

# Roman Law

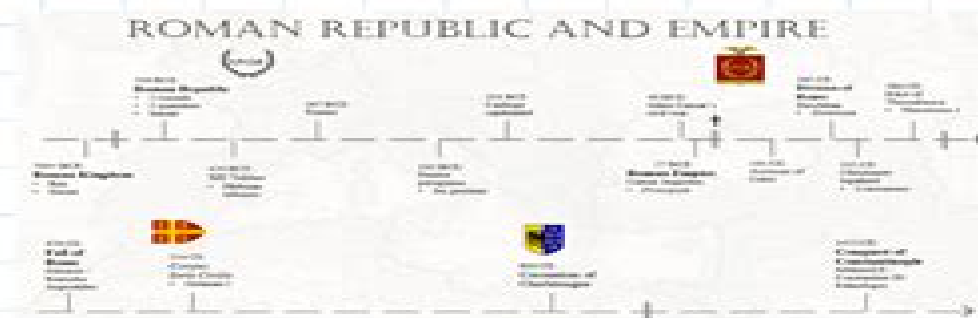
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NC notes:

## Basic institution and structure of Roman law

1. The kingdom of the romans (founded 7th or 6th century BCE)
  - Patriarchal society
  - 2 main tribes
    - *Patricians*
    - *Plébeians*
  - Ruled by king (rex)
  - Senate: elders
  - Ended in civil strife (509 BCE) → **Roman Republic**
2. Early Republic
  - 2 Consuls: mutual veto power, 1 year term → check on each other
  - Other magistrates: Praetors (judicially, etc.)
    - Usually → 2, later have plebeians as well
  - The Senate: respected people, appointed for life
    - *SPQR*: the Senate and the people of Rome
  - Have legislative assemblies
  - Structure of society: Patricians: aristocracy, plebeians: lower class
    - Many conflicts between 2 classes → **The law of XII Tables** (450 BCE)
    - Plebeian tribunes: officials who draft *plebiscites* (vote by people to express opinion)
3. The Late Republic
  - 3rd century BCE: become an empire
    - Punic wars: defeat of Carthage → dominant power of middle and western Mediterranean
    - Roman civil law developed into its complexity
      - *Praetor urbanus* (267 BCE): administering justice within Rome, *Praetor peregrinus* (242 BCE): justice in larger areas of the empire or the Roman sphere influence
      - The rise of jurists
      - The birth of institutionalized legal education: apprenticeship became popular
  - shaped the concept of western law
4. The Roman Empire
  - **Julius Caesar**
    - 49 BCE: civil war
    - 44 BCE: his death by the Senate (the idea of March)
  - **Caesar Augustus**: emperor in 27 BCE
    - The emperor as *princeps*, to distinguished with later as *dominus*'s
  - Roman law becomes more codified and institutionalized
    - From debate and jurists' authority to a codified law
    - Roman citizenship expanded
    - Attempts to restrict the *jurisprudants* (not very successful)
  - Division (285 CE/395 CE)
    - Western Rome: continued to be ruled from Rome
    - Eastern Rome: Constantinople, modern day Istanbul
  - Emperor as *dominus*: same power as Senate and the higher magistrates
  - The Christianization of Rome in 4th century
5. The legacy of Rome (fallen empire)
  - 467, German tribe → **Byzantine empire** → 1453, conquered by **Muslims II**
  - *Corpus Iuris Civilis* (529 CE)
  - The Roman Catholic Church and Papacy still exist.

Summary: Kingdom → republic → empire → byzantine



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**Sylvie Langlaude**



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