
האוניברסיטה העברית בירושלים

סילבוס

מצב חירום וזכויות הפרט ברומא העתיקה - 39857

תאריך עדכון אחרון 11-09-2023

נקודות זכות באוניברסיטה העברית: 2

תואר: מוסמך

היחידה האקדמית שאחראית על הקורס: היסטוריה

השנה הראשונה בתואר בה ניתן ללמוד את הקורס: 0

סמסטר: סמסטר ב'

שפת ההוראה: עברית

קמפוס: הר הצופים

מורה אחראי על הקורס (רכז): ד"ר מתיאס שמידט

דוא"ל של המורה האחראי על הקורס: matthias.schmidt@mail.huji.ac.il

שעות קבלה של רכז הקורס: יום ג' - 15:00 - 16:30

מורי הקורס:

ד"ר מתיאס שמידט

תאור כללי של הקורס:
ראו את האנגלית

מטרות הקורס:
ראו את האנגלית

תוצרי למידה
בסיומו של קורס זה, סטודנטים יהיו מסוגלים:
ראו את האנגלית

דרישות נוכחות (%) :
100

שיטת ההוראה בקורס: ראו את האנגלית

רשימת נושאים / תכנית הלימודים בקורס:

1. Introduction: Crisis Management, State of Emergency and Civil Liberties
 - 1.1 Conceptional Elements, Definitions, Sources, Approaches, Questions
 - 1.2 SPQR - The Roman Political Institutions as a imaginery "Constitution"
 - 1.3 Multiple Crisis Events as Threats for Safety Stability of the Roman Republic

2. The Development of Crisis Response during the Republic

2.1 Dictatorship as a Constitutional Measure of Crisis Management

2.2 Declarations of an Emergency:

2.2.1 The tumultus Declaration

2.2.2 The iustitium Edict

2.2.3 The Senatus Consultum Ultimum (SCU)

2.3 Other Events of Crisis Management

2.3.1 The Import of the Cult of the Magna Mater to Rome in 205/4 BCE

2.3.2 The Bacchanalian Affair of 186 BCE

2.3.3 The Tribune of Tiberius Gracchus in 133 BC

2.4 The anomoulus Reinvention of the Dictatorship by Sulla in 82 BCE

2.5 The imperium extraordinarium of Pompeius of 73 BCE

2.6 The Ultimate Declaration of an Emergency - The Putsch of Catilina and the SCU in 63 BCE

2.7 The Eternal Dictator - Caesar between 49 and 44 BCE

2.8 The Triumvirate of 43 BCE as Military Dictatorship

2.9 The Principate as a Permanent State of Emergency and the End of the Free

3. Conclusion: Civil Liberties and the State of Emergency in Rome - A Message to Modern Societies

חומר חובה לקריאה:

1. Crisis Management and Powers of Emergency in the Roman Republic and the Early Principate

Ernst Badian, "'Crisis Theories' and the Beginning of the Principate", in: Johannes Heinrichs, Karl-Heinz Schwarte, Gerhard Wirth (eds.), *Romanitas - Christianitas: Untersuchungen zur Geschichte und Literature der römischen Kaiserzeit*. Johannes Straub zum 70. Geburtstag am 18. Oktober 1982 gewidmet, Berlin Boston: de Gruyter, 2011, pp. 18- 41.

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Gregory K. Golden, *Crisis Management during the Roman Republic. The Role of Political Institutions in Emergencies*, Cambridge: Cambridge University Press, 2013.

Erich S. Gruen, "The Advent of the Magna Mater", in: idem, *Studies in Greek Culture and Roman Policy*, Leiden: Brill, 1990, pp. 5-33.

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- Nomi Claire Lazar, "Prerogative Power in Rome", in: Clement Fatovic, Benjamin A. Kleinermann, *Extra-Legal Power and Legitimacy*, Oxford: Oxford University Press, 2013, pp. 27-51.
- Christian Meier, "C. Caesar Divi filius and the Formation of the Alternative in Rome", in: Kurt A. Raaflaub and Mark Toher (eds), *Between Republic and Empire. Interpretations of Augustus and His Principate*, Berkeley Los Angeles Oxford: University of California Press 1990, pp. 54-70.
- Thomas N. Mitchell, Cicero and the Senatus "consultum ultimum", in: *Historia. Zeitschrift für Alte Geschichte* 20.1 (1971), pp. 47-61.
- Francisco Pina Polo, "SPQR. Institutions and Popular Participation in the Roman Republic", in: Paul J. Du Plessis, Clifford Ando, Kaius Tuori (eds.), *The Oxford Handbook of Roman Law and Society*, Oxford: Oxford University Press, 2016, pp. 85-97.
- Francisco Pina Polo, "Appointment of a dictator", in: idem, *The Consul at Rome. The Civil Functions of the Consuls in the Roman Republic*, Cambridge: Cambridge University Press, 2011, pp. 188-191.
- Saskia T. Roselaar, "Roman State Prisoners in Latin and Italian Cities", in: *The Classical Quarterly. New Series* 62.1 (2012), pp. 89-200.
- Benjamin Straumann, "Constitutional Thought in the Late Roman Republic", in: *History of Political Thought* 32.2 (2011), pp. 280-292.
- Marc de Wilde, "The Dictator's Trust: Regulating and Constraining Emergency Powers in the Roman Republic", in: *History of Political Thought* 33.4 (2012), pp. 555-577.
- Marc de Wilde, "The Dictatorship and the Fall of the Roman Republic", in: *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Romanistische Abteilung* 130.1 (231), pp. 1-39.
2. State of Emergency and Human Rights/Civil Liberties in Present Times
- Evan J. Criddle, "Protecting Human Rights During Emergencies. Delegation, Derogation, and Defence", in: idem (ed.), *Human Rights in Emergencies*, New York: Cambridge University Press, 2016, pp. 32-55.
- Oren Gross, "The Normless and Exceptionless Exception: Carl Schmitt's Theory of Emergency Powers and the Norm-Exception Dichotomy", in: *Cardozo Law Review*, 21.5-6 (2000), pp. 1825-1868.
- Richard B. Lilich, "The Paris Minimum Standards of Human Rights Norms in a State of Emergency", in: *The American Journal of International Law* 79.4 (1985), pp. 1072-1081.
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- William E. Scheuerman, "Human Rights Lawyers v. Carl Schmitt", in: Evan J. Criddle (ed.), *Human Rights in Emergencies*, New York: Cambridge University Press, 2016, pp. 175-201.

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2. State of Emergency and Human Rights/Civil Liberties in Present

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*Thomas Poole, "The Law of Emergency and Reason of State", in: Evan J. Criddle
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מרכיבי הציון הסופי:

הגשת עבודה מסכמת / פרויקט גמר / מטלת סיכום / מבחן בית / רפרט 90 %
השתתפות פעילה / עבודת צוות 5 %
נוכחות / השתתפות בסיור 5 %

מידע נוסף / הערות:

בקורס נלמד את המקורות והטקסטים בעזרת תרגומים לעברית או אנגלית. לא נדרש ידע בשפה
היוונית או הלטינית.