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Chapter 1 : Portal:Ancient Rome - Wikipedia

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Critique of Common Law and Civil Jurisprudence In the European tradition there are two great systems of jurisprudence: Common law jurisprudence, which prevails in England and most former members of the British Empire, derives its authority from common judicial practice and received traditions. Common law is not necessarily codified or written, but like the English constitution, it is a pre-existing reality that magistrates must respect. Civil law, which derives from Roman law, holds sway over most of Europe and Latin America. In its modern form, it is always codified, but more essential to civil law is the notion that judges are bound by statutes, and they may only rule on particular cases without establishing general rules. Thus common law and civil law jurisprudence entail very different roles for the judiciary in shaping the content of law. It is this aspect of the two great legal systems that will be our primary object of study. By this rule, the judgments of magistrates are binding on lower courts and all future cases with similar facts. Judicial opinions in novel cases thereby gain great weight, as they may compel future courts to interpret common law and even statutory law in a similar manner. This form of jurisprudence has the advantage of uniformity of interpretation, but carries the danger of granting too much authority to judges in the shaping of law. Since all common law countries come from the English tradition, they all have the rule of stare decisis, so that the rule is seen as an essential feature of common law jurisprudence, though strictly speaking this is not the case. These decrees often contradicted each other, and it was the work of legal scholars to determine which aspects of each decree was still binding. In general, a more recent law nullified an old law only when it explicitly contradicted the old law or carried implications that would render the old law void. Otherwise, the older statute was considered to remain in force. In the nineteenth century, most European nations sought to codify their laws, so there would be no ambiguity as to which laws were in force. From the Napoleonic Code of to the Pio-Benedictine Code of , all civil and canon law in continental Europe was organized into written codes. Although this system had the eminent advantage of making the law clear, uniform and rationally intelligible, it placed plenary jurisdiction in the hands of the state, whose statutes could supersede even the most immemorial custom. Thus ancient usage could no longer act as a check on the whims of those now living, as do the customs enshrined in common law. The state had free rein to mold society as it saw fit; even the constitutions of Europe were written as legal codes, to be amended by legislatures much like a statute. If the civil law system seems to give too much power to the legislature, the common law system may be faulted for giving too much power to the judiciary. This fault of the common law system is not in common law itself, but in the principle of stare decisis. Common law, being a received body of customs, has the advantage of restricting the power of the state, including judges, but this advantage is undermined by stare decisis, which gives judges the ability to effectively define what the law means in their opinions, since all similar cases are expected to be judged similarly. Stare decisis allows a general rule to be established in a particular case, and establishing general rules is an essentially legislative act. In France, for example, a decision often consists of little more than a statement of the verdict, followed by citation of the relevant statutes, without any elaborate interpretation. In some civil law countries, such as Italy, there is an expectation that the lower courts will interpret the law in the same way as the Supreme Court, but there is no strict requirement that they will do so. Indeed, there would be no way to enforce this, as case law does not constitute a formal precedent; only the statutes passed by legislators are binding. For all their shortcomings, both the common law and civil law systems have legitimate reasons for existence, having arisen out historical solutions to political, social and legal problems. By sketching an overview of their historical development, we may gain some insight into how their primary features came into being, and then determine which of these features are suitable to actual society and to an ideal state. Historical Development of Common Law Common law jurisprudence is not unique to the English tradition, but existed in virtually every society that had not yet developed codified laws or legislative bodies. In ancient Athens, for

example, case law was determined by common custom, and laws could be changed only by a judicial commission, as there was no legislature as we know it. Unwritten legal customs could not be changed by the popular assembly, as that would have been considered a usurpation. Indeed, Aristotle observed in the Politics that unwritten law was considered more sovereign than written law: But laws resting on unwritten custom are even more sovereign, and concerned with issues of still more sovereign importance, than written laws; and this suggests that, even if the rule of a man be safer than the rule of written law, it need not therefore be safer than the rule of unwritten law. Bk III, xvi, 9. The immutability of unwritten customs was the safest guarantee against arbitrary rule by men, whether kings or judges. The procedure for amending written law involved all three branches of government: Six executive officials, the thesmothetai, prepared an annual report recommending legislative changes. The popular assembly was not a legislature, but a deliberative body that discussed the report and nominated jurists to serve as nomothetai, before whom new legislation was argued. Athenian judges could change the law only when acting by appointment of the popular assembly. Under the constitution of Solon, Athenian law courts were highly democratic, as judges were chosen by lot from among the people. The popular law-court, or dikasterion, consisted of hundreds of such judges who voted by casting a pebble in favor of one verdict or the other. They judged according to their sense of what is right or just dike , as was received by custom. Often the right and just course of action was indicated by an explicit written or oral principle received by custom. As the nomoi represented the cultural heritage of the city-state, they were amended only with grave circumspection. Among the Jews and Muslims, law also held a deeply moral character, being a collection of moral principles received not merely from their ancestors, but from God Himself. Nonetheless, in both Jewish and Islamic legal traditions, the law could be clarified and refined by scholarly commentators, whose interpretations would guide or even bind their successors. In Judaism, the written law of Moses was complemented by an oral tradition of rabbinic interpretations and judgments about how the law should be applied in particular contexts. Different schools of thought followed different rabbis, but there was a generally received depository of oral commentary or mishnah that was considered to extend as far back as Moses. The mishnah effectively served as a common law complementing the written law. Beginning in the second century, the mishnah and its commentaries gemara were compiled in writing, forming the Talmud. In Islam, a similar development occurred as the hadith, or sayings of the Prophet, constituted a sort of common law complementing the Koran. The hadith were eventually codified, and schools of law developed with their own theories of interpretation. Its historical development is of special concern, since all existing common law nations derive their legal traditions from England. We will find that the notion of common law changed over time. Early Anglo-Saxon law was quite simple, being little more than a collection of punishments or damages prescribed for various offenses. King Alfred is thus regarded as the founder of English law, being the first to codify its existing traditions. Before the Norman conquest, the Anglo-Saxon legal system was administered by county courts, which were headed by a bishop and had jurisdiction over ecclesiastical and civil affairs. During the Viking occupation of England in the early eleventh century, some institutions of Dane law entered the English system. Among these was the sworn jury, composed of twelve thanes or hereditary nobles. However, these juries only gathered facts and did not decide guilt or innocence. Judgment was rendered through trial by ordeal, as in the Anglo-Saxon system. Thus we cannot say that trial by jury existed in England before the Norman conquest. Anglo-Saxon rule was restored under Edward the Confessor ruled , who re-established the legal system of Alfred the Great. At the same time, Edward incorporated much of Dane law into the Anglo-Saxon system, as Scandinavian jurisprudence was by then well established in the eastern counties of England. Thus, at the time of the conquest in , English law was an amalgam of Anglo-Saxon, Dane, and canon law. William the Conqueror brought the legal institutions of Normandy into England, initiating a long process by which native and foreign elements were integrated. The content of Norman law was based in part on the civil law of ancient Rome, yet English laws were permitted to remain in force in local jurisdictions. The Normans found England with an irregular legal system, varying by local custom. As the monarchy established itself, a more uniform law would be imposed, not by introducing purely foreign material, but by regularizing interpretations of existing English customs. King Henry introduced trial by a jury of ordinary citizens, an adaptation of the Frankish inquest. This was nonetheless an

