Roman Law: 
Twelve Tables and Cicero

Read the selections from the Roman Twelve Tables and Cicero’s *De Legibus*, and answer the questions that follow.

Selections from the TWELVE TABLES

**Table IV:**
1) A dreadfully deformed child shall be quickly killed

2) If a father sells his son three times, the son shall be free from his father

5) A child born after ten months since the father’s death will not be admitted into legal inheritance.

**Table V:**
1) Females will remain in guardianship even when they have attained their majority

**Table VII:**
1) Let them keep the road in order. If they have not paved it, a man may drive his team where he likes.

10) A man might gather up fruit that was falling down onto another man's farm.

**Table VIII:**
3) If one is slain while committing theft by night, he is rightly slain.

23) A person who had been found guilty of giving false witness shall be hurled down from the Tarpeian Rock.

**Table XI:**
1) Marriages should not take place between plebeians and patricians.

**Table XII:**
5) Whatever the people had last ordained should be held as binding by law.
DE LEGIBUS

…Right reason is Law, [and] we must believe that men have Law also in common with the gods. Further, those who share Law must also share Justice; and those who share these are to be regarded as members of the same commonwealth…

…Justice and all things honourable [sic] are to be sought for their own sake. And indeed all good men love fairness in itself and Justice in itself…. Therefore Justice must be sought and cultivated for her own sake.

Marcus Tullius Cicero
De Legibus

QUESTIONS

Use the selected laws from the Roman Twelve Tables and Cicero’s De Legibus to answer the following questions.

1) What were the Romans’ views on family?

2) What restrictions on marriage do the Romans employ?

3) What kinds of similarities and differences do you see between the Code of Hammurabi and the Roman Twelve Tables?

4) In your own words, what does law # 5 from Table XII mean? Why is this law important?

5) According to Cicero, what is Law?

6) According to Cicero, men who love Justice are of the same commonwealth (community); why do they seek and cultivate Justice?