Laws make up the foundation of modern society, by clearly stating what is and isn’t allowed and provide a set of punishments that coincide with the crime that was committed. One of Rome’s greatest achievements was their judicial system. However, as the Roman Empire expanded they became weak and were unable to maintain their borders. This ultimately led to the collapse of the Roman Empire and it was divided into the Eastern and Western Roman Empire. Like its former self the Western Empire also collapsed and all that remained was the Eastern Empire. As the Empires collapsed so did the legal system, after many years of corrupt officials making laws and the numerous controversial rulings by the roman court system, the once proud and magnificent Roman law was left in shambles.

Emperor Justinian I was the ruler of the Eastern Roman Empire, or the Byzantine Empire. Emperor Justinian saw the condition that the Roman law was in and set out to reform the Roman legal system by creating his own set of laws and interpretations based on the old roman laws. The purpose of these sets of laws was to create a universal set of laws that all of the Byzantine Empire could follow, and was given presidency over any local laws, preventing any contradictions in court rulings. This set of laws would be known as Corpus Juris Civilis, which translates to “Body of Civil Law” and would also be known as the Justinian Code. The Justinian Code is broken in to four books the Codex Justinianus, the Digesta or Pandectae, the Institutiones, and the Novellae.

The Codex Justinianus was the first book to be completed and is the foundation for the Justinian Code. Emperor Justinian appointed a ten man council of jurists to look through all known laws created by the emperors and jurist of the old Roman Empire and remove all the obsolete and contradictory laws. Work on the Codex Justinianus started in 527, shortly after Justinian rose to power, and was completed in 529. The result was a ten-book codex, and all laws not included in the codex were repealed. “In 534 a new commission issued a revised Codex (Codex Repetitae
The Digesta was the second book to be completed and is a compilation of Roman Civil law that settled many disputes and contradictions. For this book Justinian appointed a new commission, this commission consisted of 16 lawyers under the leadership of the jurist Tribonian. The job of this commission was to examine all known writing of authorized jurists, and use was considered useful/valuable, using only one legal point and were rephrases for clarity and conciseness, with the purpose to avoid any contradictory ruling. The Digesta was completed between 530 and 533. Just like the Codex Justinianus any laws/rulings not included in the Digesta were considered invalid and could not be cited as law.

The last two books of the Corpus Juris Civilis were the Institutiones, and the Novellae. The Institutiones was the third book and was finished in 533 and served as a student textbook for teaching Roman Jurists. The Novellae was the last book and consist of all ordinances issued by Justinian between 534 and 565. The Novellae or Novel is also the only book to be written primarily in Greek, the other were in Latin.

The Justinian Code was the foundation for the Byzantine legal system for nearly nine hundred years. The served its purpose and brought law and order back to the Byzantines. Even though the
Byzantine Empire would be finished off by the Ottoman Empire the Justinian Codes influence had spread to most of Europe.

The Justinian Code was used as the foundation for many European countries legal systems and its influence can still be seen today. The Laws aren’t the same as when the Code was first written, because as time changes your laws must also amended to fit the current time, but the methods of practicing can enforcing the laws remain very similar. The US’s legal system was also influenced by the Roman legal system and some differenced can be seen between European and American practices. One of the key differences is how we cite laws. In the US we use court cases and their rulings to interpreted the law, while in the European system that cite code to interpret laws and their meanings.

By creating a standard set of written laws the Byzantines influenced not only their legal system, but also the legal systems of the world to the point were their methods and practices are sill being used even today.
Questions…

1) For how many years was Justinian’s code used in The Eastern Roman Empire?

2) Why do laws change over time?

3) What did many modern (existing today) European countries use as the foundation for their legal system?

4) Imagine a world without laws, what do you think it would be like?

Define: Judicial System -- Corrupt Officials