important innovation, as factfinding was entrusted to common citizens rather than magistrates or noblemen. Most importantly, Henry sent judges from his central court to hear cases, which they would judge according to custom. They would discuss their rulings with other judges in London, and record their decisions. The early Norman period witnessed an expansion in the scope of English law. Anglo-Saxon jurisprudence had little in the way of contract law, and courts of equity were unknown. As English commerce grew in the twelfth century, there arose greater need for laws to enforce contracts. Norman law established juridical enforcement of contracts and titles of equity. Eventually, the monarchy would introduce courts of equity, a continental institution that was foreign to Anglo-Saxon jurisprudence. Modern English jurisprudence would emerge from a synthesis of common law and courts of equity. Henry II and his successors established a uniform interpretation of common law by means of three courts: The common law imposed a uniform rule for private property and offenses against property throughout the nation. Localities still retained their own laws for many other matters. By the time of Henry II, there was already a movable court of royal judges who personally heard cases throughout the realm. These judges regularly convened at Westminster to compare their rulings and establish consistency in their jurisprudence. The Magna Carta of was a charter of the rights of the nobles, clergy, and commoners against King John. Many of its provisions would be forgotten amid the benevolent rule of later monarchs, yet it established some lasting institutions of importance. The Magna Carta explicitly required that there should be a distinct court for common pleas. The Common Bench, later known as the Court of Common Pleas, dealt with actions for the recovery of property or debt. The rulings of the Court of Common Pleas would form a body of precedents for common law. As early as , the department of the Exchequer functioned as a court where the Crown could sue for monies owed to it, and private citizens were also permitted to sue there. To limit its power, common pleas could only be heard in the Court of Common Pleas. Nonetheless, people could continue to use the Court of the Exchequer by the legal fiction of claiming to be servants of Exchequer officials or accountants of the crown by virtue of paying taxes. By the seventeenth century, the Exchequer was effectively a third court of common pleas. If satisfaction was not granted by the common law courts, people could petition the king, the fount of justice, for remedy. Such petitions were administered by the Lord Chancellor, who had jurisdiction to determine cases according to equity or fairness rather than according to the letter of the law or precedent. Equity jurisprudence, unknown to Anglo-Saxon law, was a way to correct particular cases where the general rule of law does not give due remedy. A court of equity could issue writs ordering the release of prisoners awaiting trial, or injunctions against the enforcement of some legal provision or otherwise preventing a party from acting. The purpose of equity jurisprudence was to enforce rights and claims not adequately protected by common law, as summarized in the maxim of equity judges: Chancery obtained exclusive jurisdiction over equity in the succeeding reign of Richard II.

Chapter 2 : PopeWatch: Rigidity â€“ The American Catholic

The Pope lamented in his homily today those who take refuge in the rigidity of commandments or laws, but miss the most important thing: the message of God's forgiveness.

Cardinal Alessandro Farnese, aged 67, had more than 40 years of experience as a cardinal and this gave him some authority over both Charles V and Francis I, the leaders of the two main European powers. He chose to be called Paul III. The rivalry between France and Spain and the religious split caused by the Reformation weakened the efforts to contain the Ottoman expansion. After the conquest of Rhodes , Sultan Suleyman thought he could expand his European possessions by invading Hungary: In the Ottomans briefly besieged Vienna , thus threatening an invasion of Central Europe. In an Ottoman expedition ravaged Austria; in the peace, Ferdinand, brother of Charles V had to recognize the sultan as "father and suzerain" and agree to pay an annual tribute for retaining the possession of some minor Hungarian territories. He then asked Sangallo to develop a comprehensive study to upgrade the ancient walls of Rome to the needs of modern warfare. In Sangallo built a large bastion along the walls between Porta S. Sebastiano and Porta S. Paolo and a smaller one in Testaccio. The new fortifications were impressive but their cost was impressive too and the pope had to content himself with strengthening the Vatican walls at Porta S. Spirito and near Palazzo del Belvedere. In he assigned to Pier Luigi also the Duchy of Parma, which the Farnese ruled for two centuries. Initial Steps towards the Reformation of the Catholic Church Pope Paul III realized that the hopes of eradicating the Reformation by military and diplomatic means as it had occurred in the past with the Cathars were ill based: The pope took steps towards strengthening the moral authority of the church by appointing some new cardinals who advised him about theological matters and suggested the changes needed to meet the expectations of those who had embraced the Reformation: At the request of Charles V, Pope Paul III agreed to hold an ecumenical council which would put an end to the religious conflict as the Council of Constance had done in The council eventually was convened in at Trento, an Italian town in the Alps ruled by a prince-bishop and which because of its position close to Germany was a sort of neutral location. The square at the top of the hill as well as the cordonata are thought to have been designed by Michelangelo, who surely designed the base upon which the statue of Emperor Marcus Aurelius was relocated. The redesign of the area is generally attributed to the papal desire to receive Emperor Charles V on the hill which was a symbol of the Ancient Roman Empire, but it also served a more private purpose, as the pope had built a summer residence on the northern side of the hill: The access to the tower was embellished by an elegant portico decorated with lilies, the Farnese heraldic symbol later on Sixtus V , a Franciscan pope, donated the portico to the nearby monastery. The palaces Palazzo Senatorio, Palazzo dei Conservatori and Palazzo Nuovo designed by Michelangelo were completed in the XVIIth century, but there is a general consensus that this was done in line with the original plan. Whether because of the Carnival atmosphere or just because Cardinal Giovanni Maria Ciocchi del Monte had given enough assurances of his future loyalty to both the French and the Spanish cardinals, the choice fell on a man who was far away from that severe moral lifestyle which would have helped in restoring the moral authority of the pope. The celebrations for his appointment had more of a carnival festivity than of a religious ceremony. Pope Julius III managed to keep the Papal State outside the continuing conflict between France and Spain; he rejoiced at the news that Mary, the new Queen of England, who had replaced her younger brother Edward VI in , was seeking to undo many of the Protestant reforms introduced in the country and thought that England was returning to the Catholic faith. Pope Julius III used to arrange parties in the suburban villa he built outside Porta del Popolo and which can be regarded as a transition to the new style, although its decoration is not as rich as that of Palazzo Spada. The Tridentine Council The works of the Council of Trento were suspended in due to a pestilence; Pope Paul III asked the participants to move to Bologna, but the Lutherans were not prepared to relocate to a town which was under papal control so the proceedings went ahead without them. Pope Julius III in an attempt to overcome their resistance transferred the council back to Trento and a certain number of German bishops took the opportunity presented to return to the council; but Henry II, the French king who replaced in his father Francis I, ordered

the French clergy not to participate and soon after he made an alliance with Maurice of Saxony, a leader of the German protestants and declared war on Charles V: Pope Julius III tried to implement a reformation of the Catholic Church based on the preliminary council recommendations but he died before issuing the papal bull he was working on. The cardinals in the following conclave had no doubts about who was the best man to carry forward the task of reuniting the Christians or at least of summing up the council proceedings. During the council Cardinal Marcello Cervini had shown both his religious zeal and his preparedness to listen to other views and he was acclaimed pope. Pope Marcellus II as he chose to retain his name as a sign of consistency with his previous action abolished all the pomp associated with the coronation ceremonies and told his relatives in Montepulciano not to attend them. Unfortunately he soon fell ill and after just 22 days of pontificate he died: He soon clashed with the heirs of Emperor Charles V who abdicated in leaving the empire Austrian possessions to his brother Ferdinand and Spain, Milan, Naples, the Low Countries and the colonies to his son Philip. The pope did not recognize the act of abdication and soon after, at the suggestion of his nephew Carlo Carafa, he made an alliance with King Henry II of France and declared war on Spain. Another Sack of Rome was looming on the horizon, but the Duke chose to offer the pope generous peace terms and did not march towards Rome. In the Spanish won a decisive battle over the French at St. Spain directly ruled Sicily , Sardinia, Naples and Milan: Pope Paul IV did not reconvene the council and he managed relations badly with Queen Elizabeth I who replaced her half-sister Mary in Site of the Old Ghetto: The pope imposed on the Romans a very austere lifestyle, but allowed his nephew Carlo Carafa to profit from his position to enrich himself and, according to widespread rumours, to behave badly from a moral viewpoint. Pope Paul IV died in August

Chapter 3 : Pope Francis: Rigid People Are Sick

Rome went against Philip of Macedon on several occasions but this battle showed the flexibility of the legions against the rigidity of the phalanx. The start of the battle was a race for a hill. Halfway through the battle a centurion (can't remember his name) managed to go behind the phalanx so they were being attacked on two fronts.

