

Seventh International Conference  
of the Balkan Association of Roman  
Law and Roman Legal Tradition  
“Societas pro Iure Romano”

**PROVINCIAE**

University of Sarajevo – Faculty of Law  
September 22-24, 2022

**Book of Abstracts**

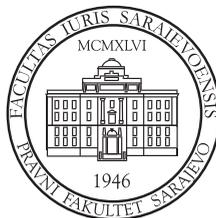


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**TERRITORIAL REFORM OF THE ROMAN EMPIRE DURING  
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The territorial reform of the Roman Empire in the 7th century was a necessity of that era. Byzantium inherited from the Roman Empire the territorial division into prefectures, dioceses and provinces. After the simultaneous military campaigns of the Avars, Slavs and Persians, there was a real threat of the disappearance of the Roman Empire (Byzantium). At the beginning of the 7th century, Emperor Heraklia reorganized the Empire by abolishing the old territorial division and introducing new territorial units, themes. At the head of each subject was a strategist, who united military and civil authority and was subordinated directly to the Byzantine emperor. In this way, the Eastern Roman Empire managed to survive despite great military challenges.

**Keywords:** Roman Empire (Byzantium), Emperor Heraclius, territorial arrangement, prefectures, dioceses, provinces, themes, military campaigns

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**ROMAN AUXILIARIES AND THEIR LEGAL STATUS:  
EXAMPLES FROM THE INTERIOR OF DALMATIA**

The Roman army was one of the foundations of the Roman state in all phases of its existence, from the Republic to the late Empire. In addition to the legions, a key part of the Roman army were auxiliary units consisting of inhabitants of the empire who did not have Roman civil rights. Auxiliary units were stationed in the province of Dalmatia for most of the period of the Principate, after the VII and XI legions completely left their camps in Tilurium and Burnum during the 1st century. With the consolidation of Roman rule and the spread of Romanization, the local population gradually began to serve in auxiliary cohorts. In the first century it was present to a lesser extent, only to intensify during the second century when practically only officers were outside the province of Dalmatia. Domestic young men entered the cohorts without the status of Roman citizens, and after completing their military service they acquired Roman civil rights, then the right to marry (*conubium*), and Roman civil rights for children they had with women without that right. In my presentation, I will refer to the members of the Illyrian peoples of Daors and Daesitiates who were recruited into auxiliary cohorts as peregrines and formally acquired the mentioned rights through the successful completion of military service.

**Keywords:** Roman Army, auxiliaries, Dalmatia, citizenship, marriage

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**AFRICA AND GILDO: THE RULES ON CONFISCATED  
PRAEDIA IN THE THEODOSIAN CODE**

We examine the historical events of roman general Gildo, who fell into disgrace and was declared *hostis publicus* by the Senate of Rome in the winter of 397 AD. After his death, the land he had previously occupied in Africa, at that time the “granary” of Rome, was confiscated in favor of imperial *res privata*. Some constitutions present in the Theodosian Code preserve the memory of it; from them emerges the will of the western imperial chancellery to recover the profitability of the *possessiones Gildonis* for the benefit of the *res privata*.

**Keywords:** Gildo, Africa, *hostis publicus*, *res privata principis*, confiscation, *Notitia Dignitatum*

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## **ROMAN FINANCIAL LAW IN THE PROVINCE OF DACIA**

The article is divided into four sections. In the first section, called Preliminaries, we highlight relevant aspects regarding the politico-military organization of Roman Dacia. We specify that the phrase “Roman Dacia” means one, two or three Roman provinces, depending on the administrative-territorial organizations carried out after Trajan by Hadrian and Marcus Aurelius, respectively, Dacia Superior, Inferior, Apulensis, Malvensis. In section 2, entitled The administrative organization of Roman Dacia, we focus on the analysis of the central and local administrative bodies of Roman Dacia, such as: the governor of the province and the provincial assembly. In section 3, The financial organization of Roman Dacia, we analyze the main taxes from the period of Roman Dacia: direct taxes (such as *tributum capitis* and land tax or *stipendium*) and indirect taxes (such as inheritance tax and donations for the operation of salt mines and of iron mines). In the last section, we will analyze the application of taxes from Roman Dacia in the current Romanian legislation.

**Keywords:** governor, Roman procurator, Roman colonies, Roman legions, *tributum capitis*, *stipendium*, *ius italicum*

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**SIMILARITIES OF ANCIENT ROMAN LAW AND ITS  
INFLUENCE ON ALBANIAN CUSTOMARY LAW**

In this paper, we will try to compare the similarities of the historical links between Roman law and Albanian customary law, based on the Illyrian tradition (it is assumed that there was a traditional Illyrian Code and the Canons of the Mountains) that due to the geographical proximity and later the Roman occupation that influenced the implementation and adaptation according to social conditions, especially cultural and traditional. All of this resulted in preserving with very few changes and adapting the Albanian customary-canonical law to take on a very original character implemented in all the Albanian Mountain Canons, where a part of them was also implemented in Kosovo, unique among the peoples. of Europe, until the first half of the 20th century.

From this time, as historical-legal sources in a period of two and a half centuries, only the archaic compilation of legal rules was preserved under the name: “Laws of Kings” (*Leges regiae*, *Leges curiatae* or *Ius Papirianum* / ca. 500 years BC re.) which served as a very important source for the creation of law since that time.

The decadence of the Western Roman Empire and the Byzantine Empire influenced the peoples of the Balkans to organize themselves into feudal regimes. In the first instance, these processes were concretized with statutes in the citizen population, while the majority of the population living in the mountains remained organized in tribes, and were increasingly breaking away from the dependence of the central government, gaining autonomy, self-organized and self-administered based on the laws of local customary law, i. e. with the Canons of the Mountains.

**Keywords:** agnate gender, cognate gender, canon, custom

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**RECEPTION OF ROMAN LAW IN THE REPUBLIC OF  
MOLDOVA: REALITY OR MYTH?**

From a geographical point of view, the Republic of Moldova is located within the territory of the kingdom of Dacia, conquered almost entirely during the wars fought by the Roman emperor Trajan (between 101 and 106 AD). As a result of these wars of conquest, Dacia became a Roman province, in which Roman law was implemented. The elements of the Roman legal system remained within the territory in question after the Aurelian retreat, and some historical sources attest a possible application of Roman law in state organizations in the region during the Middle Ages. This fact reasonably raises the question of the reception of Roman law in Bessarabia and the Republic of Moldova, especially given the existence of local scientific publications on the reception of some principles, institutions and legal norms of Roman law in the legislation of the Republic of Moldova. This work contains the author's vision on this subject.

**Keywords:** Roman law, private law, public law, reception, civil code

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## **STATE INTERVENTIONS ON PRICES (PRETIUM) IN THE ROMAN PROVINCES**

The idea that the value of something, say the damage caused, can be assessed according to the criteria prescribed by law, arose very early. Already in the time of Republic, we find the first government interventions in determining the price of goods and services in the market. Livy testifies about the *aediles*, who already in 299 BC energetically prevented the increase in the price of grain, intended for distribution to poor citizens (*cura annonae*). Over time, Roman jurists developed criteria for determining value as objectively as possible, and their concepts provide both a legal and a social perspective on the ideals of price formation, by distinguishing *verum pretium* from actual market prices. In this paper, we will answer the question of whether prices were determined by state intervention and to what extent, and what role supply and demand played in the market.

