

Outline of History of Roman Law
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Curial

assembly

Rome, Italy

-600

Curia family groups began. A family-leader assembly {Curial Assembly} formed, in which curias had one vote. Curial Assembly witnessed wills and adoptions and formally gave imperium to officials but was not important in Roman Republic.

plebs

assembly

Rome, Italy

-600

A plebian citizen assembly {plebs} voted on private laws.

pontifice

law

Rome, Italy

-500 to -300

Priests {pontifice} used rituals for proceedings and kept forms and rites secret. Priests conducted trials, and involved people consulted priests.

Roman tribe

tribe

Rome, Italy

-494

Roman territory had districts {tribe, Rome}. Property-owning citizens were in one tribe. Citizens who did not own property were not in tribe. Later, tribe membership became hereditary.

proconsul

assembly

Rome, Italy

-494 to -81

Magistrates {proconsul} {propraetorin} ruled provinces.

Senate

assembly

Rome, Italy

-494 to -81

Senate had 300 members elected for life, approved legislation passed by popular assemblies, and called emergencies. It controlled finances, religion, building, foreign affairs, law between cities, and law of aliens. It advised magistrates on bills that they presented for judgment. It extended magistrate terms. It appointed proconsuls to rule provinces.

Decemviri or Ten Men

lawgiver

Rome, Italy

-451

Code of the Twelve Tables [-451: modified Roman law]

Twelve Tables included criminal, contract, tort, family, wills, succession, property, and sacred law. It had legal-action and court-procedure rules {procedural law}. It had laws {substantive law} about rights and justice. It included enforcement procedures, public punishments, and harsh liability penalties.

It prohibited private revenge, allowed immediate seizure by wronged person of claimed object or person, and fixed tariffs for injuries.
It distinguished willful from accidental homicide.
It limited interest rates, gave debtors harsh penalties, defined debtor's liabilities, and gave grace period to debtors.
It prohibited excessive funerals and excessive bequests.

lex Canuleia

law

Rome, Italy

-445

Law of Canuleius [-445]

Laws allowed connubium between patrician and plebian.

Centurial

assembly

Rome, Italy

-400

Soldiers organized into 100-men centuries. The soldier assembly met only when called by tribune. Centuries cast one vote. Centurial Assembly selected magistrates, judged murder and treason cases, and declared war, in response to Senate proposals. After overthrow of kings, Centurial Assembly gained power as Curial Assembly lost power. Over time, plebians gained entrance into Centurial Assembly.

Gaius Licinius [Licinius, Gaius]/Lucius Sextus [Sextus, Lucius]

law

Rome, Italy

-367

Licinian-Sextian Law [-367]

Laws required at least one consul to be plebian.

Tribal

assembly

Rome, Italy

-357

Tribal assembly formed but met only when called by tribune.

Tribal

assembly

Rome, Italy

-312

Tribal Assembly began to elect lower ranking officials. Landless people and new citizens were in the four original urban tribes.

Gnaeus Flavius [Flavius, Gnaeus]

lawyer

Rome, Italy

-312 to -304

Civil Law [-312 to -304]

He published the oral court-action forms, which priests {pontifex} had kept secret before, but which were already public knowledge.

Roman lawyers

lawyer

Rome, Italy

-300 to -50

The senatorial class began to offer free legal advice, supplanting priests. They gave evaluated case merits before cases went to praetors, suggested which formal oral proceeding to use, and served on praetor advisory councils.

Hortensius

law

Rome, Italy

-287

Hortensian law [-287]

Laws passed by the plebian Assembly became binding on all citizens.

Senate veto

assembly

Rome, Italy

-287

Senate lost right to veto laws passed by Assembly.

lex Aquilia

law

Rome, Italy

-286

Law of Aquilius or Law of Tort [-286]

Laws defined claims of masters against harmers of their slaves or animals.

Roman law teachers

lawyer

Rome, Italy

-250

Roman lawyers taught their apprentices law.

Roman praetor

law

Rome, Italy

-242

Senate elected a praetor to judge citizens and a second praetor to judge cases involving aliens.

Centurial

assembly

Rome, Italy

-241 to -218

35 tribes had one old and one young century, in five classes, making 350 centuries. Centurial assembly elected consuls, praetors, and censors and voted on bills proposed by consuls. It met when consuls summoned it.