He is also known as an author of Latin prose. Their attempts to amass power as Populares were opposed by the Optimates within the Roman Senate , among them Cato the Younger with the frequent support of Cicero. During this time, Caesar became the first Roman general to cross both the Channel and the Rhine, when he built a bridge across the Rhine and crossed the Channel to invade Britain. With the Gallic Wars concluded, the Senate ordered Caesar to step down from his military command and return to Rome. Leaving his command in Gaul meant losing his immunity from being charged as a criminal for waging unsanctioned wars. As a result, Caesar found himself with no other options but to cross the Rubicon with the 13th Legion , leaving his province and illegally entering Roman Italy under arms. His surviving works are still read widely and continue to influence poetry and other forms of art. He greatly influenced Ovid , Horace , Virgil , and others. After his rediscovery in the Late Middle Ages , Catullus again found admirers. The explicit sexual imagery which he uses in some of his poems has shocked many readers. During the Roman Republic , dux could refer to anyone who commanded troops, including foreign leaders, but was not a formal military rank. In writing his commentaries on the Gallic Wars , Julius Caesar uses the term only for Celtic generals, with one exception for a Roman commander who held no official rank. The work was published in Under the emperor Julian , Victor served as governor of Pannonia Secunda , in he became praefectus urbi urban prefect , senior imperial official in Rome. Pliny the Younger wrote hundreds of letters, of which survive and are of great historical value. Some are addressed to reigning emperors or to notables such as the historian Tacitus. Pliny served as an imperial magistrate under Trajan reigned 98â€” , and his letters to Trajan provide one of the few surviving records of the relationship between the imperial office and provincial governors. It was one of the most common daily activities in Roman culture, and was practiced across a wide variety of social classes. Though many contemporary cultures see bathing as a very private activity conducted in the home, bathing in Rome was a communal activity. While the extremely wealthy could afford bathing facilities in their homes, most people bathed in the communal baths thermae. In some ways, these resembled modern-day spas. The Romans raised bathing to a high art as they socialized in these communal baths. Communal baths were also available in temples such as The Imperial Fora. Courtship was conducted, as well as sealing business deals, as they built lavish baths on natural hot springs. His father was a minor sophist of the same name. He was born probably around , and is said by the Suda to have been living in the reign of emperor Philip the Arab â€” His death possibly occurred in Tyre c. His work, known as the Res Gestae, chronicled in Latin the history of Rome from the accession of the Emperor Nerva in 96 to the death of Valens at the Battle of Adrianople in , although only the sections covering the period â€” survive. In the Roman Republic , citizens did not elect legislative representatives such as congressmen or MPs. Instead, they voted themselves on legislative matters in the popular assemblies the comitia centuriata , the tribal assembly and the plebeian council. Bills were proposed by magistrates and the citizens only exercised their right to vote. Each nomen is for a gens , originally a single family, but later more of a political grouping. The upper tier encloses an aqueduct that carried water to Nimes in Roman times; its lower tier was expanded in the s to carry a wide road across the river. The Romans constructed aqueducts throughout their Republic and later Empire , to bring water from outside sources into cities and towns. Aqueduct water supplied public baths , latrines , fountains, and private households; it also supported mining operations, milling, farms, and gardens. Aqueducts moved water through gravity alone, along a slight overall downward gradient within conduits of stone, brick, or concrete ; the steeper the gradient, the faster the flow. Most conduits were buried beneath the ground and followed the contours of the terrain; obstructing peaks were circumvented or, less often, tunneled through. Where valleys or lowlands intervened, the conduit was carried on bridgework , or its contents fed into high-pressure lead, ceramic, or stone pipes and siphoned across. Most aqueduct systems included sedimentation tanks, which helped reduce any water-borne

debris. Sluices and castella aquae distribution tanks regulated the supply to individual destinations. In cities and towns, the run-off water from aqueducts scoured the drains and sewers. The surviving portions of his two major worksâ€"the Annals and the Histories â€"examine the reigns of the emperors Tiberius , Claudius , Nero , and those who reigned in the Year of the Four Emperors 69 AD. There are substantial lacunae in the surviving texts, including a gap in the Annals that is four books long. New Latin also called Neo-Latin or Modern Latin was a revival in the use of Latin in original, scholarly, and scientific works between c. Modern scholarly and technical nomenclature , such as in zoological and botanical taxonomy and international scientific vocabulary , draws extensively from New Latin vocabulary. In such use, New Latin is often viewed[by whom? As a language for full expression in prose or poetry , however, it is often[quantify] distinguished from its successor, Contemporary Latin. Following tradition, this timeline marks the deposition of Romulus Augustulus and the Fall of Constantinople as the end of Rome in the west and east, respectively. See Third Rome for a discussion of claimants to the succession of Rome. Many fora were constructed at remote locations along a road by the magistrate responsible for the road, in which case the forum was the only settlement at the site and had its own name, such as Forum Popili or Forum Livi. The power of the censors was absolute: Aurelius Symmachus from an ivory diptych depicting his apotheosis. He held the offices of governor of proconsular Africa in , urban prefect of Rome in and , and consul in Symmachus sought to preserve the traditional religions of Rome at a time when the aristocracy was converting to Christianity , and led an unsuccessful delegation of protest against Gratian , when he ordered the Altar of Victory removed from the curia , the principal meeting place of the Roman Senate in the Forum Romanum. Much of his writing has survived: Roman art includes architecture , painting , sculpture and mosaic work. Luxury objects in metal-work , gem engraving , ivory carvings , and glass are sometimes considered in modern terms to be minor forms of Roman art, although this would not necessarily have been the case for contemporaries. Sculpture was perhaps considered as the highest form of art by Romans, but figure painting was also very highly regarded. The two forms have had very contrasting rates of survival, with a very large body of sculpture surviving from about the 1st century BC onward, though very little from before, but very little painting at all remains, and probably nothing that a contemporary would have considered to be of the highest quality. Ancient Roman pottery was not a luxury product, but a vast production of "fine wares" in terra sigillata were decorated with reliefs that reflected the latest taste, and provided a large group in society with stylish objects at what was evidently an affordable price. Roman coins were an important means of propaganda, and have survived in enormous numbers.

Chapter 4 : TPO Ancient Rome and Greece : Thinkmap Visual Thesaurus

ROME REPORTS, blog.quintoapp.com, is an independent international TV News Agency based in Rome covering the activity of the Pope, the life of the Vatican and current social, cultural and.

The wolf is depicted in a tense, watchful pose, with alert ears and glaring eyes which are watching for danger. By contrast, the human twins â€" executed in a completely different style â€" are oblivious to their surroundings, absorbed by their suckling. Several ancient sources refer to statues depicting the wolf suckling the twins. Livy reports in his Roman history that a statue was erected at the foot of the Palatine Hill in B. Cicero also mentions a statue of the she-wolf as one of a number of sacred objects on the Capitoline that had been inauspiciously struck by lightning in the year 65 BC: Winckelmann correctly identified a Renaissance origin for the twins; they were probably added in or later. However, these views were largely disregarded and had been forgotten by the 20th century. Carruba had been given the task of restoring the sculpture in , enabling her to examine how it had been made. She observed that the statue had been cast in a single piece, using a variation of the lost-wax casting technique. This technique was not used in Classical antiquity ; ancient Greek and Roman bronzes were typically constructed from multiple pieces, a method that facilitated high-quality castings, with less risk than would be involved in casting the entire sculpture at once. Single-piece casting was, however, widely used in the Middle Ages to mould bronze items that needed a high level of rigidity, such as bells and cannons. The results revealed with an accuracy of In the 10th century Chronicon of Benedict of Soracte , the monk chronicler writes of the institution of a supreme court of justice "in the Lateran palace, in the place called the Wolf, viz, the mother of the Romans. He mentions no twins, for he noted that she was set up as if stalking a bronze ram that was nearby, which served as a fountain. The wolf had also served as a fountain, Magister Gregorius thought, but it had been broken off at the feet and moved to where he saw it. In December Pope Sixtus IV ordered the present sculpture to be transferred to the Palazzo dei Conservatori on the Capitoline Hill, and the twins were added some time around then. The Capitoline Wolf joined a number of other genuinely ancient sculptures transferred at the same time, to form the nucleus of the Capitoline Museum. According to a legend Siena was founded by Senius and Aschius , two sons of Remus. When they fled Rome , they took the statue of the She-wolf to Siena, which became the symbol of the town. The image was favoured by Benito Mussolini , who cast himself as the founder of the " New Rome " and donated copies of the statue to various places around the world. In he sent one replica for a Sons of Italy national convention in Cincinnati, Ohio. It was switched for another one in , which still stands in Eden Park, Cincinnati. The Roman football club A. Roma uses it in its emblem as well. Due to contractual obligations, it continued to appear on numerous Joel albums even after he was subsequently signed to Columbia Records. She trains Percy Jackson and is mentioned that she trained Jason Grace also. It can be seen standing atop a table, just to the right of the main staircase. The Boston Latin School uses an image on the cover of their agenda book as well as being the official school emblem. The Capitoline Wolf is used in Romania and Moldova as a symbol of the Latin origin of its inhabitants and in some major cities there are replicas of the original statue given as a gift from Italy at the beginning of the 20th century.

