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CORE VALUES OF THE ROMAN JURISPRUDENCE

Roman law that serves as a prototype of contemporary legal culture was the most significant achievement of Roman society which was socially divided but had some famous individuals who created an outstanding jurisprudence. Its representatives were the first in the world who treated law as an object of scientific study and their activities gave rise to legal reasoning methods such as analogy or a minore ad maius and reductio ad absurdum arguments. All of them have been adopted by modern science of law. What is more, the Roman values such as legitimacy (aequitas), usability (utilitas), humanitas, good faith (bona fides) or effectiveness (efficientia) are the eminent monuments of extraordinary craftsmanship. The recognition of the prototype of acquis communautaire and the joint ius gentium in the achievements of the Roman jurisprudence allows to notice the advantages of the legal culture of ancient Rome. Each of the values (which are many) was expressed by means of specific legal institutions. For example, procedural dignity was implemented through a number of measures aimed to protect individual's rights in judicial proceedings (actio in civil procedure, the principle of transparency and directness in a criminal procedure or actio iniuriarium in the proceedings before administration). The legal culture of ancient Rome has shown us how Romans created the idea of changing law without organized structure and the tradition of the efficient and radical reforms of law. Bearing in mind the definition of law created by Celsus, who perceived it as an ability to apply what is good and right, it must be recognized that the most important role in this process was played by Roman jurisprudence and officials (mostly Praetor). Jurists used to develop law, and officials applying rational procedures within their power (iurisdictio) used it effectively. It all adds up to the image of an efficient state, in which rational procedures based on fairness are implemented in order to create a rational law and effective governance.