

ROMAN LAW

Roman law changed a lot during Rome's history. On this page, you can find out how the legal system worked under the Republic and during the time of the Empire.

THE TWELVE TABLES

In 450BC, a long list of Roman laws - called the Twelve Tables - was published. It listed laws about inheriting money, owning property, and many other aspects of daily life. Although the laws kept changing throughout the Roman period, they were always based on the Twelve Tables. One law in the Twelve Tables prevented patricians from marrying plebeians, and another gave fathers the power of life and death over their children.

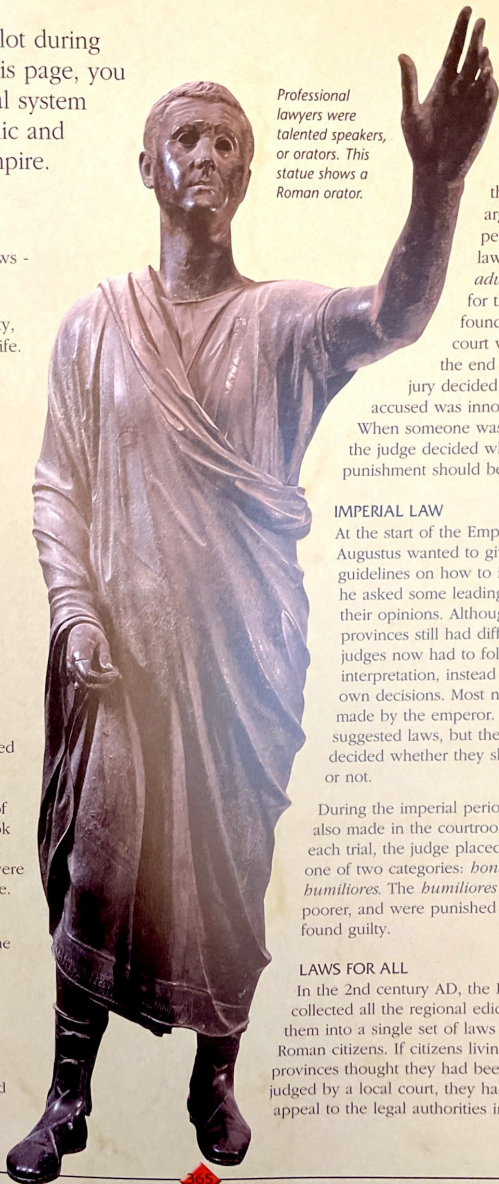
REPUBLICAN LAW

During the Republic, laws were made by the Senate and the Plebeian Council (see page 277). These laws were often quite vague, so local judges had to decide how to apply them in court. When a man became a judge, he wrote a document called an edict which explained his interpretation of each law. This was usually based on the edict of the judge before him. Judges took local customs into account when writing their edict, so the laws were slightly different in each province.

If someone accused another person of committing a crime, the accuser had to summon the accused to court. If the accused refused to come, the accuser could use force to make him attend, and this often led to fights before trials.

A jury of Roman citizens listened to the charges, and both the

Professional lawyers were talented speakers, or orators. This statue shows a Roman orator.



accuser and the accused had the chance to present their side of the argument. Wealthy people employed a lawyer - called an *advocatus* - to speak for them. Anyone found guilty of lying in court was executed. At the end of the trial, the jury decided whether the accused was innocent or guilty. When someone was found guilty, the judge decided what the punishment should be.

IMPERIAL LAW

At the start of the Empire, the Emperor Augustus wanted to give firmer guidelines on how to interpret laws, so he asked some leading lawyers for their opinions. Although different provinces still had different laws, all judges now had to follow the official interpretation, instead of making their own decisions. Most new laws were made by the emperor. The Senate still suggested laws, but the emperor decided whether they should be passed or not.

During the imperial period, changes were also made in the courtroom. At the start of each trial, the judge placed the accused in one of two categories: *honestiores* or *humiliores*. The *humiliores* were usually poorer, and were punished more severely if found guilty.

LAWS FOR ALL

In the 2nd century AD, the Emperor Hadrian collected all the regional edicts and made them into a single set of laws that governed all Roman citizens. If citizens living in the provinces thought they had been wrongly judged by a local court, they had the right to appeal to the legal authorities in Rome.