

HUMAN RIGHTS AND THE SOCIAL POSITION OF CITIZENS IN ANCIENT ROME

ABSTRACT: The paper analyzes the status aspects of human rights during the period of existence of the Roman state. Considering the fact that it was the empire lasted for several centuries, the position of a human in it and his/her rights changed. The modern understanding of human rights originates from the period of the end of the 18th and the beginning of the 19th century, when The School of Natural Law laid the foundations of the understanding of human, natural rights, which did not exist in that form during the ancient period. The primary social differentiation of the population in ancient Rome was based on a simple division of people into free ones and slaves. From this premise, they built the foundations of their rights as well as their social, legal and political positions. In theory, Roman history is chronologically divided into four periods: The period of Kings, The period of the Republic, the Principate and the Dominate. In those periods, the social structure differed significantly. The aim of this paper is to show the position of the population in each of these periods, their rights and mutual relationships. The Roman law represents the cradle of contemporary continental law, and the germ of human rights was “sown” exactly in that period, which, for this reason, deserves to be the subject of a deeper professional analysis.

Keywords: *human rights, the right to life, slavery, Roman law, freedom.*

* Assistant professor, The Faculty of Law in Novi Sad, The University of Business Academy in Novi Sad, Serbia, e-mail: nenad@pravni-fakultet.info



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1. Introduction

Human rights are the basis of every democratic society and that is why democracy and human rights are mutually conditioned and dependent. Just as there are no human rights in non-democratic societies, there is no democracy without the guarantee of elementary human rights to every individual, because at the root of the word: democracy (Greek: demos - means people, kratesin - means to rule) there is the premise of the people's freedom to rule themselves, but and others. This principle is inherent in all modern democratic social arrangements. However, was it like that in the past?

The Roman state represents the forerunner of today's Western civilization. It did not arise all at once, but the process proceeded gradually, with the expansion of the territory and the reception of "values" that each of the conquered countries mastered over time: ancient Greece was known for philosophy, the theory of the state and law, and especially for trade and shipbuilding; Carthage perfected the system of large land holdings - latifundia; Etruria was widely known for craftsmanship, and Egypt for agriculture. By conquering these slave states, Rome took their best experiences, filtered and kept the best, further improving them. Using the advantages that every large and powerful state has, such as Rome, along with the constant expansion of borders, the construction of roads and facilitated trade between distant parts of the empire, the conditions were created for the creation of a strong and stable state that would conquer most of the known world, spreading its culture, letter and law.

2. Human rights and the right of man as an individual in ancient Rome

Does every person have the same rights? A question for which it was considered that the school of natural law still offered adequate answers. However, is it really so? Zaharijević believes that "individual rights of one person" and "human rights" are not synonyms, nor are they identical terms, because "human rights have been limited to certain human entities that claim more than others the right to humanity" (Zaharijević, 2008, p. 127). This would tacitly mean that not all people are the same. During antiquity, these "greater people" were the Greeks and Romans, and today the nations of Western civilization give themselves the freedom to consider themselves more "cultured" and "civilized" than other nations. A terrorist attack in Paris or London arouses empathy, solidarity and compassion among the population

that identifies with the victims, while the same attacks in Ankara, Beirut or Damascus, sometimes with many times more victims, remain without reaction in the media and on social networks. In both cases, the victims are innocent people, but in one case, empathy is dominant, and in the other, indifference. In both situations, an elementary human right is threatened - the right to life, which is obviously not valued or respected without prejudice.

Status, in general, represents one's position in society or in law, and the root of the word comes from the Latin word "statuere" which means: to establish or place (someone, something). How important status law was in ancient Rome can be seen from the place of their regulation in Roman law textbooks. Thus, Gaius in his *Institutiones* (*Institutiones*) already at the very beginning divided the law into three segments: the law relating to persons, to things and to lawsuits (*Omne ius quo utimur vel ad personas pertinet, vel ad res, vel ad actiones*) (*Gaius. Inst.* 1.2) and already in the first book set forth the norms that regulate the position of certain categories of the population. A similar system is presented in Justinian's *Institutions*.