**Keywords:** *pretium*, Roman provinces, state intervention

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**THE PRESENCE OF THE ROMAN ARMY AT THE NORTH  
OF THE DANUBE – AN IMPORTANT FACTOR IN THE  
COLONIZATION OF DACIA**

The Roman army was one of the most effective institutions of Ancient Rome. The Eternal City conquered and globalized the world through its soldiers. Dacia, as a future province of Rome, was no exception to colonization, so *Dacia capta est*. Therefore, the Roman model was also implemented in this territory, the army contributing in a direct way to the colonization of the people from the North of the Danube.

**Keywords:** Roman army, soldier, Dacia, province, Latin inscriptions, colonization

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## **ANGER OF APOLLO (?) AND ARES' SNAKE: ASPECTS OF INDO-EUROPEAN MYTHOLOGY AND RELIGION AMONG THE ILLYRIANS**

On the very beginning of the story of the origin of the Illyrians the myth of Cadmus and Harmonia stands out. The two of them were wanderers and mythical leaders of the Illyrian tribes in their conquests of lands.

There are many different versions of the transformation of Cadmus and Harmonia into snakes. According to one, before marrying Harmonia, Cadmus insulted the god Ares because he killed his dragon while guarding the spring of water that Cadmus and his comrades were to offer after the founding of Thebes. The dragon killed his comrades and Cadmus avenged them. This dragon is known as the Ismenian dragon.

Cadmus was connected to the dragon for the second time when he and Harmonia had already become leaders of the Illyrian tribes who plundered the temple of Apollo. Ares saved them from the wrath of Apollo by turning them into serpents.

The two questions arise from this: what is the connection of Ares and Apollo with the serpent? In other words: why would Ares save them and why would Apollo spare them after they were turned into snakes? The second question deals with origin and the chronology of the origin of the myths themselves.

A comparative mythological analysis connects the snake and the dragon in general as a totem among the Indo-Europeans, and not something peculiar only to Illyrians as is often interpreted in our historiography. So I will try to explain connection of dragons and gods among the Indo-Europeans and show that the myth of Cadmus and Harmonia should not be used as a complete and unique in its very origin when it comes to the Illyrian mythology and religion.

**Keywords:** Apollo, Ares, Cadmus, Harmonia, Illyrians, Illyrian mythology, Indo-Europeans, snake, dragon

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## **GALERIUS, THE CO-EMPEROR OF DIOCLETIANUS**

Diocletian belongs to the rank of Roman Emperors who significantly marked the times in which they lived. Yet, he owed his success to his co-emperors, among which Galerius had a special place. They had a lot in common. Both being Illyrians and cruel and brave warriors, they built magnificent palaces in their birth places. Galerius palace near Gamzigrad (Serbia), *Felix Romuliana*, could compete by its grandeur with the Diocletian's palace, as well as with those in Nicomedia, Antiochia and Constantinople (although it has not been that well preserved).

Diocletian chose Galerius to be his caesar and he officially received the title in 293 AD. In order to tighten his links with Diocletian, Galerius married his daughter Valeria. He was put in charge of Oriens and Illyricum and chose Sirmium for his headquarters.

Diocletian made his assistants, an augustus and two caesars, the real partners in performing the Emperor's duties. The tasks of managing the state were divided between four rulers. Each of them had his own seat in another city, his own army, executive power and his own assistant in the form of a praetorian prefect. Thanks to Galerius and his skills of a warrior, the Illyricum borders were successfully defended despite constant barbaric attacks. He was also known for his success in making new settlements by land clearing and cutting down the trees. This land was settled by the vandals who had been attacking the Empire: Markomans, Sarmates, etc. Diocletian was very fond of his caesar Galerius, always giving him instructions and full support. On the other side, it is believed that Galerius' influence on Diocle-

tian was enormous. Thus, the authors believe that Diocletian's big prosecution of Christians was undertaken under Galerius's influence.

**Keywords:** Galerius, Diocletianus, Illirians, cristianity

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**HISTORICAL DEVELOPMENT OF PRIVATE LAW AND  
ROMAN LAW IN BOSNIA AND HERZEGOVINA FROM  
HUNGARIAN PERSPECTIVE**

The territory of Bosnia and Herzegovina as well as the Sandzak of Novipazar (Novibazar) were occupied pursuant to the Congress held in Berlin in 1878 by the Austro-Hungarian Empire. From the viewpoint of international law, however, Bosnia and Herzegovina remained under the sovereignty of the Ottoman Empire. In Bosnia and Herzegovina was put into force the Medjelle between 1869 and 1876. After the annexation of Bosnia and Herzegovina by the Austro-Hungarian Empire in 1908 several efforts were made to put into force the Austrian General Civil Code (ABGB). The so called “modernization” of private law concerned mainly the patrimonial law (*Vermögensrecht*). The legal experts of the Austro-Hungarian administration of Bosnia and Herzegovina took into consideration also legal institutes (*Rechtsinstitute*) rooted in Roman law. This was partly due to the fact that in Hungary the civil law, unlike the situation in Austria, was not codified. On the other hand the Commercial Code of Bosnia and Herzegovina promulgated on June 7, 1883, in view of the author of the paper, was partly modelled after the Hungarian Commercial Code of 1875.

**Keywords:** Austrian General Civil Code (ABGB), Austro-Hungarian Empire, Congress in Berlin, Hungarian Commercial Code, institutes (*Rechtsinstitute*) of Roman law, Medjelle, modernization of private law, Ottoman Empire, patrimonial law (*Vermögensrecht*)

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**EX SENTENTIA TITI IMP. AUG.: THE INTERVENTION OF A  
PROCURATOR CAMP. IN CRETE IN THE DOMITIAN’S AGE**

Based on a new reading of the inscription AE 1969/70, 635 from Knossos, where at r. 10 was written *proc. Camp.* and not *proc. [C]a[es]aris* as read so far, the Author will reflect on the role of the procurator mentioned in this boundary stone. He intervened in a dispute between a private citizen and the colony of Cnossus, by applying the sentence of the emperor Titus. Was he a procurator *Campaniae* or a procurator *Campanorum*, that is a procurator of the inhabitants of Capua? This colony was in fact the owner of land on the island of Crete.

**Keywords:** Capua, Cnossus, Crete, *termini inter publicum et privatos*, Roman administration, imperial and private procurators

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**THE ROMAN PROVINCE OF JUDEA: RELATIONAL  
CONFLICTS AND SYSTEMIC CONFLICTS BETWEEN THE  
PREFECT OF SYRIA, THE CLIENT KINGDOMS AND THE  
GREAT SANHEDRIN OF JERUSALEM**

Following the Roman conquest of Palestine, Judea had to surrender to the condition of a no longer sovereign state, although some even authoritative studies continue to conjecture sovereign and independent parentheses. A careful historical analysis focused on the evolution of Jewish institutions during the Roman period shows without doubt that in the conflict of competences between the original authorities, such as the Sanhedrin of Jerusalem and those of the conqueror, there is no room for any autonomy in favor of the former. In this regard, the trial of Jesus of Nazareth certainly serves as a paradigm.