Chapter 5 : Holy Roman Empire | blog.quintoapp.com

Pope Francis again returned to the theme of rigidity today, saying those who unbendingly follow the law of God are "sick" and in need of the Lord's help.

Cambridge University Press, NET by Willem M. Jongman, Department of History, University of Groningen. How successful was the Roman economy? For the last few decades, and in the footsteps of the late Sir Moses Finley, the prevailing opinion has been pessimistic: Thus, only a small elite escaped life near subsistence, and even they did not escape the horrors of a demographic regime of high mortality. Thus the Roman economy never changed much over time: In a sense, the medievalists had won the day: Perhaps surprisingly, this bleak view of Roman economic performance was barely ever validated empirically. Instead, research focused on possible explanations, such as elite economic mentality, technological stagnation or the scale and status of trade. Empirical research on the actual Roman standard of living was? Perhaps this is because scholars thought it was self evident that all pre-industrial societies were desperately poor, and perhaps it was because the dominant tradition of writing history mainly from literary or at least written sources made them despair of the possibility of ever writing a real history of the Roman standard of living. Until recently the rare exception was the work of Peter Garnsey, the honorand of this volume. In two major books he argued that in antiquity the worst consequences of temporary food shortages were usually successfully avoided, but that poverty and malnutrition were endemic. This is a Festschrift of the modern kind i. In one way or another, the authors are all pupils of Garnsey and thus the volume is not only a tribute to Garnsey the scholar, but also to Garnsey as one of the most successful graduate teachers of Roman history. Real tributes often are irreverent, and the best teachers encourage their pupils to go their own way. Rather than consider how it felt to be poor, or how poverty was perceived, he directly addresses the extent of poverty in Roman Egypt with a clear choice between three possibilities: For the early Empire, Rathbone really does not see much empirical evidence for poverty in Egypt. Of course, there were years of bad harvests, but nothing chronic: The situation in late antiquity was probably worse, even if Christian writers exaggerated this. Population declined, and social relations became harsher. The legal rigidity of that ranking obscures a far more varied stratification with many people of middling prosperity. Finally, Anneliese Parkin extensively probes the lack of a pagan ideology of almsgiving. This revisionism stems from a significant paradigm shift that is currently unfolding. The new Cambridge Economic History of the Greco-Roman World is probably the best example of a new interest in economic growth in classical antiquity, and of the new awareness that especially Rome may have been rather successful for a pre-industrial economy. Part of that argument is, inevitably, that the standard of living was not always the same, but changed over time. Tentative reconstructions of Roman GDP such as we have are too tentative to reveal such change, but a host of direct archaeological indicators shipwrecks, mining activity, building, meat consumption, stature, etc. As Peter Garnsey showed many years ago, social relations became increasingly grim from the second century AD, and the law turned oppressive. From the early third century AD nearly all free inhabitants of the Empire had become citizens, but some now were more equal than others. Caroline Humfress shows that this is not refuted by the late antique legal discourse on the rights of the poor: As such, I think it reflects the contraction of and increasing inequality within the upper strata of late Roman society. The other papers on late antiquity are all concerned with Christian attitudes and behavior to the poor. As Sophie Lunn-Rockliffe, Richard Finn, Lucy Grig and Cam Grey all show, defending the morality of the poor in a world of great social inequality became a discourse full of compromises. Attitudes to poverty and the poor clearly changed with time. At some point in time and it remains hard to decide when exactly , the poor both became more visible, and were looked at more charitably. It also seems likely that poverty became both deeper and more widespread in later antiquity. What is not yet clear from these fascinating papers is the precise chronology and relation between such changes in poverty and compassion.

Chapter 6 : Roman Theatre, Classical Drama and Theatre

"The Rigidity of Rome," Nineteenth Century, 38 (December,), ; republished in Problems and Persons, pp. , the text used here. The article was written in response to an article criticizing Catholicism and the Papacy, comparing them to the Celestial Empire of China in all its static, hieratic, and self-sufficient glory.

Europe, to The Holy Roman Empire was a feudal monarchy that encompassed present-day Germany , the Netherlands , Belgium , Luxembourg, Switzerland , Austria , the Czech and Slovak Republics, as well as parts of eastern France , northern Italy, Slovenia , and western Poland at the start of the early modern centuries. It was created by the coronation of the Frankish king Charlemagne as Roman emperor by Pope Leo III on Christmas Day in the year , thus restoring in their eyes the western Roman Empire that had been leaderless since After the western empire was again without an emperor until the coronation of Otto I , duke of Saxony, on 2 February This coronation was seen to transfer the Roman imperial office to the heirs of the East Franks, the Germans. The position of emperor remained among the Germans until the Holy Roman Empire was abolished in the aftermath of the Napoleonic Wars in In the north it was bounded by the Baltic and North Seas and by the Danish kingdom; in the south, it reached to the Alps. At no time in its long history did the empire possess clearly defined boundaries; its people, perhaps fifteen million in , spoke a variety of languages and dialects. German predominated, but the advice of the Golden Bull of that future princes of the empire should learn the "German, Italian, and Slavic tongues" remained apposite. The multilingual empire stood at the crossroads of Europe and its emerging national cultures; it also included significant Jewish communities in the south and west. European trade and communication moved along the mighty rivers within the empireâ€”the Rhine , the Main, the Danube , and the Elbe. On these rivers stood some of its most important cities: Cologne , the largest in the empire with about thirty thousand inhabitants, as well as Frankfurt, Vienna , and Hamburg. By there were about a dozen big cities with over ten thousand inhabitants each, and about twenty with between two and ten thousand people. The history of the term "Holy Roman Empire of the German Nation" illustrates several key developments on the path to the early modern empire. The medieval "Roman Empire," ambiguously created through the imperial coronation of Charlemagne, was first given the adjective "holy" sacrum imperium Romanum by the Imperial Chancellery of Frederick I Barbarossa ruled â€” in The term "Holy Roman Empire," used regularly from , challenged the monopoly on the sacred presented by the papacy of the "Holy Roman Church" sancta Romana Ecclesia and presented the empire as an equal heir to the legacy of Rome. The first official use of the full term "Holy Roman Empire of the German Nation" in acknowledged that the empire had been for some time a German political unit in all practical terms. At the same time, the term also underscored a sense that it was the unique destiny of the Germans to rule the universal sacred empire of Christendom. In this way the term limited claims to the empire from ambitious French rulers such as Francis I ruled â€” , who campaigned for election to the imperial throne in , only to be defeated by the Habsburg Charles of Ghent , Emperor Charles V ruled â€” The Holy Roman Empire developed a complex legal and political structure. Its central figure was the emperor, whose position combined ancient Roman pretensions of universal, divinely sanctioned rule with the Germanic tradition of elected kingship, overlaid with efforts to define the emperor as a feudal overlord and his leading princes as his vassals. The position of emperor was elected, a characteristic the empire shared with other European monarchies such as the papacy. Just as the cardinals, princes of the church, chose each new pope, so the leading princes of the empire, called electors, chose their emperor. Technically, each emperor was first chosen "king of the Romans," signifying his popular claim to the Roman Empire, by the leading nobles of the empire. The right of these princes to choose their king was precisely codified in by a proclamation of Emperor Charles IV ruled â€” called the "Golden Bull. Originally, the king of the Romans received the title of emperor only through coronation by the pope. This tradition was set aside by Maximilian I ruled â€” , who assumed the title "Elected Roman Emperor. Only males were allowed to hold the imperial office. From their base of power in Austria, the House of Habsburg outmaneuvered other leading families of the empire to secure their election to the imperial throne again and again; from the reign of Albert in forward, a Habsburg was always elected except

