
University of Nevada
Master of Judicial Studies Program
Summer 2009

Week 2

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**Master of Judicial Studies Program
JS 710, July, 2009
Legal History Segment, July
Charles J. McClain**

SYLLABUS

I. Classical Roman Law

Peter Stein, *Roman Law in European History*, pp. 1 – 37.

From Reader:

Permanent Edict of the Urban Praetor, Excerpts

Justinian, *Excerpt from the Institutes*

Justinian, *Excerpt from the Digest* (“*Those Who Pour or Throw Things Out of Buildings*”)

Rescript of the Emperor Trajan on Foundlings

II. The Medieval Rediscovery of Roman Law and the Rise of the Jus Commune

Peter Stein, *Roman Law in European History*, pp. 38 – 82.

From reader:

James Brundage, “Canon Law and Private Live”

Manlio Bellomo, “The System of the Jus Commune”

III. The Codification Movement. The English Common Law Tradition\

Peter Stein, *Roman Law in European History*, pp. 104 – 130.

From reader:

Excerpt from the Yearbooks

Martin Shapiro, “English Courts and Judicial Independence”

John Langbein, “The Origins of Public Prosecution at Common Law”

IV. Emergence of the Modern American Legal Order: some documents

C. C. Langdell, Introduction to the *Casebook on Contracts*

O. W. Holmes, Jr., “The Path of the Law”

Paul Cravath, “The Cravath Firm”

Joseph Hutcheson, “The Judgment Intuitive”