

Ius Publicum.
Jurisprudential Lexicon of Roman Public Law

This is the program «*Ius Publicum. Jurisprudential Lexicon of Roman Public Law*». It is an experiment that a team is conducting in the Faculty of Law of Sapienza-University of Rome¹.

The target that we want to achieve with this program is the reconstruction of the jurisprudential lexicon concerning Roman public law.

The lexicon is organized by lemmas. It collects texts, which can be ascribed to the *scriptores* of the *scientia iuris*, that contain those lemmas, selected in consideration of their relevance to the concept of ‘*ius publicum*’, as stated by Ulpianus in the first book of the ‘Institutions’ (in D. 1, 1, 2); the terms, therefore, pertain to *sacra, sacerdotes, magistratus*.

The collection of lemmas is based on the lists compiled into (D. Magie) *De Romanorum iuris publici sacrique vocabulis solemnibus in Graecum sermonem conversis*. In the *Realencyclopädie der classischen Altertumswissenschaft*, in the *Dictionnaire des Antiquités Grecques et Romaines* and in the *Dizionario Epigrafico di Antichità Romane* those lemmas are also expressed, also in a supplementary function, on the basis of the principle of relevance stated above. The aim is to provide as much informations as possible.

In order to achieve this target, in the first selection of headwords to add to the lexicon, words concerning religious celebrations as well as military, criminal, tax and fiscal fields are included. In order to expand as much as possible the documents available for researchers, exclusions are very limited: terms related to institutions traditionally and predominantly studied as parts of the *ius privatum*, proper names of divinities, persons, peoples and cities as well as places in general, in those cases where they are mere topographic indications. Also excluded are words relating to the sources of law and those referring to metrology. Where lemmas are composed of nouns and verbs with a common root (e.g. *abdicatio-abdicare*), It has been chosen to mention firstly the substantive in the initial list of lemmas.

The headwords, thus selected, constitute the ‘mots clés’ for the search of the texts containing them. The lemmas(-mots clés) are used for textual researches conducted on electronic and printed repertories, such as *Bibliotheca Iuris Antiqui* (BIA) and *Thesaurus linguae Latinae*. The textual basis is constituted by the legal and non-legal sources (which are the ‘documentary basis’ of the *Thesaurus linguae Latinae*), although the only texts

¹ For further and more detailed information on *Ius Publicum*, see the following texts: F. Vallocchia, *Informatica, diritto pubblico e giuristi romani*, in *Rivista Italiana di Informatica e Diritto* (RIID), 2, 2021; F. Vallocchia, *Ius publicum e prudentes. Per un lessico giurisprudenziale del diritto pubblico romano*, in *Bullettino dell'Istituto di Diritto Romano* (BIDR), 115, 2021, 51 ff.

collected are those that can be ascribed to *scriptores* of *scientia iuris* mentioned in the *Digesta Iustiniani* and in: (P.E. Huschke) *Iurisprudentiae anteiustinianae quae supersunt*, (F.P. Bremer) *Iurisprudentiae antehadrianae quae supersunt*, (F. Schulz) *History of Roman Legal Science* (Oxford 1953), (W. Kunkel) *Die römischen Juristen* (Köln-Weimar-Wien 2001), (AA.VV.) *Juristas universales* (Madrid-Barcelona 2004).

Each text, in this way collected for each lemma, is identified by the name of the reference jurist (in Latin), by the source that contains it and, possibly, by the work it is taken² from.

All texts are normally verified through the editions of the «Bibliotheca Teubneriana» (published since 1849 in Leipzig) and of the «Belles lettres» (published in Paris since 1919), with reference to the literary sources, and editions accepted in the *Bibliotheca Iuris Antiqui*, with reference to legal sources. Finally, they are translated from Latin (and Greek) into Italian, inspired by existing translations³. An outline bibliography is given for each entry, where possible. Finally, the lemmas(-mots clés) and possibly also the names of the *prudentes* are highlighted in the texts, respectively in bold and underlined⁴.

With regard to details on the way to consult the electronic lexicon, please consult the special operating instructions.

In order to collect all the documental data and make them accessible to the researchers, the electronic tool has been privileged; it can be universally and according to more precise and capillary research schemes used, representing a better alternative than the paper one. Moreover, telematics will promote a quick diffusion of knowledge of the

² For example: *abdicio/abdicare* (lemma), *Papinianus* (scriptor), D. 1, 18, 20 (source), 1 resp. (work). It has to be said that in many cases the source and the work coincide: *absentia/abesse* (lemma), *Cicero* (scriptor), ac. 2, 1 (source/work). Please see, however, the operating instructions.

³ For the legal sources, the translations are mainly inspired by those contained in: *Corpo del diritto* edited by G. VIGNALI (Napoli 1856), *Iustiniani Augusti Digesta seu Pandectae* edited by S. SCHIPANI (Milano 2005), *Istituzioni di diritto romano* edited by E. NARDI (Milano 1986), *Le Istituzioni di Gaio* edited by M. BALZARINI (Torino 1998), *Fragmenta Vaticana* edited by M. DE FILIPPI (Bari 1998), *Consultatio veteris cuiusdam iurisconsulti* edited by G. ZANON (Napoli 2006). For the literary sources, the translations are mainly inspired by the *Utet Grandi opere, Classici*; but also: E. BOLISANI, *Varrone Menippeo*, Padova 1936; G. PUCCIONI (ed.), *Marco Tullio Cicerone. Frammenti delle orazioni perdute*, Firenze 1971; G. RAMIRES (ed.), *Servio. Commento al libro 9. Dell'Eneide di Virgilio: con le aggiunte del cosiddetto Servio Danielino*, Bologna 1996, *Centro studi ciceroniani per le edizioni Mondadori*; F. GALLI, *Sesto Giulio Frontino, Gli acquedotti di Roma*, Lecce 1997.

⁴ Sometimes, the *scriptor* does not coincide with the author of the reference source; in these cases, the name of the *scriptor*, given in the text taken from that source, is underlined: *abortio...* (lemma), *Cicero* (scriptor), D. 48, 19, 39 Tryph. 10 disp. (source), Cluent, 32 (work) [*Cicero in oratione pro Cluentio Habito scripsit Milesiam quandam mulierem, cum esset in Asia, quod ab heredibus secundis accepta pecunia partum sibi medicamentis ipsa abegisset...*].

results of the program as well as a wider participation in the creation of the lexicon, through proposals for additions and amendments that researchers will be able to promote in real time.

Therefore, the «*Ius Publicum*» lexicon is accessible, through the telematic network, to anyone and anywhere in the world, simply and free of charge by accessing to the special platform of the Faculty of Law of the Sapienza-University of Rome. This common accessibility, widespread and free, will allow the 'revision' and 'update', through the same diffusion that will characterize its access; the researchers will be able to constantly propose modifications to increase both the lemmary and the jurisprudential anthology, through the e-mail address ius.publicum@uniroma1.it.

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