for a brief interlude from to when the Wittelsbach Prince Charles Albert of Bavaria was elected as Emperor Charles VII , and the office of the emperor became quasi-hereditary. In legal terms the emperor was "administrator of the empire" rather than "lord of the empire. In each of these principalities rulers exercised many of the functions associated by early modern and modern political theorists with sovereignty. In the first instance the princes of the empireâ€"rather than the emperorâ€"collected taxes, administered justice, minted coins, and claimed responsibility for the material and spiritual salvation of their subjects. Many of the principalities of the empire had their own parliamentary bodies representing the estates of the territory. The territorial ambitions of the princes, alongside their predilection for partible inheritance, created a patchwork of German principalities that grew bewilderingly complex. These cities were subject to no one but the emperor, which made them effectively independent. Scholars today would explain the development in different terms but agree that the imperial monarchy had traded away considerable power and authority to the princes and the church during the medieval period. Few European political units seem as remote and confusing as the Holy Roman Empire. At the start of the early modern period, the supranational, multiethnic structure of this feudal state made perfect sense, of course, to the people who lived in it and shaped its development. Indeed, in the period from to the Holy Roman Empire was a dynamic political unit of crucial importance to the growth of the Habsburg empire and the Protestant Reformation. By the mid-eighteenth century, however, Europeans saw the Holy Roman Empire in a very different light. In a Europe of centralized, hereditary monarchies consolidating their nation-states, its polycentric, supranational structure, elected emperor, and ponderous parliament had become ever more difficult to understand and explain. When it ceased to exist in , few understood its significance. The focus of the empire had shifted to its German-speaking lands, especially the wealthy southern area known as Upper Germany, which saw the birth and growth of effective imperial institutions. Foremost was its parliament, the Imperial Diet Reichstag. The diet emerged from medieval political struggles that obligated the emperor to consult with his leading princes in feudal terms, the holders of imperial fiefs on decisions affecting the empire. The diet became the most important site of communication, conflict, and negotiation between the emperor and the estates. The emperor did not rule as an autocrat but was bound by the resolutions of the Imperial Diet. As was typical of early modern statecraft, the diets often passed resolutions that could not be enforced the Edict of Worms of is the most famous example , but its organization helped define the empire through its estates. From on, the diet met in three colleges, similar to the houses of the English Parliament: The diet was summoned by the emperor only when needed; sessions were held in the leading imperial cities of the south, usually Augsburg, Nuremberg, Regensburg, or Speyer. When the diet met, the emperor presided, flanked by six of the electors, with the archbishop of Trier seated directly in front of the imperial throne. Along the sides of the hall sat the representatives of the college of imperial princes, and facing the emperor at the back of the hall were the representatives of the imperial free cities. Each college deliberated separately, voted within the college, and then cast one vote in the assembled diet. After the diet transformed itself into a body of representatives sitting permanently in Regensburg. The Imperial Diet in Worms in marked a turning point. Led by the archbishop-elector of Mainz, Berthold von Henneberg â€" , the diet outlawed all private wars and noble feuding and established the Imperial Cameral Court Reichskammergericht to replace violence with arbitration. The imperial estates gathered in Worms in also voted to establish a new form of direct imperial taxation, the "Common Penny" gemeiner Pfennig , to fund the Imperial Cameral Court. The tax was collected from all male inhabitants, regardless of status, for a period of four years and was renewed in and in to pay for the defense of the empire. The division of the empire into administrative districts called Imperial Circles Kreise was another innovation of the reign of Maximilian. Initially these districts served to enforce the imperial peace, but later their competence was extended to include imperial taxation and defense. From , the empire was divided into ten Imperial Circles: The territories of the Bohemian crown, the Swiss Confederation, and the Italian imperial fiefs were not included in this plan. These Circles and the Imperial Diet came to define the empire by the early sixteenth century and can help us distinguish between two conceptions of the empire. The greater empire was based on theoretical claims of universal dominion and historical claims of rule over Italy, Burgundy, and Germany. This greater empire encompassed all of Italy north of the Papal States except Venice as fiefs of the empire and included the

kingdom of Bohemia, the Swiss Confederation, and the Habsburg Netherlands. Within these broad claims based on medieval precedent, feudal law, and dynastic connections, a second, more concentrated empire "Reichstags-Deutschland" actually participated in the growth of imperial institutions in the fifteenth and sixteenth centuries. This empire, culturally German, found its political and institutional base in the southwest of the empire and in the electoral principalities. The threat to the empire posed by the dynamic Ottoman Empire stood on the agenda of almost every Imperial Diet during the reigns of Maximilian I and Charles V. Habsburg Austria was constantly threatened by Turkish invasion, and the Habsburg emperors called the estates together to request aid. The threat was especially clear when the Ottoman Turks conquered most of Hungary in Austria would be next. Vienna was besieged by an army led by Suleiman the Magnificent ruled â€" in The dependence of the Habsburg emperors on the support of the imperial estates in their struggle against Turkish expansion deeply affected their response to the next great challenge of imperial politics, the Reformation. The extraordinarily diverse and divided political landscape of the empire in the early sixteenth century was the single most important factor in the spread of evangelical ideas and the adoption of church reforms. As it became clear to Martin Luther that the Church of Rome would not accept his theological and pastoral reforms referred to as "evangelical" , he turned "to the Christian Nobility of the German Nation" the title of his important treatise of , An den christlichen Adel deutscher Nation and exhorted them to take up their responsibility to reform the church. Their response was varied. Charles stated clearly that he would not "deny the religion of all his ancestors for the false teachings of a solitary monk. Protected from arrest and trial for heresy by his prince, Frederick the Wise, and frightened by the disorder unleashed by the spread of evangelical ideas, Luther looked to the leading secular authorities of the empire to implement his ideas. This they did, taking advantage of the fragmentation of imperial and territorial authority across the empire. Individual principalities and city-states became "laboratories" for church reform and religious innovation. Because the builders of the first Protestant institutions were leaders among the estates of the empire, the conflict over reform and Reformation was played out in the institutions of the empire, above all in the Imperial Diets. It was at the Diet of Speyer in that the a group of princes including the elector of Saxony and the landgrave of Hesse and fourteen imperial free cities submitted an official protest against the suppression of the evangelical movement. The name "Protestant" arose from their action. The next Imperial Diet at Augsburg in produced a definitive Protestant statement of faith, the Augsburg Confession of Philipp Melanchthon, and a reinforcement of the Edict of Worms. This alliance was not formally directed against the empire or its Catholic ruling house of Habsburg, but its confessional politics held an immense potential to disrupt the institutions of the empire. Scholars have labeled this process "confessionalization," and it is the defining characteristic of the empire in the period from the s through the end of the seventeenth century. Confessionalization meant the doctrinal and organizational consolidation of the diverging Christian Reformations into established churches with mutually exclusive creeds, constitutions, and forms of piety. The power and authority of the princes was naturally reinforced by this new level of spiritual administration. In the confessional era the line between insider and outsider became much sharper. Subjects and rulers together deployed the new scope of territorial authority to accuse, try, and burn witches; expel Jews and Christians of other confessions; and police the poor and the criminal. The cruel work of the great European witch persecutions reached its peak in the years between and , and about half of the forty to fifty thousand executions took place in the empire. The promulgation of countless church and police ordinances allowed territorial rulers to envision though not create a land of godly, orderly, and obedient subjects. Geographically and politically, these territories resembled modern sovereign states, and this gain in power and authority by the individual estates of the empire proved irreversible. The first evidence that power had shifted came in the aftermath of the Schmalkaldic War â€" Despite the military victory of Charles V over the Protestant princes, he was unable to roll back the progress of the Reformation before shifting alliances forced him to flee Germany in Exhausted by the struggle to return the German princes to the Catholic faith, Charles handed all responsibility for German affairs over to his brother, Archduke Ferdinand of Austria ruled as emperor â€" , who negotiated the Religious Peace of Augsburg in This agreement established the legal equality of the Evangelical and Catholic churches and the right of princes of the empire to choose either of these confessions for their territories. With the Religious Peace of Augsburg ,

the empire was divided among two mutually hostile Christian confessions:

Chapter 7 : A Brief Guide to Roman Catholicism Today

Suitability Suggestions +. The play is a vast, sprawling tapestry that leaps back and forth from the lushness of Egypt to the military rigidity of Rome.