**Keywords:** independence of Judea, client realms, authority of the Sanhedrin, *ius gladii*, prefect of Judea

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**«LES HOMMES AURAIENT ÉTÉ À LA FIN OBLIGÉS  
DE VIVRE TOUJOURS SOUS LE GOUVERNEMENT  
D’UN SEUL, S’ILS N’AVAIENT IMAGINÉ UNE MANIÈRE  
DE CONSTITUTION QUI A TOUS LES AVANTAGES  
INTÉRIEURS DU GOUVERNEMENT RÉPUBLICAIN, ET LA  
FORCE EXTÉRIEURE DU MONARCHIQUE. JE PARLE DE  
LA RÉPUBLIQUE FÉDÉRATIVE»** (Montesquieu, EdL, 9.1)

In a historical and dogmatic examination (unconventional and, therefore, subjectively risky but objectively necessary) the federal form of government (we use both the expression ‘form of government’ and the category ‘federal’ in their general meanings) shows, first of all, a relevant and possibly surprising characteristic, from which a number of other features are derived.

This ‘characteristic’ is to be: not a ‘special’ form of government (which the late eighteenth-century neologism [1787] “federalism” suggests), but ‘tout court’, the republican form of government, which is an alternative to the royal form of government; that is, as it was written in the middle of the Age of Enlightenment: the “only form of government which is an alternative to the power of only one”. Indeed, Montesquieu (EdL, 1748, 9.1; expressing, moreover, a shared thought) states: “It is, therefore, very probable that mankind would have been, at length, obliged to live constantly under the government of a single person, had they not contrived a kind of constitution that has all the internal advantages of a republican, together with the external force of a monarchical, government. I mean a federal republic.”

It is difficult to find a better definition of the great Republic, i.e. the Roman imperial Republic: organized in cities (each with its own assembly of citizens: *comitium*) and groups of cities, the provinces (each with its own assembly of cities: *concilium provinciale*).

We must resume both, scientific reflection and political initiative on the “federal republic” as the only possible form of republic, whose model is the Roman imperial *res publica*.

**Keywords:** Republic, federalism, city

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**SACRED AND RELIGIOUS OBJECTS IN THE *PROVINCIAE* –  
AN EXEGESIS OF GAI. 2, 7**

At the beginning of the second part of his *Institutiones*, dedicated to the law of property (*res*), Gaius defines, among other categories, *res sacrae* and *religiosae* as a subdivision of *res extra commercium*. This definition was a centrepiece of the said classification in classical Roman law and in centuries to come. In one part, Gai. 2, 7, the definition deals with sacred and religious objects in the *provinciae*.

Essentially, Gaius here states that the provincial land could not become *religiosum* the same way Italic land could (by a burial of a human corpse on one’s property); nor that consecration in the *provinciae* without the authority of the Roman people could lead to an object becoming properly sacred. He then admits that in both cases objects may still be considered as religious or sacred (*etiamsi non sit religiosum, pro religioso habetur, proprie sacrum non est, tamen pro sacro habetur*). In this sense, although provincial concepts of sacredness and religiousness were obviously distinct from their strictly Roman counterparts, their practical legal effects were apparently identical.

The aim of this paper is to analyse this fragment exegetically, considering its immediate context, a wider array of sources (legal and otherwise) dealing with the same issue and pertinent literature. This reappraisal of the source material and literature may prove helpful in two ways. On the one hand, it may help in clarifying the concept of *res sacrae* and *religiosae* both in the center and on the peripheries of the Roman Empire during the classical period of Roman law. On the other, it may be a contribution to a general understanding of sacredness and religiousness in the *provinciae* during the same timeframe. Both elements were fundamental for further developments, so the analysis may contribute to a better appreciation thereof in Roman legal tradition generally as well.

**Keywords:** *sacer, religiosus, res sacrae, res religiosae, res extra commercium, Gaius, provinciae*

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**IMPERIAL LEGISLATION OF THE SO-CALLED MILITARY  
ANARCHY AND THE ROLE OF THE PROVINCES**

The period of the so-called military anarchy, conventionally identified as the fifty-years period from 235 to 285, is characterized by the alternation in power of emperors of provincial origin, starting from Maximinus Thrax to Aurelian. This article intends to focus on their legislation in order to verify whether (and to what extent) the geographical origin of the emperor-soldiers resulted in a particular policy of intervention in favor of the provinces, or whether (and to what extent) the commitment to defend the unity of the Empire and the safeguarding of the Roman spirit without territorial distinction can be distinguished in the enacted measures.

**Keywords:** provinces, military anarchy, emperor-soldiers, legislation

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**ARBITRAL SETTLEMENT OF DISPUTES IN PROVINCES IN  
SHADOW OF THE ROMAN PROVINCIAL ADMINISTRATION**

Numerous epigraphic records of the boundary disputes (and means in which they were settled) originated throughout the provinces of the Roman State. Such “provincial” disputes were to a large extent settled in specific arbitration procedures which were mostly initiated and controlled by the Roman provincial apparatus and which essentially for this reason had little in common with arbitrations under Roman private law. Although they were substantially different among themselves (which requires the case to case study) such dispute settlements usually reflected the same ratio of the Romans – that the local quarrels and disputes, some of which were traditional controversies that existed from before, might at some point potentially endanger the Roman rule. The provincial magistrates of all ranks were considerably and actively involved in such disputes (and their settlements) and made considerable legal efforts to bring them to an end. Most often, but not exclusively, the disputes concerned the problem of boundaries between pre-Roman tribes or traditional communities or some other pertinent rights which emerged as a problem in inter-communal relations in provinces.

In this paper the authors will analyse miscellany (collection) of such disputes from the epigraphic sources that originate from various provinces. They will specifically focus on two things: (1) the procedure of dispute settlement itself (means of settlement, selection of *arbitri/iudices*, award rendering and its enforcement etc.), (2) types of provincial magistrates involved to such dispute settlements, their procedural roles and goals they wanted to achieve by assuming such roles. For purpose of this paper the authors

will carefully select the most relevant and representative sources that might credibly reflect the Roman provincial government's intention for involving itself to such disputes.

**Keywords:** disputes, dispute settlement, arbitration, provinces, administration, epigraphic sources, Roman law, boundaries, provincial magistrates

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## **ROMAN BANKING AND BANKING IN THE PROVINCES**

Understanding banking, which covered a wide range of activities and financial practices, enables the creation of a broader picture of the Roman economy, which by its very nature had legal consequences for the economy of the Roman provinces. This paper analyzes and determines the very beginnings of banking, the role of bankers (*argentarii*, *nummularii*, *coactores*) in the Roman commerce relations, highlighting the specifics of banking in the provinces. The commerce development and its expansion into foreign markets between the 3<sup>rd</sup> century BC and the 3<sup>rd</sup> century AD played a significant role in the development and practice of the new legal institutes of Roman commercial law. At the beginning of 2<sup>nd</sup> century BC, Rome began gradually expanding its borders beyond the Apennine Peninsula, which contributed to the influx of great wealth into Rome, the creation of a large world commerce area, the development of slave relations, economy, crafts, specialization of the provinces for certain production.

The heterogeneity of legal sources, from legal texts to inscriptions, can be witnessed by the wide range of private transactions, as well as their impact on the financial life of Roman cities and provinces. As a consequence of the above factors, the development of banking and other forms of monetary business began, which is the analysis of this paper.

