

THE 12 TABLES OF ANCIENT ROME

Roman law is considered the legal system of ancient Rome and the legal developments spanning over a thousand years. The Twelve Tables (c. 449 BCE) are one of the first formal legal guidelines ever recorded. The historical importance of Roman law is reflected by the Latin legal terminology and basic ideas still used in many legal systems throughout the world today.



The Twelve Tables date back to the mid-5th century BCE, when the plebeian (commoner) C. Terentius Arsa proposed that the law should be written, in order to prevent magistrates (administrators of the law) from applying the law loosely, or in accordance with their own opinions. After eight years of much political debate, the plebeian social class convinced the patricians (noblemen) to send a small group to Greece, to copy the Laws of Solon and learn from Greek city-states' laws. In 451 BCE, ten Roman citizens were chosen to record the laws. While they were performing this task, they were given the ultimate political power (*imperium in Latin*). During this period, even the power of the magistrates was restricted. In 450 BCE, the ten chosen citizens produced the laws on ten tablets (*tabulae in Latin*), but initially these laws were regarded as unsatisfactory by the plebeians. A second set of ten citizens is said to have added two further tablets in 449 BCE. The new additions were proved satisfactory and the Law of the Twelve Tables was approved by the people's assembly.

WERE THE LAWS FAIR? YOU DECIDE!

FAIR ↘

↙ **UNFAIR**

- Tablet 1.1 - If anyone summons a man before the magistrate, he must go. If the man summoned does not go, let the one summoning him call the bystanders to witness and then take him by force.
- Tablet 3.1 - One who has confessed a debt...he shall have thirty days to pay it in. After that, forcible seizure of his person is allowed. The creditor shall bring him before the magistrate. Unless he pays the amount of the judgment ...the creditor shall take him home and fasten...him with not less than fifteen pounds of weight...[the prisoner] may furnish his own food. If he does not, the creditor must give him a pound of meal daily; if he choose he may give him more.
- Tablet 4.1 - A dreadfully deformed child shall be quickly killed.
- Tablet 4.2 - If a father sell his son three times, the son shall be free from his father.
- Tablet 4.3 - As a man has provided in his will in regard to his money and the care of his property, so let it be binding. If he has no heir and dies intestate, let the nearest agnate have the inheritance. If there is no agnate, let the members of his gens have the inheritance.
- Tablet 4.5 - A child born after ten months since the father's death will not be admitted into a legal inheritance.
- Tablet 5 - Females should remain in guardianship even when they have attained their majority.
- Tablet 7.1 - Let them keep the road in order. If they have not paved it, a man may drive his team where he likes.
- Tablet 8 - If one is slain while committing theft by night, he is rightly slain.
- Table 9.4 -The penalty shall be capital for a judge or arbiter legally appointed who has been found guilty of receiving a bribe for giving a decision.
- Tablet 11.1 - Marriages should not take place between plebeians and patricians.
- Tablet 12.1 - If a slave shall have committed theft or done damage with his master's knowledge, the action for damages is in the slave's name.

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Support your opinion about the fairness of Roman laws by using the laws as evidence.

Did you think the Roman laws as written in the Twelve Tablets were mostly fair or unfair? Write a topic sentence below that details your opinion. _____

SUPPORTING FACT #1

Write a law that supports your opinion/topic sentence:

" _____
_____ "

Translation in your words: _____

This quote demonstrates that Roman laws were _____ because _____

SUPPORTING FACT #2

Write a law that supports your opinion/topic sentence:

" _____
_____ "

Translation in your words: _____

This quote proves that Roman laws were _____ because _____

SUPPORTING FACT #3

Write a law that supports your opinion/topic sentence:

" _____
_____ "

Translation in your words: _____

This quote provides evidence that Roman laws were _____ because _____

CONCLUSION:

Write a two-sentence conclusion below that best summarizes your opinion about the fairness of Roman laws. Remember, your conclusion should reflect your topic sentence/opinion, but have more detail.

How have laws changed?

Which of the Roman laws did you find most shocking or interesting? In what ways have most countries in the world made progress/changes with regards to the law you chose?