Marcus Porcius Cato Censorius [Cato Censorius, Marcus Porcius]

lawgiver

Rome, Italy

-214 to -185

On military things [-214 to -185]; Essay on Conduct [-214 to -185]; On filial piety [-214 to -185]; On Agriculture [-214 to -185: agriculture law]

He lived -234 to -149 and was Tribune [-214] and Censor [-185]. His son was Marcus Porcius Cato Licinianus, who wrote De iuris disciplina.

Sextus Papirius [Papirius, Sextus]

lawyer

Rome, Italy

-200

Pontifical Law or Law of Sacrificial Rites or Law of Papirius [-200: Roman traditional laws]

He collected Roman traditional laws {leges regiae}.

Tribal

assembly

Rome, Italy

-200

Tribal Assembly became more powerful than Centuriat Assembly. Controlled by patricians, it met only when called by tribune. It established laws {maiestas} and rejected bills presented by officials.

Sextus Aelius Paetus [Paetus, Sextus Aelius] or Catus

lawgiver

Rome, Italy

-200 to -190

Three Parts of Law [-200 to -190: first systematic law book in west Europe was about Roman law actions and discussed the Twelve Tables]

He was Curule Aedile [-200], Consul [-198], and Censor [-194].

ius civile

law

Rome, Italy

-200 to 1

Civil-law code began.

ius praetorium

law

Rome, Italy

-200 to 1

Civil law developed.

Manius Manilius [Manilius, Manius]

lawyer

Rome, Italy

-155 to -148

Roman Sales Contracts [-150]

He was Proconsul [-155 to -154] and Consul [-148] and invented Roman sales contracts.

lex Aebutia de formulis

law

Rome, Italy

-149 to -125

Law of Aebutius or Aebutian Law Concerning the Lawful Forms of Private Actions [-149 to -125]

Laws allowed standard forms of presenting cases to trial judges for all cases, gradually ending legis actiones. Legal cases used written statements, containing facts, legal questions, and basis on which judge should decide.

Marcus Iunius Brutus [Brutus, Marcus Iunius]

lawyer

Rome, Italy

-142

Civil Law [-142]

He was Praetor [-142].

Publius Mucius Scaevola [Scaevola, Publius Mucius]

lawyer

Rome, Italy

-141 to -130

Complete Annals [-130]

He lived ? to -113 and was Tribune [-141] and Consul [-133].

Quintus Mucius Scaevola [Scaevola, Quintus Mucius] or Augur

lawyer

Rome, Italy

-106 to -95

Civil Law [-106 to -95: 18 volumes]; Single Book [-106 to -95: legal terms and basic principles]

He lived ? to -88, was Publius Mucius Scaevola's son, systematized Roman law, and taught Cicero. He was tribune [-106], aedile [-104], and consul [-95], when, with Licinius Crassus, Lex Licinia Mucia denied Roman citizenship to some people in Italy, later causing Social War. He was governor of Asia, publishing edict for provincial administration. He was pontifex maximus.

Roman praetors

governor

Rome, Italy

-100

Senate elected praetors to govern newly conquered provinces.

Roman quaestors

quaestor

Rome, Italy

-100

Twenty quaestors assisted consuls.

tribunes

official

Rome, Italy

-100

Tribe leaders increased to ten.

praetorian edict

law

Rome, Italy

-67

Praetors had to use standard format for edict {praetorian edict, praetor}.

Servius Sulpicius Rufus [Rufus, Servius Sulpicius]

lawyer

Rome, Italy

-65 to -51

Commentary on the Praetorian Edict [-65 to -51]; Commentary on the Twelve Tables [-65 to -51]

He lived ? to -43 and used dialectical method in law. He was Praetor [-65] and Consul [-51].

Aulus Ofilius [Ofilius, Aulus]

lawyer

Rome, Italy

-50

Praetorian Edict commentary [-50]

He was Rufus' student.

Quintus Aelius Tubero [Tubero, Quintus Aelius]

lawyer

Rome, Italy

-46

He tried to prosecute Quintus Ligarius [-46] for co-operation with Juba.