Diane Bernard1 This paper pursues a double goal: Analysing the complementarity of the Court, we will thus highlight two corollary and possibly paradoxical arguments: In order to keep this contribution coherent and succinct, we will focus only on the cases where a sentence has already been pronounced. This approach does not imply that no acquittal could be recognised by an international criminal jurisdiction2, and one should not forget the flexibility left to the ICC prosecutor, the case law and the expert scholars in the recognition of extra-penal actions undertaken by the States. From this could flow a policy which could be more open than that which we will identify here cf. The hypothesis that we support in this paper is based upon a picture of the actual state of ICC law today; nonetheless, we think that it could be generalised on the basis of the practice of the international criminal tribunals hereinafter ICTs and the overall system of the ICC3. Le point de vue des acteurs. FUSL, to be published en We will analyse the text of article 20, substantiating this first affirmation 1. A strict and severe view of criminal action Following the hypothesis which sets out that in good faith and without wrongdoing6, national tribunals will sentence an individual for crimes falling under the jurisdiction of the ICC, this conviction will be recognised as valid by the ICC on the condition that: It is certain that a conviction without sentence could not prevent the intervention of the ICC. In other terms, the ICC may admit a case after an implementation of any mechanism where no sentence was ordered Authors agree that the enforcement of the sentence is an indispensable corollary to the struggle against impunity No person who has been tried by another court for conduct also proscribed under article 6, 7 or 8 shall be tried by the Court with respect to the same conduct Van den Wyngaert et T. This requirement refers to the idea that the absence of enforcement could reveal something lacking in the national system From this perspective, a sentence without full enforcement would show too much mercy to the accused. The requirement of an enforceable sentence confirms that a conviction stricto sensu mobilises the complementarity mechanism and the ne bis in idem rule16, in other words, it prevents the ICC from completing what was a national action. Without such a conviction, the force of res judicata is questionable: This is consistent with the criminal project promoted by the Rome Statute. Too light a sentence could be regarded as undue leniency towards the accused18, whilst a particularly severe conviction, whatever its characteristics, would prevent the Court from completing the national process. Exceptions to the complementarity of the Court19 were conceived, but only in the sense of a favour granted to the accused: In order to avoid criticism, national jurisdictions will therefore tend to pronounce severe sentences. Of course, rule provides for the ICC to apply the principle of proportionality when it imposes a sentence21, and we can expect that it will impose the same requirement on national jurisdictions. Since the ICC is only responsible for mass crimes genocide, war crimes and crimes against humanity, today , provided that the case is sufficiently grave22, sentences should logically be severe enough to be proportional. XX 17 In the same sense, see A. Arroyo Sapatero et A. It is not about limiting the arbitrary by guaranteeing that a sentence is proportional to the offence, but about ensuring that there is a strong severity of sentence which reflects the gravity of the crime committed The subsidiarity of criminal law itself is questioned by this requirement of severity. This is an overall trend that is not only found in international criminal law: The limited scope that the Rome Statute attributes to the ne bis poena in idem principle which allows for the deduction of a first sentence from a second sentence pronounced in idem seems to confirm this requirement of criminal severity. Indeed, the Court can take into consideration completed periods of detention when setting a prison sentence27, but it is not obliged to do so. And nothing is provided for other kinds of sentences that have been previously purged. The silence of the Statute on this matter is not in contradiction with the essential status that the sentence holds in the international criminal process: In the difficult balancing act between the rights of the accused and criminal law, the fight against impunity and the necessity of the sentence brush aside judiciary temperance. It is moreover difficult to define a global position regarding situations which are, by definition, local and created on an ad hoc basis That being said, these non-criminal

processes remain as alternatives to the judicial process Cartuyvels clearly explains that, according to Montesquieu and Beccaria already, the argument of proportionality is justified by an idea of penal moderation. To some extent, see also: La part des institutions internationales, Paris, SciencesPo, , p. Some authors consider that this is at least a possibility31, whilst others suggest that it is certain32 that a seriously conducted procedure, even if not in a criminal court, would be considered as res judicata. In our view, it appears more likely that these procedures would be considered as investigations followed by a decision not to prosecute, thus falling under the scope of article De facto, this would allow for some openness regarding alternatives to the criminal trial. The strict and severe formulation of the latter, which governs the actions of the ICC, would not be affected: A polymorphic repression In ICC law, the criminal rigidity described above is accompanied by a flexibility regarding the legal basis and forms of the fight against impunity: That the Statute encourages States to act, but does not oblige them to comply with the letter of the Rome Statute implies that international criminal law is open to diversity. Below, we describe this flexibility and the possible variations of this branch of law 2. In short, the Rome Statute demonstrates a high traditionalism regarding the view of the criminal as described at point 1 above , but in an almost post-modern form, far from the classic and positivist canons. Nonetheless, through an extensive interpretation of the Rome Statute we will identify possible nuances regarding this formal openness 2. Flexible legal basis and form Here we will demonstrate that in addition to its criminal rigidity, the system of complementarity established by the Rome Statute contains openness, diversity and formal flexibility. Indeed, only two of its provisions explicitly refer to an adaptation of national legislations without imposing an obligation of formal univocity i. The States are encouraged to fight against impunity, but remain free regarding the way they reach this goal. Concretely, this results in high diversity in the actions carried out iii. Law, 18, , p. The second deals with the cooperation of the States with the Court It may imply, through the principle of double criminality, that States have to provide indictments comparable to those established by the Rome Statute: That being said, the same qualifications are not required: The requirement of similarity, which differs from identity, thus allows for the existence of vagueness and differences between domestic and international legal orders. In addition to the fact that the binding character of the preambles is questioned38, the form of this repression is not imposed on States: In the same sense, the complementarity of the ICC towards national jurisdictions also seems to invite the States to align their legislation with the Rome Statute without forcing them. This mechanism of repartition of competencies does not express any literal obligation: Two arguments therefore come together: Commentaire article par article, Paris, Economica, , p. Indeed, incomplete or inappropriate adaptation of its provisions risks provoking a multiplication of admissible cases before the Court. This would make the effective exercise of its complementary functions impossible and would not respect the spirit of the Statute as it would not limit impunity. In that sense, Kleffner considers that the legislative adaptation of domestic legal orders relates to an interpretation of the Statute in accordance with the maxim ut res magis valeat quam pereat or principle of utility: Teleological considerations respect of the spirit of the Statute and practices to avoid the ICC having to act everywhere and being drowned by too great a number of cases therefore combine in pushing States to incorporate the Statute into their national legislation. Nevertheless, one cannot talk about an absolute obligation. In short, States are encouraged and will tend to adapt their legislation in accordance with the ICC Statute also for political reasons44 , but are not legally bound by a specific form of action or to a particular formalism. Overall, and without presuming to sum up the total discretion left to the States on that matter52, national legislators appear to be provided with four methods: Justice, 1, , p. The making of the Rome Statute: National and international responses, New York, Transnational publishers, , p. This necessarily leads to the diversity we have announced. Firstly, the State Parties can content themselves with a simple reference to international law. This is the solution â€” which is flexible since it remains open to evolutions of international crimes â€” which has been chosen by Canada, for instance, for war crimes Others prefer to literally adopt the definitions of the crimes and principles of criminal law established by the Statute, by incorporating the exact terms into their domestic law This method has been to the liking of Belgium, among others Although this solution, consisting of mere incorporation, seems simple, it does not prevent future national and international case law following differing methods57 and does not recognise that formally similar terms do not necessarily