The connection between the status and position in society of Roman citizens and their elementary human rights is directly conditioned. Unlike today's population, which is absolutely equal in all rights (human, civil, cultural, social, political...), there was no equality among the population in Rome, which means that not all the inhabitants of the empire were equal in human rights. The position of women was significantly different from their current status. "Woman only received full legal and business subjectivity towards the end of Roman history" (Mitić, 1983, p. 106). constantly exercised the authority of a certain person, either the father of the family (*pater familias*), or the husband (if the marriage was concluded with *manus*), or the husband's father of the family if the husband was not an independent person and the marriage was concluded with *manus*" (Bogunović, 2021, p. 540). Justinian's codification in the first book of *Institutions* (*Imperatoris Iustiniani Institutionum Liber Primus*) divides all people into free and slaves (*Summa divisio de iure personarum haec est, quod omnes homines aut liberi sunt aut servi*) (*Gaius – Inst.* 1.9) (Stojčević & Romac, 1971, p. 485). Malenica believes that this statement is undoubtedly correct. "Slavery and freedom are two poles in status law. While a free man is the subject of rights, thus the bearer of rights and obligations, a slave is the object of rights, he is in the property of a free man" (Malenica & Deretić, 2011, p. 177). According to Milošević, "... Roman law did not have any of the general concepts of status law or appropriate terminology. In the first texts, the term *persona* ("person", originally a theatrical mask) means every person, regardless of whether he has

legal capacity and to what extent. It is similar with the term *caput* ("head"): a free man is *caput liberum*, and a slave is *caput servile*. *Homo* ("man") was the usual name for a slave in legal formulas, although jurists normally emphasize that a slave is a thing, not a man" (2005. p. 110).

However, not all free inhabitants of Rome had the same status and rights. The three characteristics that followed the position of each resident and on which it depended whether someone would have legal capacity were defined in the old *ius civile*. a) *The status libertatis* defined the position of the individual in society, determining whether he was a free man or a slave. b) *The status civitatis* determined the position of citizens and divided them into Roman citizens, The Latins (inhabitants of the Apennine peninsula) and Peregrinus (foreigners, those without) and c) *Status familiae* which determined whether someone lives according to his own right or is under the authority of the head of the family (*pater familias*) and lives according to his right. "The *pater familias* was the oldest man who was not elected, but that position naturally belonged to him. That man lived according to his own right - *sui iuris*, and his authority over persons and things within the family was absolute and unlimited and was called - *patria potestas*. In relation to him, all other persons were subordinated and had the status of persons *alieni iuris*, i.e. those who live under someone else's law. This form of family was characteristic of the "first four centuries of the republic, while in the last century it gradually disappeared" (Stefanović, 2020, p. 236).

The status of the population also differed in different periods of Roman history. Different periodizations can be found in science, depending on the criteria used to divide history, so these periods also vary from author to author. That is why every periodization contains subjective elements of looking at the most important events in history. The most common division is the one that divides the entire Roman history into four periods: the Period of Kings, the Period of the Republic, the Principate and the Dominate. In each of these periods, the status of citizens and their rights differed in relation to the period that preceded it or came after it.

2.1. Period of Kings

The period of the kings (753 BC - 509 BC) is the time of the creation of the Roman state, from the founding of the city of Rome (*ad urbe condita*) in 753 BC until the establishment of the Republic. This is the period of transformation of the Roman clan organization into a state. The period in which the settlement created on the seven Roman hills turns into a polis - slave

town - state, similar to those in ancient Greece. In this period, the remnants of the gentile system are still strong, so the entire structure of government was inherited from the pre-state period: *rex* (king), assembly and senate. The company is located in the so-called “military democracy”, family relations are slowly disappearing, classes are emerging, and slavery is in the beginning, marginalized and has a patriarchal form. The internal political life is dominated by the conflict between patricians and plebeians. This turbulent period of Roman history was marked by numerous wars and internal struggles between patricians and plebeians. Wars were fought with neighboring nations due to plunder or with the intention of expanding Rome territorially by conquering foreign territories.