Publius Alfenus Varus [Varus, Publius Alfenus]

lawyer

Rome, Italy

-41 to -39

Digests [-40: 40 books]

He was Consul Suffectus [-39] and Rufus' student. He confiscated land for veterans, and he aided Virgil [-41].

Gaius Trebatius Testa [Testa, Gaius Trebatius]

lawyer

Rome, Italy

-30 to 1

Topics [-30 to 1: on ius civile and divine law]

He advised Augustus about informal codicil.

Marcus Antistius Labeo [Labeo, Marcus Antistius]

lawyer

Rome, Italy

-20 to 10

Pithana [-20 to 10: about Hittite king of Kussar in -1700]; Later Works [-20 to 10]

He lived -50 to 22 and provided the ideas of Proculian School of Roman law.

lex Iulia

law

Rome, Italy

-17

Law of Julius [-17]

Lex Aebutia became mandatory, ending formal oral proceedings.

ius bellicum

law

Rome, Italy

1 to 300

War rules developed.

ius fetiale

law

Rome, Italy

1 to 300

Rome codified formal war declarations.

ius gentium

law

Rome, Italy

1 to 300

Laws governed conquered states and later all states.

Gaius Ateius Capito [Capito, Gaius Ateius]

lawyer

Rome, Italy

5

On public judgments [5]

He lived ? to 22, was consul [5], and provided the ideas of Sabinian or Cassian School.

Augustus or Octavian

emperor/lawgiver

Rome, Italy

14

Julian laws [14: new family laws]

He lived -63 to 14. Julian laws were new family laws.

Sempronius Proculus [Proculus, Sempronius]

lawyer

Rome, Italy

14 to 37

Letters [14 to 37: 11 books for teaching]

He lived -12 to 66, was Labeo's student, and founded Proculian School, which gave Roman-law interpretations for next 200 years.

Massurius Sabinus [Sabinus, Massurius]

lawyer

Rome, Italy

14 to 37

Commentary on the Ius Civile [14 to 37: three books]

He was Capito's student and founded Sabinian or Cassian School, which gave Roman-law interpretations for next 200 years.

Gaius Cassius Longinus [Longinus, Gaius Cassius]

lawyer

Rome, Italy

27

Commentary on the Ius Civile [27]

He was Capito's student.

Pisonian conspiracy

revolt

Rome, Italy

65

Piso wanted to assassinate Nero [65].

Lucius Neratius Priscus [Priscus, Lucius Neratius]

lawyer

Rome, Italy

97

Rules [97]; Book about Plautio [97]

He lived ? to 117, was of later Proculian School, and was Consul Suffectus [97].

legal opinions

law

Rome, Italy

100 to 300

Emperor gave right to give legal opinions to persons and then decreed opinions to be law.

Publius Iuventius Celsus [Celsus, Publius Iuventius]

lawyer/philosopher

Rome, Italy

106 to 129

Digests [106 to 129: 39 books]

He was of later Proculian School, was Middle Platonist, was praetor [106 or 107] and consul [129].

Gaius Octavius Iavolenus Priscus [Priscus, Gaius Octavius Iavolenus]

lawyer

Rome, Italy

110

Letters [110: 16 books, standard Roman law text for next 300 years]

He lived 43 to ?, was Consul Suffectus [97], and taught Emperor Julian about Roman law.

Sextus Pomponius [Pomponius, Sextus]

lawyer

Rome, Italy

117 to 161

Handbook [117 to 161: introduction to law]; Commentary on the Edict [117 to 161]; Commentary about Quintus Mucius [117 to 161]

He compiled laws and wrote history of Roman law.

Salvius Julianus [Julianus, Salvius] or Julian

lawyer

Rome, Italy

130 to 131

Digests [130: codified Roman praetorian and equity law in 90 volumes]; Perpetual Edict [131]

He was Sabinian School leader. Hadrian appointed him to codify Roman law. He prepared Hadrian's edict (Perpetual Edict), settling the praetorian law, including law of equity.

Roman law schools

law school

Rome, Italy

138

Roman law schools of Albeo and Capito ended with Emperor Hadrian's death.

Quintus Cervidius Scaevola [Scaevola, Quintus Cervidius]

lawyer

Rome, Italy

165 to 200

Digests [170]

He taught his student Papinian about Roman law.