still have the same meaning. Thirdly, States may reorganise national incriminations, lacuna by lacuna, in order to cover each and every situation to which the Statute applies. This appears to be difficult: Bosnia and Herzegovina took this risk by deciding not to include child conscription in their penal code, as did France by keeping their narrow definition of genocide To the contrary, terms and laws broader than the Statute should not be problematic Germany for instance has defined as war crimes the starving of civilians by depriving them from essential goods or obstructing their access to humanitarian aid60, whilst the Rome Statute does not cover such conducts. States should also verify the adequacy of their general principles of criminal law, regarding immunities or defences in particular. Cases could be admitted by the ICC if the national conception of these principles implies, in the national order, the criminalisation and pursuit of less cases thant according to the Rome Statut. States are nevertheless not forced to opt for a specific definition of these principles. The definition of a group of victimes is conversely larger in this article than in the Statute. Nothing in the Statute deprives ordinary national trials of res judicata authority Consequently, a real diversity appears in the national struggles against impunity: To these variations, allowed by the Rome Statute, may be added the intrinsic complexity of international law: Diversity therefore cannot be avoided. It seems to cover a large set of elements, including the purpose of shielding the person concerned from criminal responsibility, an unjustified delay in the proceedings and a lack of independence or impartiality The opposite situation, where the unfairness of domestic investigations or prosecutions is prejudicial to the accused by a stronger penalty for example , has not been considered Several authors deduce from this that it is acceptable even if it is not encouraged to make an accused easier to convict However, the Court could interpret this article in a broader way, choosing then a substantial definition of the norms of due process. A reference to fair trial also appears in article b of the Statute. It seems that the goal was to objectivize the evaluation of national actions by the ICC Kleffner, Complementarity in the Rome Statute and national criminal jurisdictions, op.

Chapter 8 : Poverty in the Roman World

VinoeOli is located in the district of Rome Prati, one of the most elegant areas of the city. Thanks to its strategic location, you can easily reach all the main sights of the city.

Roman but Not Catholic: This question is of capital importance given the general ecumenical climate, which blurs differences and even finds them disturbing to talk about. The book Roman but Not Catholic: Written by two evangelical scholars Kenneth Collins, professor of historical theology at Asbury Theological Seminary, and Jerry Walls, professor of philosophy at Houston Baptist University , this work is an engaging exercise in historical theology that helpfully grapples with the defining claims of the Roman Catholic Church: This combination is essential to the self-understanding of the Roman Catholic Church, but it is highly questionable on various grounds. The book is a well-argued critique of the very fabric of Roman Catholicism. Its catholicity has a Roman element so intertwined that it is an inextricable part of the whole. The romanitas of the system is co-essential with its catholicity. Within the Western tradition, then, Roman catholicity is a long-established union of catholic universality and Roman particularity, catholic plurality and Roman unity, catholic comprehensiveness and Roman distinctiveness, the catholic totus whole and the Roman locus place , catholic fullness and Roman partiality, catholic breadth and Roman narrowness, catholic elasticity and Roman rigidity, the catholic universe and the Roman center, catholic organism and Roman organization, the catholic faith and the Roman structure. Roman Catholicism wants to affirm both. But is it a warranted claim biblically or even historically? Pointed Critique Having briefly described the nature of the combination of Roman and Catholic elements in the Roman Catholic Church, the main critique of the authors is intelligently summarized at a number of points in the book. If Roman Catholicism is Roman, it cannot be truly catholic, and since Roman Catholicism wants to be Roman, it is not truly catholic. The book surveys the development of Roman traditions that departed from the catholic read: Along the way, ecclesiastical voice and power supplemented and ultimately overtook biblical authority ch. The Roman Church grew its exclusive claims ch. The rise of the papacy became the climax of the Romanization of Catholicism ch. The sacraments were used to divide rather than to unite Christians ch. Accounts of the Mary of the Bible were idealized, which reflected the Roman Catholic synthesis chps. The cumulative argument presented is that Rome wants to tie its romanitas made of imperial structure, political power, hierarchical organization, extra-biblical traditions to its status as the only church of Jesus Christ where the fullness of grace can be found. But this is exactly the point at issue. By wanting to be Roman, the Church ceases to be catholic. Hence the brilliant title: Roman but not Catholic! This critique is always gently and respectfully put, but it has devastating effects on the self-understanding of the Roman Catholic Church if it is taken seriously. Among other things, it means that the Roman aspect of the church takes precedence over the biblical outlook and leads it away from clear biblical teaching in core areas like tradition, authority, Mariology, salvation, etc. It means that its Roman Catholicity was given primacy over its biblical catholicity, thus altering the fundamental commitments of the Roman Church. One Standing Issue The book is outstanding in its impressive scholarship and careful argumentation. I have many words of commendation with only one remaining criticism. They still operate with the mindset that what divides Evangelicals and the Roman Catholic Church is less than what unites them. Here is the way they put it: This way of understanding the dividing line between Evangelicals and Catholics is popular in ecumenical circles, but it is not fully consistent with the thesis endorsed by the authors. The fact that the Roman Catholic Church is committed to its Roman identity and to its catholic heritage means that even the catholic i. Trinitarian and Christological core is affected by its Roman commitment. According to the Catholic Church, the Roman and non-biblical elements i. For Rome, its catholic and Roman dual identity is grounded in the divine will. It is a different catholicity. It is Roman Catholicism. Moreover, all of the spurious Roman elements are argued for in Trinitarian and Christological ways by Roman Catholic theology. This is a Trinitarian argument, but a kind of Trinitarianism that is significantly different from the biblical one to the point of allowing and demanding the wrong Roman developments. Between the Evangelical faith and Rome are deep agreements despite deeper disagreements. Pelikan, The Christian Tradition, vol. The Westminster Press, pp.

Chapter 9 : Roman but Not Catholic: A Book Review - Vatican Files

Classical Drama and Society the well regulated and pervasive castes of Roman societyâ€"such rigidity was the relic of the in Rome performances focused on the.

Cato was four when his uncle was assassinated in 91, an event which helped to spark the Social War. Sarpedon, his teacher, reports a very obedient and questioning child, although slow in being persuaded of things and sometimes very difficult to retrain. A story told by Plutarch tells of Quintus Poppaedius Silo , leader of the Marsi and involved in controversial business in the Roman Forum , who made a visit to his friend Marcus Livius and met the children of the house. All of them nodded and smiled except Cato, who stared at the guest suspiciously. Silo demanded an answer from him and, seeing no response, took Cato and hung him by the feet out of the window. Even then, Cato would not say anything. Plutarch recounts a few other stories as well. One night, as some children were playing a game in a side room of a house during a social event, they were having a mock trial with judges and accusers as well as a defendant. One of the children, supposedly a good-natured and pleasant child, was convicted by the mock accusers and was being carried out of the room when he cried out desperately for Cato. Cato became very angry at the other children and, saying nothing, grabbed the child away from the "guards" and carried him away from the others. When Sulla asked them whom they would have, they all cried "Cato," and Sextus himself gave way and yielded the honour to a confessed superior. He began to live in a very modest way, as his great-grandfather Marcus Porcius Cato the Elder had famously done. Cato subjected himself to violent exercise, and learned to endure cold and rain with a minimum of clothes. He ate only what was necessary and drank the cheapest wine on the market. This was entirely for philosophical reasons; his inheritance would have permitted him to live comfortably. He remained in private life for a long time, rarely seen in public. But when he did appear in the forum, his speeches and rhetorical skills were most admired. Cato was known to drink wine generously. Incensed, Cato threatened to sue for her hand, but his friends mollified him, and Cato was contented to compose Archilochian iambics against Scipio in consolation. Later, Cato was married to a woman called Atilia. Cato later divorced Atilia for unseemly behavior. In 72 BC, Cato volunteered to fight in the war against Spartacus , presumably to support his brother Caepio, who was serving as a military tribune in the consular army of Lucius Gellius Poplicola. Gellius is often remembered as an indifferent commander, but his army inflicted the greatest of any defeats on Spartacus before Crassus raised his six legions and ultimately defeated the slave uprising. As a military tribune , Cato was sent to Macedon in 67 BC at the age of 28 and given command of a legion. He led his men from the front, sharing their work, food, and sleeping quarters. He was strict in discipline and punishment but was nonetheless loved by his legionaries. While Cato was in service in Macedon , he received the news that his beloved brother Caepio, from whom he was nearly inseparable, was dying in Thrace. He immediately set off to see him but was unable to arrive before his brother died. Cato was overwhelmed by grief and, for once in his life, he spared no expense to organize, as his brother had wished, lavish funeral ceremonies. At the end of his military commission in Macedon, Cato went on a private journey through the Roman provinces of the Middle East. Like everything else in his life, Cato took unusual care to study the background necessary for the post, especially the laws relating to taxes. One of his first moves was to prosecute former quaestors for illegal appropriation of funds and dishonesty. At the end of the year, Cato stepped down from his quaestorship amid popular acclaim, but he never ceased to keep an eye on the treasury, always looking for irregularities. As senator, Cato was scrupulous and determined. He never missed a session of the Senate and publicly criticized those who did so. From the beginning, he aligned himself with the Optimates , the conservative faction of the Senate. Propaganda cup of Cato the cup to the left, the one to the right being dedicated to Catilina , for his election campaign for Tribune of the Plebs of 62 BC left cup. These cups, filled with food or drinks, were distributed in the streets to the people, and bore an inscription supporting the candidate to the election. In 63 BC, he was elected tribune of the plebs for the following year, and assisted the consul , Marcus Tullius Cicero , in dealing with the Catiline conspiracy. Lucius Sergius Catilina , a noble patrician , led a rebellion against the state, raising an army in Etruria. Upon discovery of an associated plot against the persons of the consuls and