The conflict between patricians and plebeians indirectly affected their human rights. Unlike the wars that had an external character, this was an internal conflict and essentially class-based, led by the plebeians’ desire to improve their social position and equalize in economic status and political rights with another class - the patricians, who did everything to maintain their privileged position in society. This struggle lasted intensively during the period of the kings and during the early republic. Deretić believes that “the plebeians demanded that they participate equally with the patricians in the distribution of the spoils of war (this primarily refers to land acquired through conquests - *ager publicus*); that they participate in government and that everyone is equal before the court, i.e. that the same law applies to everyone. The extent of the division between these two social classes also results from the fact that their division is also present in the religious sphere” (Deretić, 2011, p. 473). Bujuklić (2007) agrees with this statement and states that “the Plebeians had their own gods (Ceres, Liber, Libera) and a sanctuary located outside the city itself, at the foot of the Aventine; it was built in 493 BC by order of the holy books of the prophetess Sibyl (*libri Sybillini*) in order to please the gods in the time of severe famine that took over the city” (p. 442).

Patricians (lat. *patricii*, from *pater* - father) trace their origins to the old gentile organization, which over time evolved into a gentile aristocracy, appropriating political, economic and military power. In order to preserve their privileged position, the patricians wanted to create an organized state apparatus that would facilitate their appropriated power, but also keep the plebeians and slaves in a submissive position. Plebeians (lat. *plebs*, from *pleo* - crowd) were part of the ancient Roman population, but disenfranchised compared to the patricians. The plebeians, together with the patricians, participated in the conquest campaigns, but they received a minimum of war booty. They had the right to conclude deals (*ius commercii*), which directed them to engage

in trade and crafts, given that they were not allowed to use gentile land. Titus Livius states that Romulus gave each family head (most probably plebeians as well) small holdings of two jugers of land (about half a hectare), which was not enough for one family to survive (Livius & Foster, 1969, p. 44). Compared to the patricians, the plebeians were deprived of their rights to a considerable extent, so they could not enter into a legal marriage with the patricians (*ius conubii*), nor did they have elementary political rights, i.e. they did not could participate in the work of the curiat assembly and the senate (*ius honorum*). Although they were free, the plebeians were economically, politically and socially distanced and disenfranchised compared to the patricians, and as a result the plebeian struggle for a better social position and gradual equalization with the patricians arose. During the 5th and 4th centuries BC, there was a fierce struggle of the plebeians for the acquisition of elementary civil rights: the economic demands related to their aspirations to participate equally in the division of the conquered land (*ager publicus*), and on the political level, they demanded that they be guaranteed participation in authorities.

During the time of the kings, slaves were in a more favorable social position compared to other periods of Roman history. According to Bauman (2021) “Slavery is generally considered the greatest impediment to the formulation of a general theory of human rights for Ancient Rome” (p. 115). Until the 3rd century B.C. slavery had a patriarchal character, which means that slaves had the same position as other family members, and served as auxiliary labor force. Slaves were still few in number and were not the primary bearers of production, and their position was not particularly difficult and unfavorable. The sources of slavery during this period were capture in war or as a result of unpaid debts.

Clients (from the verb *cluere* – to obey, to be obedient) were the fourth social class in the age of kings. Rich Roman citizens, as patrons, were in a specific relationship with their clients. It was a relationship marked by mutual rights and obligations, a relationship of protection, dependence and gratitude. The clients, like their patrons, were free people, but since they were not members of the clan, they could not conclude legal deals with the Romans, nor did they have political rights. The patron gave gifts in money and food to the clients, represented them in court and protected them, the clients expressed their gratitude by cheering the patron in public places, collected a ransom for the patron if he fell into debt slavery and paid his fines. The patron’s position in society depended on the number of clients, and a greater number of clients meant greater reputation and status in society.

2.2. The period of the Republic

The period of the republic (509 BC - 27 BC) was the time of the rise of slave-owning Rome and the struggle of the plebeians for a more favorable social, economic and political position in society. During this period of Roman history, the city-state that Rome was in the beginning became an empire that dominates the Mediterranean. Patriarchal slavery is transformed into classical slavery, and the closed household economy is replaced by a commodity economy. Slaves represented the main labor force on whose exploitation the empire was based, and law, thanks to the work of assemblies and praetors, was approaching its peak.

