

Justinian Code

In A.D. 528 the Emperor Justinian began a review of the old Roman laws. There were thousands of Roman laws that ordered life in the empire. The emperor chose ten men to review 1,600 books full of Roman Law and create a simpler legal code. These men were able to create the Justinian Code with just over 4,000 laws.

Read these two laws from the Justinian Code. Think about what they tell you about the Roman and Byzantine empires. Answer the questions that follow the samples.

Primary Source Tip

Reading these samples or any legal document may be hard for you to understand. There are some big words, and the paragraphs are often one long sentence. Read each part of the sentence carefully. If you find words you do not know, look them up in a dictionary.

Book I, Of Persons

VIII. Slaves

1. Slaves are in the power of masters, a power derived from the law of nations: for among all nations it may be remarked that masters have the power of life and death over their slaves, and that everything acquired by the slave is acquired for the master.

Book II, Of Things

I. Division of Things

28. If the wheat of Titius is mixed with yours, when this takes place by mutual consent, the mixed heap belongs to you in common because each body, that is, each grain, which before was the property of one or other of you, has by your mutual consent been made your common property; but, if the intermixture were accidental, or made by Titius without your consent, the mixed wheat does not then belong to you both in common; because the grains still remain distinct, and retain their proper substance. ...if either of you keep the whole quantity of mixed wheat, the other has a real actio [claim or suit] for the amount of wheat belonging to him, but it is in the province of the judge to estimate the quality of the wheat belonging to each.

1. The Justinian Code has four different parts called books. What books do you see here?

2. What does the first sample tell you about slavery in both empires? How do you think slaves were treated.

3. Review Law Number 28. Under this law, what happens if someone takes your property without your permission? How do you think this law helped the government maintain order?

4. Why do you think it was important for the Roman and Byzantine empires to have extensive legal codes?

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