**Keywords:** banks, *argentarii*, provinces, banking

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**TAXES, PROVINCES AND PUBLICANI – SOME ASPECTS OF  
THE ROMAN TAXATION**

In 167 BC Roman citizens stopped paying *tributum* except for in the exceptional circumstances in the time of crisis. Abundance of war booty, goods and money coming to Rome from the provinces, exploitation of mines and public land etc., became a sufficient source of revenue enough to alleviate Roman citizens from paying *tributum*. Provinces with disparate legal, administrative and economical pre-Roman traditions made up different taxation systems which were allowed to continue as long as they were efficient and adaptable to the new administration. One of the most prominent features of the Roman taxation were publicani – who dealt with public property of Roman people. Publicani performed tax farming, a form of private tax collecting similar to facets of the Ottoman taxation as well as tax farms of pre-modern England and France. In this paper the authors analyze some aspects of Roman taxation especially the practice of tax farming in the Roman provinces.

**Keywords:** taxes, *tributum*, *provincies*, *publicani*, tax farming, tax collectors

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## **THE DIVISION’S AGREEMENT OF A COMMUNITY OF HEIRS: AN INVENTION OF PROVINCIAL LAW?**

The relationship between classical law and its use in the provinces is a subject of wide-ranging investigation. Limiting ourselves to an example from the law of inheritance, the use of a negotiated solution for the dissolution of the community of heirs is probably the result of provincial couture. It is in fact likely that the people of the eastern provinces were not as familiar with the *actio familiae erciscundae* or the *actio communi dividundo* and that it was much more common for them to have a negotiated division, which may or may not have been accompanied by written form.

Although such a pact was devoid of effect for *ius civile* unless *traditiones*, mancipationes or *in iure cessiones* were followed, both imperial constitutions and jurisprudential fragments convey to us how this solution was not unknown (for example, C. I. 3.36.12, a rescript of Trebonius Gallus probably requested by an eastern province recognises the validity of a partition pact concluded orally; D. 2.14.35, in which Modestinus configures the legal value of the partition pact ‘*instrumentis interpositis*’). In spite of these interesting traces, it is the province of Egypt and its papyrological documentation that offers us the most vivid picture, with over 70 documentary papyri in which there is mention of a διαίρεσις. These are often partition clauses included in more complex contracts such as sales and leases; some documents, however, focus exclusively on hereditary divisions. In this regard, we will examine P. Strasb. 555 and 556, containing the complex matter of the division of the estate of the paternal grandmother by three grandchildren, analysing the individual clauses, their content and legal nature.

**Keywords:** Division, Trebonianus, Gallus, provincial law, Egypt, written form, chirograph, community of heirs

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## **DEVELOPMENTS IN SALES IN THE ROMAN PROVINCES**

As Kaser states “the subject of the sale and transfer of property is one of the central problems of all private law, in the intersection between the law of obligations and the law of things. The principles that appear here determine to a large extent the organization of property law”.

In particular, in the Hellenic territories the sale and purchase business was not conceived as compulsory, but as a real or spot sale. The transfer of rights from one individual to another is made through a document indicating the business that both parties agree. It is at that time that a copy of the same (*instrumentum*) is delivered to the acquirer, which implies the assignment of the thing and the acquisition of the rights in it. However, over time the system becomes more flexible and only a clause is incorporated where the seller recognizes the transfer of ownership from the moment the price is received.

All this is collected in Greek-Egyptian papyri or clay tablets that have come to us containing these acts of transmission. This leads us to affirm that a principle based on conceptions opposed to the Roman ones prevailed that ended up influencing the praxis of the Lower Empire.

**Keywords:** sale, transfer of ownership, Roman law, comparative law

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**ROMAN LAW IN THE PROVINCES OF MOESIA INFERIOR  
AND THRACIA**

There are mutual penetration of traditions of government in Roman provinces of Moesia Inferior and Thracia. Created at the beginning of the 1st century AD, they share most of the culture and religions of the Thracians, Greeks and Romans, but also we observe a specific basis for the development of the law and the legal framework of a number of specific institutes to this region. Despite the scarce source data for this period, historiography in Bulgaria has had significant success in reconstructing the political, economic and social environment in these Roman provinces. However, less attention is paid to law, which is a challenge for Bulgarian romanists.

**Keywords:** Roman provinces, Moesia Inferior, Thracia, Roman provincial law

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## **ADMINISTRATION IN THE PROVINCE OF ROMAN DACIA**

At the time of the conquest of Dacia, Rome was in terms of the form of government, in the phase of the Principality, the era inaugurated by Octavian Augustus. In terms of territory, Rome ruled a vast territory stretching from England to the Middle East and from Gaul to Egypt. Immediately after the conquest, Dacia entered the process of administrative, economic and military integration, as provided by the rules of Romanian public law. According to these rules, it was organized as a separate province, with its own administrative, military and fiscal authority.

**Keywords:** Roman administration, province, Dacian people, legislation, organization

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***NUNDINAS INSTITUERE: THE ORGANIZATION OF RURAL  
PERIODIC MARKETS IN THE PROVINCES AND THE  
AUTHORIZATION TO OPERATE THE IUS NUNDINARUM***

The article is aimed at analyzing the organization of rural periodic markets in the provinces and in particular at studying the role of the senate and emperors in granting the *ius nundinarum*. Starting from the information obtainable from the *senatus consultum de nundinis saltus Beguensis*, the various testimonies certifying such authorization will be investigated, and then compared with other sources from which an intervention in the matter by the emperor seems rather to emerge.

**Keywords:** *Ius nundinarum*, *senatus*, CIL VIII270=11451=23246, *ILAlg* II 7511, C. 4.60.1, *SEG* XLIV 977B

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**SERBIA ROMAN PROVINCE**

**Niš, imperial city**

After the conquest of the Apennine Peninsula, Rome embarked on great territorial conquests, conquering part by part of the territory around the Mediterranean basin. Rome saw the newly conquered territories as territorial and administrative units of the state outside Italy, because the competence of Roman magistrates, consuls or praetors – *provinciae* – extended to them. The first provinces were Sicily (241 BC), Sardinia-Corsica (238 BC), Spain (197 BC), Asia (133 BC), and Macedonia and Africa (146 BC).

Moesia (today's territory of Serbia and part of the territory of Bulgaria) also found itself on the great conquest campaign to the east on the conquest path. The conquest of Moesia marked the beginning of a new era when today's territory of Serbia came under Roman rule. The conquest of Moesia marked the beginning of a new era when today's territory of Serbia came under Roman rule. In the newly formed province of Moesia, a number of cities were built and connected by a system of roads, and especially important was Naissus, the hometown of Emperor Constantine, who ruled from 306 to 337.

The subject of this paper will be the presentation of the history of Naissus (today's Nis) as an important Roman imperial city in the Roman province of Moesia.

**Keywords:** territorial and administrative provinces outside Italy, province, Moesia, Naissus, Emperor Constantine

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**PRAESES PROVINCIAE, RECTOR PROVINCIAE,  
PROCONSUL PROVINCIAE IN THE CONSTITUTIONS OF  
THE CODEX THEODOSIANUS**

The article analyzes the titles and persons of the provincial gubernators in the constitutions of the Codex Theodosianus, in particular these in the Balkan provinces and the Dioecesis Thraciae, Daciae et Pannoniae.

