

The concept of justice from the standpoint of law and ethics in the Hellenistic - Roman era

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The idea of justice in the earliest epochs was some kind of legitimacy and regulatory basis of the totality of human praxis. It's notion is pumped idea of unity to build the legal and moral values in terms of tradition. There was various understanding of the concept of justice from its earliest consideration to today. It make a difference in the understanding of *ancient forms of human praxis* and its *understanding*. Idea of freedom in modern times was the basis that she was a notion of justice in ancient epoch. Historical development of the concept of justice caused by the parallel, reciprocal movement of unity and differences of legal and moral values.

Conceptual orientation of Justice or like what comes from it, justifies the unity of nomothetic activities of humans. Ethimological and conceptual couple justice-righteousness was in Hellada. Nomophila means as dikaiosyne-dikaiotes, Latin justitia (already noted that the Romans were not separated right of fairness and justice), giustizia in Italian language, English word justice, Russian word justice, equity, German Gerechtigkeit, etc. ...

Talion system or norm talion (lat. ius talionis) is characteristic of archaic justice and an equivalence of violence. The closer way that it best reflects in the maxim of "an eye for an eye, a tooth for a tooth". Hellenistic philosophy turn over Aristotel's thinking and understanding the concept of justice the ethical, legal and judicial terms.

"Justitia est constans et perpetua voluntas ius suum cuinque tribuendi" - justice is ongoing and continuing effort to get everyone to what he is part of. This is Ulpian's famous definition of justice.

Otherwise, Ulpian (Dominitius ulpianus) is one of the last great classical jurists in era of Ancient Rome. With his partner and colleague Paul, belonged to the praetorian prefect council (*praefectus Praetoria*) of Papianus. According to some authors he has about 280 books, of which the main *Regulae* wrote comments praetorian edict and comments Sabina. Part of *Digest* consists of excerpts from his writings.

Such a definition of justice as evidenced by Ulpian thinking in ancient Rome is fully justified given the social situation primarily because of the deep earthquake that occurred in the relations between legal and moral spheres of life. Thus the perception of justice in terms of these two spheres. So late Stoic ethical conception of justice can be defined in the final antithetical, adversarial relationship with the legal interpretation, as will be described in more detail.

There is unity of spirit and ethos of individual character, and from there stemmed the validity of customs and law. In case of Romans, on the other hand, it is the result of the validity of their formed consciousness of the necessity of legal regulation. It was same even in cases when the the same legal regulation of the expression of a domination of some social groups and their compromise. In Rome at that time, therefore, the legal and customary obligations had the same value, while in Hellada there was some tension.

Roman Republican historical and spiritual circle is very difficult to accept the Hellenic and Hellenistic ethical reflection and its conceptual aparature. Difficulties arise in the midst of a civilizational differences and historical experiences of Hellenic and Hellenistic era and the era of Republican and later imperial of Rome. Like this, the resulting differences in philosophical and ethical experience, and therefore the differences in conceptual and terminological experience of Hellens and Romans. It is the fact that the Republican Rome in the intensive acceptance of civilization and general philosophical and ethical results of Hellenic and Hellenistic epoch was a morality-practical unity. It ceased to be the time of the collapse of classical polis. Roma was a polis duplicated the mixed state arrangement with emphasis on the dominance of the Republican element of state. Basis of legitimacy as well as regulatory, had a very pronounced practically the life and ethos inherent nomosu. Drugačije said, according to his custom tradiranim years and consuetudo and very rugged nomotethics legal

activities *fas and ius*. This community has gone through a theoretical and cosmological reflection, as it was the case with Hellens. Hellens were able to boast a developed philosophical and ethical and legal topic of Sophists, Socrates, Plato, Aristotle, and later Hellenistic ethics, which is crucial for this work and consideration of the concept of law and justice. Romans mental construction built from the ground up and the ethos of his lack of self-reflection, and therefore had to emerge conceptual.

The concept of morality in ancient Rome was closely associated with the thinking of law and morality. The adjectival form of moral (*moralis*) together with a translation of Cicero's Hellenistic idea *ethikos* - *ethical* and philosophical takes on the general rights of citizenship in the spiritual milieu of the old Rome. Term *ethikos* refers *the mores*. Cicero mark Hellenistic term *ete* for translation of this term into Latin term *mos*. introduction of the term, and even the introduction of Aristotle's ethical ideas by Cicero carried a certain limit, which will be described in more detail later in analysis of the philosophical and legal Cicero opus. nlike Hellenistic Greece, Rome lacked that in itself creates individual, and that this will happen only in the era of the old Rome. To us is important to say that the individuality of their very own foundations discrete set earlier in the royal and republican period of Rome, in the form of a rudimentary form of human individuality in the form of "*legal persons*". It is interesting that Hellens did not succeed in his hand until the disappearance of their civilization. This rough form of individuality in the form of some kind of legal thinking , which is of particular importance, the Romans had a very long "translated" to the moral individualiti. To be successfully done only in a late Roman Stoa of Seneca, Epictetus, Marcus Aurelius, Antoninus, and many other. In Rome was rigidity of legal regulation of life that is extends the period of the republic and the period of the Principate, Dominate - through all periods of their right civilzition. Romans had in himself the inner evolution as a civilian, part-time, classicrights and prevent the habitual and ethical spirit that existed in Hellens. Rome are "*created and kept alive*" their customs and nomothetic very fruitful activity, a strong state and legal instutions.It maintain the truth of their only and main purpose. Historical move toward different goals and objectives were in fact moving force of legal awareness and therefore team and the legal institutions. These are all modes of lifestyle as a general purpose of which is manifested as the power, the glory, as well as sovereignty, in a word eternity of Rome. Unlike the Romans, the Greeks in general purpose policy was assumed individual and specific purposes.