Ulpus Marcellus [Marcellus, Ulpus]

judge

Asia Minor/Rome, Italy

170 to 180

He lived 138 to 180 and studied Roman law. He was not Lucius Ulpus Marcellus.

Aemilius Papinianus [Papinianus, Aemilius] or Papinian

lawyer

Rome, Italy

193 to 211

Questions [193 to 211: law principles in 37 books]; Answers [193 to 211: 19 books]; Definitions [193 to 211: 2 books]; On Adultery [193 to 211]

He lived ? to 212, was Scaevola's student, and looked for the principle and moral rule in law. He became Master of Petitions (Magister Libellorum) [193 to 211], whom commoners petitioned to be equites or to gain other duties. He later became General of the Guard (Praefectus Praetorii), assistant to emperor Severus.

Julius Paulus or Paul

lawyer

Rome, Italy

200

Opinions [200]

He wrote commentary on Perpetual Edict and analyzed Roman law logically.

Domitius Ulpianus [Ulpianus, Domitius] or Ulpian

lawyer

Rome, Italy

211 to 222

Commentaries on Sabinus [211 to 222: 50 books about ius civile]; Commentaries on the Edicts [222: 83 books about edicts]; On the Office of Proconsul [211 to 222: 10 books about criminal law]

He lived ? to 228, was prefect [222], and wrote a Perpetual-Edict commentary and a Roman-law summary.

Roman officials

lawyer

Rome, Italy

245

Roman law scholars had to be officials.

Cyrillus

lawyer

Beirut, Lebanon

250

He formed official law school to study classical authors' Roman-law opinions.

Roman official law school

law school

Rome, Italy

250

Official law school formed in Rome to study classical authors' Roman-law opinions.

Papinian/Paulus/Ulpian

law

Rome, Italy

250 to 350

Vatican Fragments [250 to 350: Papinian, Paulus, and Ulpian opinions]

Cardinal Angelo Mai discovered them in Vatican [1821].

Arcadius Charisius [Charisius, Arcadius]

lawyer

Rome, Italy

280 to 300

Digests [280 to 300]

He wrote about Roman law.

Gregorius or Gregorianus

lawyer

Rome, Italy

285 to 292

Codex Gregorianus [292: collected imperial Roman-law opinions]

He was magister libellorum under Diocletian [285 to 290].

Hermogenianus

lawyer

Rome, Italy

295

Codex Hermogenianus [295: collected imperial Roman-law opinions]

It associates with slightly earlier Codex Gregorianus.

Beyrouth School

law school

Beirut, Lebanon

300

School included Patricius, Demosthenes, Eudoxius, Amblichus, and Leontius.

Sentences of Paulus

law

Rome, Italy

300

Sentences of Paulus [300: 15 books based on Paulus' opinions]

Visigoths used it.

Ulpiani Regularum

law

Rome, Italy

300

Ulpian Rules [300: based on Gaius' opinions]

Ulpian lived 160 to 228.

Comparison of Mosaic and Roman Laws

law

Rome, Italy

390 to 438

Comparison of Mosaic and Roman Laws [390 to 438: compared Roman to Jewish law]

It tried to show where they agreed.

Constantinople

law school

Constantinople, Turkey

425

School formed to study classical authors' Roman-law opinions.

Tribonianus

lawyer

Constantinople, Turkey

529 to 534

Body of Civil Law [534: edited Roman-law commentaries]; Institutes [534: Roman-law introduction based on Gaius' opinions, in four books]; Code of Justinian [534: imperial constitution and laws, in 12 books]

He lived ? to 545 and headed commission of 17 professors of the two official Eastern law schools to edit the many Roman-law commentaries. He was Justinian's quaestor sacri palatii. After five years, with nine others under appointment from Justinian, he codified law [529 to 534], based on Roman law.

Stephanus/Dorotheus of Beyrouth/Cyrillus of

Beyrouth/Isidorus/Anthemius/Theodorus/Anatolius/Enantiophanes/Theophilus/Thalelaeus

lawyer

Constantinople, Turkey

534 to 550

They copied, translated, or commented on Code of Justinian, but emperor banned them from pointing out Roman-law contradictions.