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WATER AND FIRE – ABOUT THE ELEMENTS IN THE SYSTEM OF ROMAN PUBLIC PENALTIES

The article is devoted to the presence and the symbolism of some elements in the Roman criminal law observable in the system of public penalties that was applied by Romans. In particular, the analysis includes three important punitive measures: “the prohibition of water and fire” (*aquae et ignis interdictio*), “the punishment of the bag” (*poena cullei*) and “burning alive” (*vivi crematio*). The elements present in these penalties, in particular water and fire, played a dual role. They were treated either as a determinant of the basis of earthly existence denied to the convicted person or served as his sacral treatment. In both cases they were to ensure the final freeing of the Roman society from the offender and the consequences of his transgression.