**Keywords:** Codex Theodosianus, praeses, rector, *proconsul provinciae*

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## **A BRIEF REVIEW OF ROMAN PROVINCIAL GOVERNORS' TITLES**

At first, provinces were governed either by magistrates (*consules, praetores*) or by promagistrates (*proconsules, propraetores, privati cum imperio*). The expression *pro magistratu* was used to designate a citizen who, despite not being a magistrate, used to perform a magistrature, either as a consequence of an extraordinary appointment (*privati cum imperio*), or due to a prolongation of the duration of the *imperium* even posterior to the end of the term (*prorogatio imperii*). In such cases, their titles would, instead of *consul, praetor* or *quaestor*, respectively become *proconsul, propraeator* and *proquaestor*. Regardless of whether a governor performed the duty of a magistrate or a promagistrate, he was classified either as a consular or a praetorial one. During the reign of Octavian Augustus, provinces were divided into two groups – *provinciae senatus vel populi* and *provinciae Caesaris vel principis*. Irrespective of their titles, every provincial governor was referred to as *praeses*. Depending on the rank of their governor, both senatorial and imperial provinces were classified as *provinciae consulares* and *provinciae praetoriae*. Regardless of whether they were of a consular or praetorian rank, governors of all senatorial provinces held the title of *proconsul*, giving the senatorial provinces an alternate name: *proconsulares*. In the imperial provinces, the title of *proconsul* was held by the *princeps* himself, which resulted in the need of creating a title for those who actually governed the provinces in question – *legatus Augusti pro praetor*. Depending on their rank, they were divided into *legati consulares* and *legati praetorii*. However, it was not until the dominate, that the richness of Roman provincial governors' titles reached its peak.

**Keywords:** Rome, province, governor, title, magistrate, promagistrate, consul, praetor

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## **PROVINCIA SYRIA AND THE LAW SCHOOL IN BERYTUS**

**Provincia Syria.** Before romanisation of the province, the territory of ancient Syria was initially dominated by the Hittite culture and later it was influenced by various other people such as the Amorites, Egyptians, Assyrians, Babylonians and Persians. Alexander the Great invaded and conquered it in 333. BC. The Phoenicians and their great civilization dominated in the coastal part of the territory forming also its colonies, the most notable being that of Carthage, colony of the Phoenician town Tyre. In 64 BC, Pompey officially annexed Syria as a Roman province. Under the rule of Septimius Severus it was divided into two parts (Syria Coele and Syria Phoenice). Later under the rule of Emperor Constantine it was diocese of *Oriens* within the prefecture *Oriens*. The province became the center of Roman law teaching.

**Law school in Berytus.** Favored by Emperor Augustus, Berytus in the 1st century had become a colony under the Italic law. The life of famous law school started in the late Principate. At the peak of Berytus' glory, in 551 AD, during the reign of Justinian, an earthquake destroyed the city to the ground. Many people, locals and the foreigners who had come to study Roman law, lost their lives. The law school in Beirut was most romanised school of law in Orient. School has its interesting development with three generations of professors, the golden age being period of 4<sup>th</sup> century. It was the only city apart from Rome and Constantinople where the teaching of Roman law was permitted by the public authority of the Emperor and earned the prestigious title of *nutrix legum*.

**Keywords:** Provinces, Schools of Law, Justinian's Codification, *Constitutio Omnem*, *Constitutio Tanta*, Dorotheus

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## **COMMUNICATIONS IN WORK PROGRESS DURING PANDEMIC TIME AND INFLUENCE OF ROMAN LAW**

Effective communication has always been the key to all healthy relationships. During the mandatory quarantine, many individuals are working from home with little to no face-to-face interactions, except with their families.

The most obvious changes are that most of us now have less face-to-face, in-person interaction with others, and when we are face to face, we are wearing masks. We have less interaction with people outside of the people we live with, and we spend more time on Zoom, Skype and other mediated platforms. Health-wise, social distancing is for the best in general; but social isolation is not healthy in the long term.

This article offers best practices for company communication during a pandemic, such as the current COVID-19 global emergency. The author emphasizes the need to make communications in company more responsible and thoughtful, not only in these challenging times, it should be always. Discussed are best practices for communication through many media, such as telephone calls, email and social media and doing so in such a way that the message is not misinterpreted, misleading, sent to the wrong person or persons or in any way puts the company reputation at-risk or, worse, puts the company in legal jeopardy.

While the challenges of communicating responsibly during a pandemic environment are evolving, encouraging employees to ask questions, maintaining open lines of communications with employees and implementing best communication practices can help the organization to communicate more effectively and responsibly, not only during a pandemic, but also during “normal times”. The author also pays attention to solutions from Roman law.

**Keywords:** communications, workplace, pandemic, unusual communications, responsibility

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**THE DACIAN WAX TABLETS (TABULAE CERATAE)  
FROM ALBURNUS MAIOR (ROŞIA MONTANĂ, TODAY): A  
PROVINCIAL TESTIMONY OF THE RELIABILITY OF THE  
METROPOLITAN LAW**

In addition to the wax tablets relating to the contracts of sale-purchase (*emptio venditio*), with the related written mancipatio (*mancipatio scripta*), unusual forms of transfer of ownership (also formalist), which are analyzed, we find some triptychs containing conventional consensual relations mirrored in various other contracts.

**Keywords:** wax tablets, contracts, written mancipatio, triptychs, association (*societas*), stipulation (*stipulatio*)

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## **SERVUS VILICUS AS INSTITOR**

*Servus vilicus* was slave placed at the head of a Roman villa rustica. The main sources in which we learn about the content of the duties and the powers of the *vilicus* are provided by Columella, *De re rustica*, I.8, XI.1, and XII.1, Varro, *De re rustica*, I. and the Cato, *De agri cultura*, CXLII–CXLIII. Having in mind that legal framework of his occupation is pretty unknown, it is justified to ask a question: was he (or maybe she) the institor? In the Digest, we find only the incidental remark that anyone appointed to cultivate the land may be considered as an institor (D.14.3.5.2). In addition, the institor was primarily engaged in trade, while the *vilicus* performed a wide range of the work. Beside that fact, *vilicus* was not exclusively engaged in agriculture, but also in some state services, which makes this notion even more complex and contradictory. However, the main question remains to be answered, whether the *servus vilicus* was a person who also legally obliged his master or his job was reduced to the actual management of the property?

**Keywords:** *servus vilicus, actio institoria, actiones adiecticiae qualitatis, procurator, praepositio, mandatum, iussum*

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**SOME TRACES OF THE INTERDICTAL PROTECTION IN  
THE PROVINCES OF THE NEAR EAST**

Epigraphic and papyrological sources reveal, sometimes clearly, sometimes with some uncertainty, that the interdictal protection, traditionally considered to be a prerogative of the praetor’s court in Rome, belonged to the practice of several provincial territories, starting from Cisalpine Gaul and Betica, and ending with Egypt and the Middle Euphrates area. Precisely the sources from the eastern provinces, more than those from the Hispanic territory, often represent a real enigma for the interpreter, both because of the linguistic hurdle and the complexity of political and legal history of those territories.

If Gaius, in the paragraph 139 of the fourth book, introduces the discussion on interdictal protection by placing the *proconsul* alongside the *praetor* as magistrates competent to issue *interdicta*, again with reference to the provincial territory the sources seem to involve a wider range of magistrates and officials who had access to this function, probably through a delegation of general or specific jurisdiction. This delegation was sometimes granted on a permanent basis, as in the case of the local magistrates in the municipality of Irni, sometimes on a case-by-case basis, as in the case of the procurators of Celesiria or the epistrategos of Egypt, with the twofold aim of lightening the workload of the *praeses* and meeting the need for immediacy typical of interdictal remedies.

