Web sites are unacceptable.

If you do not follow the above guidelines, your essay is likely to be failed.

Submit by the due time and date or penalties for lateness will be applied. To ensure you are no track for timely completion consult the 'How to Manage your Time and Write the Long Essay' section of the iLearn Syllabus.

1) Would you acquit or condemn Euphiletus (Carey I)? Why/why not? Quote from the speech to support your views.

2) Would you acquit or condemn Neaera (Carey XVI)? Why/why not? Quote from the speech to support your views.

3) Choose one speech dealing with a particular judicial procedure from Carey's selection that we have not read in class and discuss its importance to our knowledge and understanding of that legal procedure.

4) Choose one speech that we have not read in class from Carey's selection and discuss the various kinds of rhetorical techniques that the speechwriter used. How much do they add to, or detract from, the legal arguments of the case being tried?

5) A topic of your choosing, but confer with me well in advance to assist with, and approve, your choice.

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Speechwriting

Due: **Friday, 2 November, Week 12**
Weighting: **30%**

ALL STUDENTS: I will give each of you a mock case dealing with a crime we have studied, together with an outline of the 'prosecution speech' for that case, in Week 6. You will write the defence speech for that case. You will research for the relevant laws to support your argument and rebut the 'prosecutor', gather 'witness testimony' and other supporting evidence, and compose your speech in a similar style to those of the orators we have studied. Yes you can make up names and people to support your case, but they must be legitimate and give the sort of testimony as if in an actual Athenian law court!

If you think this is the sort of assignment better suited to middle school, trust me it's not: based on the number of times I've taught this course in the USA, students find this the most challenging but at the same time enjoyable assignment!

Length of Speech: Essay style: 5-6 pages, double spaced, Times 12 font, 1 inch margins throughout. There is obviously no expectation of foot- or end-notes or bibliography. However, put supporting evidence (witness testimony, quoting of relevant laws, etc.) as an appendix. In other words, it should not be included in the page count, but numbered consecutively – so in the speech you will have a line such as 'and now, gentlemen of the jury, Stephanus will tell us he saw the accused with blood dripping from his knife – witness testimony 4. You see, he must have killed him!', where '4' is a cross-reference to the relevant testimony in the appendix. (I will go through all this in class as well.)

Speeches should be properly typed up and submitted via turnitin.

In Week 12 each internal student will read his/her speech in class -- maximum speaking time 10 minutes (hence 5-6 pages of text) -- and the class will act as jury to decide on the winner. NOTE: A written version of you speech must be given to me at the same time; I will be marking this hard copy version only to ensure no changes are made between your performance and the submission of the speech via turnitin!

READINGS: See' Unit Readings' under 'Speechwriting'. These works are also assigned as lecture readings so will be reading them throughout the semester, not just for the speechwriting assignment.

INTERNAL STUDENTS: Note that the tutorials (beginning Week 6) function as speechwriting classes; i.e. this is a dedicated, common time where you can work on your speech and interact with your fellow students to see how they are approaching the research, shaping their tactics , and so on. I will be on hand to answer questions, discuss e.g. laws, presentation of arguments,

and facilitate discussion if need be.

EXTERNAL STUDENTS: There is a forum discussion thingy (told you I don't understand technology!) beginning in Week 6, which will function as the internal tutorial – i.e, you can 'talk' to me and your fellow external students about your case, how you are approaching your speech, etc. I won't expect you to perform your speech in class (Week 12), though you are welcome to do so if you can make it to that class!

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Delivery and Resources

DELIVERY SCHEDULE, METHOD, UNIT WEBPAGE, TECHNOLOGY USED, SKILLS REQUIRED

Schedule: Internal: Campus Sessions (Weeks 1-13) - mandatory. External: listen to lectures.

Method: AHIS305 is delivered in blended mode as a Macquarie University unit of study.

Webpage: Online units can be accessed at: http://ilearn.mq.edu.au/

Technology used and skills required: PC and Internet access are required. Basic computer skills (e.g., internet browsing) and skills in word processing are also a requirement.

Please contact IT staff (not Ian Worthington!) for any further, specific, requirements, to do with technology.

Times and Locations for Lectures and Tutorials:

Lectures (every week):

Mondays, at 12.00-1.30 p.m., in Room 114, 25a Wally's Walk

Thursdays, at 12.30-2.00 p.m., in Room 209, 17 Wally's Walk

Tutorials (starting Week 6):

Thursdays, at 3.00-4.00 p.m., in Room 217, 8 Sir Christopher Ondaatje Ave.

It is a requirement of this unit that students who are enrolled in Internal mode attend on-campus lectures. Students enrolled in External mode may attend campus sessions. All lectures will be recorded for digital upload.

All students must write and submit ALL three written work assignments in order to pass the course.

Required and recommended resources

Required books:

C. Carey, *Trials from Classical Athens*

D.M. MacDowell, *The Law in Classical Athens*

eReserve readings (see 'Unit Readings and Important Notes on Readings' in iLearn Syllabus for information).

Policies and Procedures

Macquarie University policies and procedures are accessible from Policy Central (https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- Academic Appeals Policy
- Academic Integrity Policy
- Academic Progression Policy
- Assessment Policy
- Fitness to Practice Procedure
- Grade Appeal Policy
- Complaint Management Procedure for Students and Members of the Public
- Special Consideration Policy *(**Note:** The Special Consideration Policy is effective from 4 December 2017 and replaces the Disruption to Studies Policy.)*

Undergraduate students seeking more policy resources can visit the Student Policy Gateway (https://students.mq.edu.au/support/study/student-policy-gateway). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

If you would like to see all the policies relevant to Learning and Teaching visit Policy Central (https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central).