other magistrates within Rome, Cicero arrested the conspirators, proposing to execute them without trial, an unconstitutional act. In a meeting of the Senate dedicated to the Catilina affair, Cato harshly reproached Caesar for reading personal messages while the senate was in session to discuss a matter of treason. Caesar offered it up to Cato to read. After divorcing Atilia, Cato married Marcia , daughter of Lucius Marcius Philippus , who bore him two or three children. Cato refused because the potential match made little sense: Ancient sources differ on whether they were remarried. Caesar gained influence over the Senate through Pompey and Crassus. Pompey gained influence over the legions of Rome through Crassus and Caesar. Crassus enjoyed the support of the tax-farmers and was able to gain a fortune by exploitation of the provinces controlled by Caesar and Pompey. First, in 61 BC, Pompey returned from his Asian campaign with two ambitions: In order to achieve both goals, he asked the Senate to postpone consular elections until after his Triumph. Pompey did not run for the consulship that year, choosing instead to hold his third Triumph, one of the most magnificent ever seen in Rome. When faced with the same request from Caesar, Cato used the device of filibuster , speaking continuously until nightfall, to prevent the Senate from voting on the issue of whether or not Caesar would be allowed to stand for consul in absentia. Thus Caesar was forced to choose between a Triumph or a run for the consulship. Caesar chose to forgo the Triumph and entered Rome in time to register as a candidate in the 59 BC election, which he won. The next year, in 60 BC, Cato attempted to obstruct the syndicate tax contractors seeking to collect taxes in the province of Asia. Because the bid was paid in advance, the heavy losses prompted them to ask the Senate to renegotiate and thus refund a fraction of the bid. Crassus gave strong support to the plea, but Cato then promptly succeeded in vetoing it, regardless of the likelihood of a backlash from other equites with business interests the Roman government could affect. Caesar responded by having Cato dragged out by lictors while Cato was making a speech against him at the rostra. He, with the support of the triumvirs, proposed to send Cato to annex Cyprus. Plutarch recounts that Cato saw the commission as an attempt to be rid of him, and initially refused the assignment. When Clodius passed legislation conferring the commission on Cato "though ever so unwillingly," Cato accepted the position in compliance with the law. His official office while in Cyprus was Quaestor pro Praetore, an extraordinary Quaestorship with Praetorian powers. Cato appeared to have two major goals in Cyprus. The first was to enact his foreign policy ideals, which, as expressed in a letter to Cicero, called for a policy of "mildness" and "uprightness" for governors of Roman-controlled territories. The second was to implement his reforms of the quaestorship on a larger scale. This second goal also provided Cato with an opportunity to burnish his Stoic credentials: Thus, against common practice, Cato took none, and he prepared immaculate accounts for the senate, much as he had done earlier in his career as quaestor. According to Plutarch, Cato ultimately raised the enormous sum of 7, talents of silver for the Roman treasury. He thought about every unexpected event, even to tying ropes to the coffers with a big piece of cork on the other end, so they could be located in the event of a shipwreck. Unfortunately, luck played him a trick. Of his perfect accounting books, none survived: The Senate of Rome recognized the effort made in Cyprus and offered him a reception in the city, an extraordinary praetorship, and other privileges, all of which he stubbornly refused as unlawful honours. Judging their enemy in trouble, Cato and the Optimates faction of the Senate spent the coming years trying to force a break between Pompey and Caesar. It was a time of political turmoil, when popular figures like Publius Clodius tried to advance the cause of the common people of Rome, going so far as abandoning his patrician status to become a plebeian. As a leading spokesman for the Optimate cause, Cato stood against them all in defense of the traditional privileges of the aristocracy. The following year, in 52 BC, Cato unsuccessfully ran for the office of consul. Cato accepted the loss, but refused to run a second time. Caesar made numerous attempts to negotiate, at one point even conceding to give up all but one of his provinces and legions, allowing him to retain his immunity while diminishing his authority. This concession satisfied Pompey, but Cato, along with the consul Lentulus, refused to back down. Faced with the alternatives of returning to Rome for the inevitable trial and retiring into voluntary exile, Caesar crossed into Italy with only one legion, implicitly declaring war on the Senate. Formally declared an enemy of the state, Caesar pursued the Senatorial party, now led by Pompey, who abandoned the city to raise arms in Greece, with Cato among his companions. Cato and Metellus Scipio , however, did not concede defeat and escaped to the province of Africa with fifteen cohorts to

continue resistance from Utica. According to Plutarch, Cato attempted to kill himself by stabbing himself with his own sword, but failed to do so due to an injured hand. Cato did not immediately die of the wound; but struggling, fell off the bed, and throwing down a little mathematical table that stood by, made such a noise that the servants, hearing it, cried out. And immediately his son and all his friends came into the chamber, where, seeing him lie weltering in his own blood, great part of his bowels out of his body, but himself still alive and able to look at them, they all stood in horror. The physician went to him, and would have put in his bowels, which were not pierced, and sewed up the wound; but Cato, recovering himself, and understanding the intention, thrust away the physician, plucked out his own bowels, and tearing open the wound, immediately expired. In doing so they apply to him a type of cognomen that was normally awarded to generals who earned a triumph in a foreign war and brought a large territory under Roman influence e. Such names were honorific titles that the Senate only granted for the most spectacular victories. His suicide was seen as a symbol for those who followed the conservative, Optimate principles of the traditional Roman. Cato is remembered as a follower of Stoicism and was one of the most active defenders of the Republic. The Stoics, from at least the time of Chrysippus onward, taught that the wise man should engage in politics if nothing prevents him. Sallust also wrote a comparison between Cato and Caesar. One should, however, consider which of these men Sallust found the more appealing. Whilst Caesar proclaimed clemency towards all, he never forgave Cato. Republicans under the Empire remembered him fondly, and the poet Virgil , writing under Augustus, made Cato a hero in his Aeneid[citation needed]. Whilst it was not particularly safe to praise Cato, Augustus did tolerate and appreciate Cato. Certainly under Nero, the resurgence of republican ambitions with Cato as their ideal, ended in death for such figures as Seneca and Lucan , but Cato continued nevertheless as a righteous ideal for generations to come. Lucan, writing under Nero , also made Cato the hero of the later books of his epic, the Pharsalia.