**Keywords:** *interdicta*, *provinciae*, papyri, East, delegation of jurisdiction, *proconsules*

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## **ROMAN LAW AND THE SERBIAN MEDIEVAL STATE**

The Serbian medieval state is not only a place of reception of Roman law, but also a region of origin and development of Roman law. In that area, Roman law was the basis of state, legal and general social development of states and societies – the heirs of the Roman Empire and Roman society. Serbian modern law and the Serbian state, as followers of the Byzantine tradition, with the inevitable segments of Slavic customary law, are an extension of the Roman legal tradition in the broadest sense of the term. The continuity confirms Serbian modern legislation, from Sava's Legislation to the fall of the Serbian modern state under Ottoman rule.

**Keywords:** Serbian medieval state, Roman law, Sava's Legislation, Byzantine

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## **CONFIRMATION OF PROVINCIAL CUSTOM IN CONTENTIOUS PROCEEDINGS**

Starting from a fragment from Ulpian (D. 1.3.34), the present paper aims at presenting other ancient sources and explore if provincial custom was accepted as / considered a self-standing law source or it was necessary for it to be confirmed in contentious proceedings. Research also presents the relations between custom and law.

**Keywords:** *consuetudo, lex, provincia*

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**CHARACTERS OF *PARTITIONES IURIS*, WITH PARTICULAR  
REFERENCE TO THE DISTINCTION BETWEEN *IUS  
PUBLICUM* AND *IUS PRIVATUM* IN THE PROVINCE**

This article considers the dogmatic contours of the ancient, elastic distinction between *ius publicum* and *ius privatum* and the historical processes that have led ‘contemporary’ legal science to the modern, rigid contrast between the partitions of public law and private law. The thesis supported is that it is necessary to avoid assimilating the ancient distinction with the modern contrast, because the reference models of the underlying legal issue are opposed: the unitary consideration of the plurality of acts performed by a collectivity of persons with the ancient Roman solution of the *societas* and the medieval and modern solution of the legal person.

**Keywords:** *ius publicum*, *ius privatum*, *societas*, legal person

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***IMPERIUM SINE FINE: THOUGHTS ON A PARTIALLY  
FORGOTTEN ROMAN PUBLIC LAW CONCEPT***

The concept of ‘*imperium sine fine*’ expressed by Virgil in his Aeneid, raises wide-ranging legal questions that require, in the complex construction of a universal *imperium*, a deconstruction of the contemporary public law categories related to ‘power’.

**Keywords:** *Imperium*, *finis*, state sovereignty, universal empire, Roman public law

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**THE RELATIONSHIP BETWEEN POWER AND TERRITORY  
IN ROMAN LAW: THE MODEL OF THE PROVINCE**

The model of the Roman province deals with the problem regarding the relationship between power and territory in a way that is antithetical to the contemporary model of state sovereignty.

*Imperium, iurisdictio, imperium proconsulare, princeps*, are actually legal concepts of great significance to reveal the ideologies underlying the current, different, model of relationship between power and territory in a state based perspective.

**Keywords:** power, territory, *imperium*, sovereignty, province, *iurisdictio*

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## **THE PERMANENCE OF THE CITY AUTONOMIES IN LATE ANTIQUITY**

The paper aims to critically reconsider the consolidated opinions on the fate of civic councils in the late imperial age in the light of some indications from sources, especially Western ones, in a view to better assessing their permanence and transformations in the age considered.

**Keywords:** cities, city councils, imperial law, late antiquity

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**ASSESSMENT OF DAMAGES IN THE CASE OF THE  
DESTRUCTION OF ONE OF FEW FUNCTIONALLY  
INTERCONNECTED THINGS**

The object of this paper is the estimation of the damages in the case when destruction or lesion inflicted to one physical object leads to shrinking of the value of other things, which are functionally, though not physically, interconnected with the damaged object, like in the case when somebody kills or wounds a horse which is a part of the team in a trained *quadriga*. The research is centered on the application of the *lex Aquilia* in the classical roman law.

**Keywords:** Roman law, Law of Obligations, Damages, *damni aestimatio*, *lex Aquilia*

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## **THE LAW OF ROMAN EGYPT**

Unlike Roman law, Egyptian law can be learned from individual legal documents. Since no written Egyptian law and fact that a little has been preserved from a collection of laws (i.e. "Hermopolis Legal Code"), scholars traditionally get knowledge about Egyptian law from contracts, deeds, family archives, judgments, wills and accounts of criminal trials. The special problem is the fact that the study of Egyptian law is further complicated by pre-created dogmatic ideas about the superiority of Roman law and jurisprudence. However, at the moment when Egypt became a Roman province, the Egyptian law was applied in practice (which already took a lot from Greek law at that moment) and at the same time the influence of Roman law began to be noticed.

**Keywords:** *Hp, Ma'at*, civil law, criminal law, courts

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## **THE CULT OF AUGUSTUS-QUIRINUS IN THE “PROVINCIAE”**

The paper is focused to the relationship between the consolidation of the Principate after the victory of Octavianus and the new tendencies to a divinization of the emperor, when he was still alive. While in Italy and in the West many resistances did act against an official imperial cult, the situation was different in the eastern “provinciae”, where people were already accustomed to a political leaders religious veneration. In particular, the special case of Quirinus, the ancient god in which Augustus wanted to identify himself and whose image was by him reconstructed in a new ideological sense, will be examined.

**Keywords:** Principate, Augustus, Quirinus, divinization, imperial cult

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## **BELA PALANKA AS A ROMAN PROVINCE**

Bela Palanka, today a city in southern Serbia that entered the Guinness World Records Book with the most doctors of science *per capita*, was once an important part of the Roman Empire. Founded around 280 BC under the name Remesiana, it later developed into an autonomous city (*municipium*) during the reign of Emperor Trajan (98-117). Remesiana became a very important factor for the central Roman government due to its mineral wealth, the center of one of the six areas of the *Metalli Dardanici* mining complex. In addition, it was the seat of the imperial cult, as evidenced by the monuments from the year 202, erected by the then governor of the province *Q. Ancius Faustus* to *Septimius Severus*, *Caracalla* and *Julia Domni*. It was also the Christian center of the whole area, especially during the time of the eminent bishop of Niketa. Even during the reign of Emperor Justinian, Bela Palanka was important for the Roman state.

**Keywords:** Bela Palanka, Roman Empire, Remesiana

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**“THERE MAY NOT BE TWO BISHOPS IN THE CITY”:  
IMPERIAL HERITAGE, NATIONAL REFLECTIONS AND  
CONTEMPORARY CONFLICTS IN THE ORTHODOX WORLD**

I will analyze the connections between the Roman model of relationship between local administration and central government and the territorial structure of the Christian Church, established at the time of the ecumenical councils.

The eighth rule of the First Ecumenical Council of Nicaea (325 AD), according to which “there may not be two bishops in the [same] city” declared the coexistence of two church organizations in one territory uncanonical.

I will examine the Roman law context of the development of this rule; its role in the functioning of the Church as part of the imperial structure of Byzantium and ultimately as a still-in-force rule used across the Orthodox world.