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: https://students.mq.edu.au/study/getting-started/student-conduct

Results

Results shown in *iLearn*, or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in eStudent. For more information visit ask.mq.edu.au.

Student Support

Macquarie University provides a range of support services for students. For details, visit http://students.mq.edu.au/support/

Learning Skills

Learning Skills (mq.edu.au/learningskills) provides academic writing resources and study strategies to improve your marks and take control of your study.

- Workshops
- StudyWise
- Academic Integrity Module for Students
- Ask a Learning Adviser

Student Services and Support

Students with a disability are encouraged to contact the Disability Service who can provide appropriate help with any issues that arise during their studies.

Student Enquiries

For all student enquiries, visit Student Connect at ask.mq.edu.au

IT Help

For help with University computer systems and technology, visit http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/.

When using the University's IT, you must adhere to the Acceptable Use of IT Resources Policy. The policy applies to all who connect to the MQ network including students.

Graduate Capabilities

Creative and Innovative

Our graduates will also be capable of creative thinking and of creating knowledge. They will be imaginative and open to experience and capable of innovation at work and in the community. We want them to be engaged in applying their critical, creative thinking.

This graduate capability is supported by:

Learning outcomes

- consolidate knowledge in relation to the historical processes and fundamental historical developments in ancient history
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- formulate arguments and articulation of ideas to an advanced level
- appreciate the larger issues that engage historians of the ancient world and of the learning experiences encountered in the Ancient History Major as well as see the connections between the ancient world and the modern
- be open to new approaches and different arguments that might make you rethink your previous positions, so learn to have an open mind, and especially carefully evaluate an ancient society through its own mores

Assessment tasks

- Short Essay
- Long Essay
- Speechwriting

Capable of Professional and Personal Judgement and Initiative

We want our graduates to have emotional intelligence and sound interpersonal skills and to demonstrate discernment and common sense in their professional and personal judgement. They will exercise initiative as needed. They will be capable of risk assessment, and be able to handle ambiguity and complexity, enabling them to be adaptable in diverse and changing environments.

This graduate capability is supported by:

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Assessment tasks

- Short Essay
- Long Essay

Commitment to Continuous Learning

Our graduates will have enquiring minds and a literate curiosity which will lead them to pursue knowledge for its own sake. They will continue to pursue learning in their careers and as they participate in the world. They will be capable of reflecting on their experiences and relationships with others and the environment, learning from them, and growing - personally, professionally and socially.

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Assessment tasks

- Short Essay
- Long Essay
- Speechwriting

Discipline Specific Knowledge and Skills

Our graduates will take with them the intellectual development, depth and breadth of knowledge, scholarly understanding, and specific subject content in their chosen fields to make them competent and confident in their subject or profession. They will be able to demonstrate, where

relevant, professional technical competence and meet professional standards. They will be able to articulate the structure of knowledge of their discipline, be able to adapt discipline-specific knowledge to novel situations, and be able to contribute from their discipline to inter-disciplinary solutions to problems.

This graduate capability is supported by:

Learning outcomes

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Assessment tasks

- Short Essay
- Long Essay
- Speechwriting

Critical, Analytical and Integrative Thinking

We want our graduates to be capable of reasoning, questioning and analysing, and to integrate and synthesise learning and knowledge from a range of sources and environments; to be able to critique constraints, assumptions and limitations; to be able to think independently and systemically in relation to scholarly activity, in the workplace, and in the world. We want them to have a level of scientific and information technology literacy.

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- Long Essay
- Speechwriting

Problem Solving and Research Capability

Our graduates should be capable of researching; of analysing, and interpreting and assessing data and information in various forms; of drawing connections across fields of knowledge; and they should be able to relate their knowledge to complex situations at work or in the world, in order to diagnose and solve problems. We want them to have the confidence to take the initiative in doing so, within an awareness of their own limitations.

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Assessment tasks

- Short Essay
- Long Essay

- Speechwriting

Effective Communication

We want to develop in our students the ability to communicate and convey their views in forms effective with different audiences. We want our graduates to take with them the capability to read, listen, question, gather and evaluate information resources in a variety of formats, assess, write clearly, speak effectively, and to use visual communication and communication technologies as appropriate.

This graduate capability is supported by:

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Assessment tasks

- Short Essay
- Long Essay
- Speechwriting

Engaged and Ethical Local and Global citizens

As local citizens our graduates will be aware of indigenous perspectives and of the nation's historical context. They will be engaged with the challenges of contemporary society and with knowledge and ideas. We want our graduates to have respect for diversity, to be open-minded, sensitive to others and inclusive, and to be open to other cultures and perspectives: they should have a level of cultural literacy. Our graduates should be aware of disadvantage and social justice, and be willing to participate to help create a wiser and better society.

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Assessment tasks

- Short Essay
- Long Essay
- Speechwriting

Changes from Previous Offering

This is a new course, which has not been taught at Macquarie before.

Changes since First Published

Date	Description
08/08/2018	changed submission dates as got them wrong
12/07/2018	the speechwriting assignment has been changed to individual not group assignment, and the weightings have been adjusted.
01/06/2018	no changes