However, from the time of Cicero and Seneca to time of Roman history occurred some radical statements. Leads to the collapse of republican system and established principate. These events was is

'deleted' Roman ethos and they are established forms of praxis, which were a way reminiscent of the situation prevails epoch. Hellenistic political thought that gets abducted by a republican ethos of unity, and thus team and alienation in a particular sphere of complex relationships between the imperatives of the princeps and senate, caused great tension in the virtual life of ancient Rome. This tension was reflected in the fact that every area of practical life began to appear in his so - called. In process of breaking the Roman civitas Republican, almost identical to the Helena, in the crash of a classic policy, media and philosophical questions - *How to live?*, *How to do?*, *What to do?* apart is very radical, from the roots business man, the individual areas of essential public activities and political, legal and economic praxis. This horizon occurs mind. Roman individual moral civilization has its own legitimacy looking at what the natural, and therefore not passed Hellenic time setting the balance between natural and spiritual. In same direction and under these influences they talk about justice as the natural justice or justice of nature. Myths about the founding of Rome, or the myth of Troy People basically did not cross the border utility (utilitarian value), is not required legitimacy of the divine because of religious perceptions did not exceed the board. This makes a kind of idolatry, watching the emperor as a deity in and that was the one gap that existed historically in the moment and in the utility of the Roman religion. Mind of Rome referred to the totality habituelnost praxis and had the opportunity to go to the skeptical self-consciousness that praxis is seen as completely artificialistic. Such an environment there is a conflict delatnih will and the conflict is reflected in the constant political, legal and economic milieu, but never ruled out the possibility of reconciliation of the constant tension. Because of all these reasons, the existence of Roman law and its development does not demonstrate the need for natural and legal establishment, which is also reflected in the Roman facticity real life (especially imperial epoch) representing the state of *"real skepticism"*. Seneca was an example of the emperor teachers in public life and is one of the most powerful empires politic figure, then Mark Aurelius in turn was the emperor, etc... and none of them could find manifestation in human serv of Roma. Rome of this period is also referred to as *"sin city"*. Such close in the intimate sphere of privacy and self-awareness makes the discovery of a Roman form of the moral point of minds view.

In ancient Greece, one of the most famous philosophical and legal reflection of the concept of justice, attributed to Aristotle. Beside him stands Platon. Although not belonging to the Hellenistic - Roman era, it was a measurable conception of the idea of fairness and justice in future periods povesnog and philosophical movement. Just consider the concept of justice in the Hellenic and Hellenistic period to

the end can not be solved without taking into account the historical background of the transition from tribal to political. Big legislator Solon, reflects the emergence of political organization. Solon was once considered among the seven Greek sages was a statesman and the first ancient poet. In one of his famous elegy urged the public to re - conquest of Salamis, exhorted the people to keep a measure in all, it was convinced of the just rule of the gods, has defended his actions.

The transition from a political clan in the political system is clearly reflected in the simultaneous change of religious notions and ingrained ways of praxis. To the system Talion or equivalence of violence and where there is any kind of violence fits with..Solon to play an important role, allowing every citizen to request the procedure for anyone illegally ponašanje.To was opposite the mythical predtavi Erinijma, goddess of justice that threatened lawbreakers natural disasters in the form of destruction of harvest or fertility of women. Solon intention is shaped by every citizen (Polites) must take care to punish the offender. By some authors, this is the beginning signs of democracy in Athens, even in the ancient world.

Solon's law and the state is not relevant for this past period, nor for helnističko - Roman period that comes later, but it is essential for today's reflection on the essence of justice and injustice in our reality of life. Analysis of the concept of justice from its point of view is important for the understanding of the term, because in the later stages of the ancient era, the concepts of law, justice and developing countries to varying degrees and very little has preserved written evidence. It is especially true of philosophical reflection in epoch of law. By Hellenistic - Roman concepts of law and justice and contribute to a variety of historical circumstances and the turmoil that shaped a contemplative spiritual nation and the whole of his life praxis. For ancient notion of law, human praxis is considered significant Aristotle, Solon then as a reformer of which are later abstracted ideas and views for further consideration.

Historically and spiritual upheaval in the totality of European civilization is only the beginning of the dominance theory praksom.Tu a second important factor-the separation of ethics from polites. No longer a public thing (*res publica*) and the *ancient Romans res publica*, *civitas* and *populus* are one and the same - *est igitur res publica res populi*.

For Cicero (*constitutio populi*) business citizen civitas. This is because, as part of legislation the main task of the people.

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