**Keywords:** Canon law, territorial organization of the Church, council of Nicaea, Constantine the Great, national orthodox churches, Ecumenical Patriarchate, freedom of religion, secularism

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## **LOCAL ADMINISTRATION IN MEDIAEVAL SERBIA**

During the reign of the Nemanjić's dynasty in mediaeval Serbia existed bigger or smaller territories that were conferred on administration to the members of the monarch's family or to the noblemen. Those were Zeta (*Zévia*, modern Montenegro), Zahumlje (*Zαγλοῦμοι*, actual Herzegovina), areas (*oblasti*), so-called "Greek Lands", counties (*župe*), frontier areas (*krajišta*) and so-called "države" (holding, estate). In the 15<sup>th</sup> century, during the reign of Despot Stefan Lazarević we can find the new administrative areas called "vlasti" (regions).

**Keywords:** Zeta, Zahumlje, areas, "Greek Lands", frontier areas, "države", "vlasti"

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## **ACQUISITION OF OWNERSHIP OF BOOTY OF WAR IN ROMAN LAW**

The paper's authors analyze the acquisition of ownership of booty of war, which was the most significant and widespread category of enemy belongings (*res hostiles*). Ownership treatment of booty of war will be observed in the paper through the historical development that influenced different approaches regarding its acquisition. On the one hand, booty was treated as *res nullius*, and on the other hand, as property belonging to the state. In the first case, title over the booty was acquired by occupation (*occupatio*) as the original way of acquiring ownership over nobody's property by a person taking such a property in possession with the intention of having it for himself. Private booty occupation was an abstract principle that persisted throughout the development of Roman law. In the second case, war booty belongs to the state, *de facto* abolishing its acquisition by occupation, which is an actual consequence of the strengthening of the state as an organization that declares and wages wars. For the authors to observe the relationship between the conflicting principle of booty occupation, which is widely accepted in the sources of Roman law, and the factual situation on the battlefield, in addition to the legal sources, the paper will analyze various historical texts illustrating the behavior of soldiers when conquering new territories. From this, conclusions will be drawn about the causes, characteristics, and goals of the state's acquisition of war booty. In this respect, the authors will also refer to the criminal offense of *peculatus*, introduced by the law *Lex Julia peculatus et de sacrilegis*, which represented the theft of government property and was also applied in cases of unlawful appropriation of booty belonging to the state.

**Keywords:** booty of war, *occupatio*, *res hostiles*, *res nullius*, *peculatus*

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**GREEN PRINCIPLE AND POSSESSIO VEL USUSFRUCTUS**

In the Civil Code of the People’s Republic of China, at the beginning of the Book on the General part, the so-called ‘green principle’ is stated. This principle is further elaborated in the following books of the Code and, among others, in the Book on the real rights. Although, in the last centuries, an entitlement based perspective has prevailed with regard to the relationship between human beings and things; in order ‘to fill with contents’ the green principle, as well as to put the law in condition to face the challenges posed by the nowadays pressing environmental issues, it would be rather preferable to switch to an exploitation based perspective. A perspective built on utility that can be taken from things without compromising them. In order to do so, the Roman law ‘inheritance’ on the *possessio vel ususfructus* can offer valuable insights.

**Keywords:** *Possessio vel ususfructus*, real rights, China Civil Code, green principle, law and environment

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## **LEGAL REGIME OF PROPERTY IN ROMAN PROVINCES**

The paper considers the specific problem of the property outside Italy in the period of the late Roman Republic and the early Principate and especially the property in land in the territories that were converted into Roman provinces. The author studies how the Roman government faced the new problems that the conquest created and researches also what Rome actually did when first met the Hellenistic concepts of the land property in the conquered territories and how they were applied or modified according to the traditional Roman law principles and regulations. The author emphasizes that the need to organize the territory and to define the property of the people who lived on that territory or the rights which they had to the land for a very first time occurred in Sicily which the Romans organized as the first Roman *provincia*. The paper examines the organization of Sicily according to *Lex Hieronica*, it considers the exemptions and immunities of some cities from the general legal regime of the province, and studies the collection of public revenues and the payments for the taxes for the exploitation of the land – *vectigal et vectigalia publica*. The author studies in details the organization of other provinces in the late Roman Republic and the early Principate and pays special attention to the richest Roman province – Asia, which brings huge revenues to the Roman budget. Central part of the study is dedicated to the legal regime of the provincial land and the author examining the main opinions on this topic in the recent Roman legal doctrine and translating and analyzing the relevant classical Latin texts in the sources, tries to define the Roman concept for “provincial property”, which for sure was not identical with the *dominium ex iure Quiritium* in Italy.

**Keywords:** provincial, property, possession, concession, *dominium ex iure Quiritium*, *vectigal*, *vectigalia publica*, *ager publicus vectigalis*, Sicily, Roman province Asia, Roman law

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**FETIAL LAW AND "BELLUM IUSTUM" IN THE CONTEXT  
OF THE ROMAN – DACIAN WARS AND ROMAN IMPERIAL  
POLICY ON ANNEXING PROVINCES**

The existence of the Roman State, from its foundation to its disappearance, was disrupted by short interruptions, under the sign of the god Mars, war being an essential element of Roman society. Under these conditions, among the multitude of priestly colleges that operated in Rome since the most ancient times, the College of Fetiales had a particular importance from a political and institutional point of view. Its attributions were mainly related to the declaration of war and the monitoring of treaties concluded by Rome with other nations. The subject covered in this article is structured in the following sections: the supposedly controversial origin of the College of Fetiales; the content and nature of fetial law; the legal-religious rituals of the declaration of war; the adaptation of fetial law to the imperial status of the Roman state; the concept of "bellum iustum" in the wars waged for the conquest of Dacia and its transformation into a Roman province; some thoughts on the Roman concept of *bellum iustum piumque* in the contemporary world.

**Keywords:** Dacia, declaration of war, *ius fetiale*, *bellum iustum*, *clarigatio*, *pater patratus*, *indictio belli*, *emittere hastam*

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## **INTERACTION BETWEEN LOCAL AUTHORITIES AND THE ROMAN PROVINCIAL ADMINISTRATION IN THRACE**

In the province of Thrace the Roman provincial administration interacts with the local authorities of Thracian and Hellenistic cities in order to establish the “Pax Romana”. Thus in a province inhabited with diverse population and ruled by various customs and laws, the provincial administration imposes the Roman law, setting the foundations of an integrational process, which will unify and stabilize Rome in the region as an empire for the next few centuries.

The aim of the article is to reveal the basic principles of interaction between the Roman provincial administration and the local government in the province of Thrace. It also aims to determine the importance of the provincial cities for the development of the imperial provincial administration.

**Keywords:** Thrace, Roman empire, Roman law, province, provincial administration, local authorities

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**HISTORICAL, LEGAL AND ECONOMIC ASPECTS OF THE  
ROMAN CAPITAL STRUCTURE PECULIUM**

This paper will analyse the specific issues and questions which related the peculium as an institute of Roman law that, in its physiognomic and legal status characteristics, can be established as a roman-legal capital structure. It will analyse a few key questions of great importance. First, it will look at the basic obligations and property rules related to this institute. Second, it will analyse the basic rules related to the practical functioning of the peculium. Third, it will undertake an analysis of the basic aspects that point to this institute usage as a tool for the realisation of business undertakings.

