

Name: \_\_\_\_\_

Date: \_\_\_\_\_

## Primary Source: Justinian Code Worksheet

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 3 laws from the Justinian Code. Think about what they tell you about the Byzantine Empire. Summarize each document before moving on to the questions.

Summary



### **Book I, Of Persons - VIII. Slaves**

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**

If the wheat of Titus 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 Titus 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 action [claim or suit] for the amount of wheat belonging to him, but it is in the province of the judge to estimate the quantity [amount] of the wheat belonging to each.

### **Book II, Of Things - II. Theft**

1. Suppose someone opens or breaks into something too heavy to be moved. He is not liable [responsible] to an action of theft for the whole thing but only for those things which he actually stole, because he cannot take the whole. Similarly, if anyone opens a case of things which he cannot carry away in order to meddle with the contents and he does meddle with them then even though he could manage to take away several of the individual things, he is only a thief of the particular things he takes and not of the whole if he cannot carry away the whole lot, case and all. However, if he was capable of carrying away the whole container we say that he is a thief of the whole lot, whether or not he opened it to take away the contents - and Sabinus says that this is so.

**\*1-5 have more than one question for each- make sure to answer ALL parts of the question in COMPLETE SENTENCES**

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

2. What does the first document tell you about slavery in the Byzantine Empire? How do you think slaves were treated? What rights do slaves have?

3. Review the law on division of things. 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. Review the law on theft. What is the basic message? Do we have a similar approach to theft in America? Explain.

5. Why do you think it was important for the Byzantine Empire to have extensive legal codes?