**Keywords:** peculium, capital structure, corporate entity, Roman business structures

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## ***IUS LATII AND THE MUNICIPIA IN PANNONIA***

Settlements in the province of *Pannonia* were mostly incorporated, i. e. given specific legal status according to the Roman law during the 1st Century AD. After squashing the Baton's uprising and the pacification of local tribes there was a need to establish a permanent network of cities from which the control could be exercised, and the process of Romanization could spread. Thus, especially during the Flavian emperors, there was a number of colonies and the *municipia* that were established in the province. One of them was also *Andautonia*, *municipium* established in the location close to today's Zagreb, on a crossing of river Sava, on the road from the capital of the province *Poetovio* to the colony of *Siscia*. It is an assumption that this *municipium*, and other *municipia* of this period as well, were established as the *municipia Latina*, so it is investigated in this paper the foundations of the thesis and the effects of such type of incorporation, i. e. the scope of *ius Latii* pertinent to the establishment of the *municipia Latina*. Concerning the issue, available *leges municipales* are analysed and the conclusions are drawn therefrom.

**Keywords:** *Ius Latii*, *municipia*, *leges municipales*, *Pannonia*, *Andautonia*, municipal organization

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**BULGARIAN PERSONAL DOCUMENTS ISSUED TO  
FOREIGNER WITH GRANTED INTERNATIONAL AND  
TEMPORARY PROTECTION**

Republic of Bulgaria shall provide international and temporary protection. To every foreigner that has been granted international protection shall be issued Bulgarian identity documents. International protection shall be provided by virtue of the Refugees relating to the Status Convention (made in Geneva on 28 July 1951) and the Protocol relating to the Status of Refugees of 1967 and other international acts on the protection of human rights.

A foreigner with granted international protection shall have the right to reside on the territory of the Republic of Bulgaria for the period of validity of the Bulgarian personal documents, issued to him. He has the rights and the obligations of Bulgarian citizens with some exception.

On the other hand, temporary protection shall be granted in case of mass refugees' influx who are forced to leave their state of origin due to armed conflict, civil war, foreign aggression, violation of human rights or heavy violence in the territory of the respective state or in an individual region thereof, and who because of this cannot return there. Republic of Bulgaria issued a registration card to a foreigner, to whom temporary protection has been granted – for the period of protection.

This article is an attempt to interpret the terms and the procedure for providing protection to foreigners on the territory of the Republic of Bulgaria, as well as their rights and obligations, including conditions of issuance and using Bulgarian personal documents. The author's aim is to provide a legal different between International and temporary protection.

**Keywords:** foreigner, international and temporary protection, Bulgarian identity documents

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## **THE THEORY OF RISK IN ROMAN CLASSICAL LAW**

According to prevailing attitude, based on the texts from Justinian compilation, the rule that the risk of accidental destruction of sold property from the moment of entering into the contract is borne by the buyer (*periculum est emptoris*). The author analyzes the opposite opinion that this is a Greek principle, which the compilers imposed by interpolating classical texts, while classical law observed the contrary principle, that up to the handing over of the sold property the risk of accidental destruction of the same is borne by the seller.

**Keywords:** *Emptio-venditio*, *periculum*, risk

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## **THE PEREGRINI – ROME’S PROVINCIAL SUBJECTS**

Viewed as “strangers”, the peregrini constituted the majority of Rome’s population. Although they did not have roman citizenship, still the peregrini benefited from specific rights. The main points of interests in the article are to examine the legal status of these people under *ius gentium* and to explore how this status differed from roman citizenship. Lastly the study will try to give a classification of the distinct types of peregrini.

**Keywords:** peregrini, latini, *peregrini dediticii*, status, citizenship, *ius gentium*

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***FUNDUS ITALICUS AND FUNDUS PROVINCIALIS***

In Roman law there were various types of property. The category of the fundus as *italicus* or *provincialis* determined the type of property held over it. For this reason, it is only possible to acquire *ex iure Quiritium* property of the *fundus italicus* and provincial property for the lands of the provinces. This work aims to expose the main characteristics of each category, their similarities and differences throughout Roman law in order to understand how the acquisition of property occurred in each case.

**Keywords:** *Fundus italicus*, *fundus provincialis*, acquisition of property

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## **THE ROMAN PROVINCES IN THE ANCIENT CANONICAL CHRISTIAN SOURCES**

Following Jesus Christ's mission in the lands that are now Israel and the missionary commandments given to his apostles and disciples, but especially as a result of Paul's missionary achievements, the new Christian religion spread throughout the entire Roman Empire and even beyond its borders. The young church gradually organized itself, the Christian communities coagulating particularly in cities and towns. The ecclesiastical hierarchy was built on the pre-existing foundations of the political-administrative organization of the Roman Empire, the importance of the great cities being a sufficient reason for conferring authority to the bishops at the head of the Christian communities there. Geographical conditions and ethnic realities led to religious autocephaly. Constantine the Great's religious policy fundamentally reset the relationship between the church and the state from the 4<sup>th</sup> century AD onwards, and it became increasingly close over time, both in the Eastern Empire and in the conquered West. Therefore, canon law, an important source of ecclesiastical discipline, has inevitably retained the horizontal territorial dimension of the Church and is now a complementary source for the study of the Roman and Byzantine provinces.

**Keywords:** Provinces, Christianity, canon law, ancient christian sources

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**SOCIAL AND LEGAL ASPECTS OF THE DEVELOPMENT OF  
THE ROMAN PROVINCE OF MACEDONIA SALUTARIS**

The main characteristics of the development of the Roman province of Macedonia Salutaris (Macedonia Secunda) are elaborated, including its administration, territorial boundaries. A special focus is given on the significance of the city of Stobi. Conclusions are derived regarding several regulations reflecting everyday life.

**Keywords:** Macedonia, Roman provinces, Stobi

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**HOW WAS THE PROVINCE OF BITTHINIA  
ADMINISTRATED?**

This paper aims to explain the importance of Pliny the Younger's correspondence for the study of provincial administration. Particular attention is paid to the 10th volume of Pliny's letters, which date from the time when he administered the province of Bitthinia as the emperor's legate. Based on the wide range of aspects that are discussed in the correspondence, the paper will focus on some of the most important ones. The paper emphasizes the importance and complexity of all tasks in provincial administration, especially the ruler's interest in provincial administration matters, the exchange of information between the center of power and the provinces, as well as the problem of determining competences between the provincial administrator and local bodies.

**Keywords:** Province, Roman law, Pliny the Younger

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## **HISTORY OF THE ORGANIZATION OF TARSATICA AND SENIA IN THE ROMAN AGE**

The paper analyzes the history of the organization of Tarsatica, which in an earlier period had the status of a municipality, as well as preserved data on municipal officials, while in the second stage of its development it became a military center that defended the Italian provinces from barbarian invasions.

The second part of the paper analyzes the history of the organization of ancient Senia, which was an important traffic center and port, also in the status of a municipality, as well as preserved data on municipal officials.

The authors analyze and compare different organizational and legal statuses of ancient settlements: oppidum/vicus, municipiums and colonies, as well as the structure of the population in them, which speaks of the degree of Romanization in the area of the eastern coast of the northern Adriatic.

**Keywords:** Tarsatica, Senia, administrative status of settlement, municipium, romanization