The demands of the plebeians and their struggle to equalize in economic and political rights with the patricians continued in the period of the republic. The demands meant the following: land allocation, debt cancellation, greater political rights and a better social position, i.e. absolute equalization with the patricians. During this period, the division of the population into patricians and plebeians was gradually lost" (Deretić, 2011, p. 474). By electing to be represented by the tribunes, the position of the plebeians improved considerably because the plebeian tribunes became untouchable and could use the "right of veto" ("I forbid!"). High positions in the state administration, available only to patricians, gradually became available to plebeians as well. From 421 BC plebeians were elected quaestors; In 367 BC, the law *Lex Licinia de consaltu* was passed, according to which one of the consuls had to be a plebeian; two years later, in 365 BC, plebeians became Kurile aediles; from 356 BC censors; from 351 BC dictators; and from 350 BC plebeians enter the senate, equally with patricians. From 337 BC plebeians became praetors, and the title of highest priest (pontifex maximus) became available to them from 254 BC. Based on the Hortensius Law (*Lex Hortensia*) from 287 BC all the decisions of the plebeian assemblies became generally binding for all the Roman people, with which the plebeians officially began to participate in the legislative power. Perhaps the most significant in the process of equalizing patricians and plebeians was the passing of the Canuleia Law (*Lex Canuleia*) in 445 BC. It abolished the ban introduced by the Law of the XII Table, which prevented the conclusion of marriage between patricians and plebeians. With the adoption of this law, plebeians also received *ius conubii*, that is, the right to enter into valid marriages with patricians.

The old division of the population into patricians, plebeians and slaves lost its importance during the period of the republic, so that now the population was divided into: nobles, equestres, urban and rural plebs. Nobilis (*nobilitas*,

from Latin: *nobilis* - noble) were members of the new aristocracy, and they arose from the old, family aristocracy and together with the enriched plebeians (homo novus - new people), formed the most influential and powerful layer of the Roman citizenry in the period of the republic. Equestrians (from Latin: equus - horse) were a class of wealthy citizens and the only difference compared to the nobles was that they did not have famous ancestors because they came from the plebeians. Their newfound wealth came from speculative trade, banking, usury and trades. The city plebs (*plebs urbana*) was made up of the poorest population: plebeians who did not get rich, freed slaves, bankrupt patricians, foreigners who came to Rome and permanently settled there, pauperized small and medium landowners. All of them were free citizens, with the right to vote, but without property. Constantly dissatisfied with their social status, proud of their freedom, but intolerant of any form of work and with the political power they exercised through the plebeian assembly, this social class represented a constant threat to the social order. The rural plebs (*plebs rustica*) consisted of artisans and small farmers (lat. agricola, peasant). After the Punic Wars, slave-owning relations took on their classic, ancient form: the economy was based on the work of slaves, slaves were seen as a thing (lat. *instrumentum vocale* - a thing that speaks), and not as human beings.

2.3. The period of the Principate

The period of the Principate (27 BC - 284 AD) was a period of decline in the power of Rome, in which the republic as a state system was replaced by a monarchy, while the organization of government was much simpler compared to the previous period. The coming to power was no longer based on the will of the people but on the army, with whose help the emperors came to the throne. The praetorian guard guarded the princeps and secured the imperial palace and the city of Rome. The ruler - princeps (Latin: *princeps* - the first) becomes the lifelong holder of tribune and consular authority, has the highest judicial authority and is also the supreme priest - pontifex maximus. The Roman state reaches its maximum territorial expansion and is at its peak, and law reaches its zenith (so-called "classical" Roman law). During the Principate, a large number of slaves concentrated in one place represented a constant danger of revolts, and divisions in Roman society at the end of the republic period were more pronounced than ever before.

In the period of the Principate, the following social classes existed: senatorial class, knights (equestrians), clerks, freedmen, plebs, peregrines and slaves.

- a) The senatorial class was created from nobles from the period of the republic and enriched plebeians, the so-called of “new people” (*homo novus*), who entered the senate thanks to Cornelius Sulla and Gaius Julius Caesar. This class, although it lost in the civil war to the equestrians, remained extremely influential, although it increasingly lost its power and importance. In order to enable the newly rich to become senators, Octavian Augustus introduced a monetary tax of one million sesterces. In this way, the representatives of the old aristocratic families were gradually pushed out of the senate, to be replaced by rich equestrians. Soon, the old patrician families almost completely disappeared, and the senatorial class became the privileged class of the richest landowners.
- b) Equestrians, i.e. knights, came out as winners from the civil war and had the support of the princeps, but they were also the most important pillar of the princeps’ power. For them, Octavian predicted a census of 400,000 sesterces (Jocić, 1990, p. 50). The composition of the equestrian class, in addition to the descendants of knights from the period of the republic, included: freedmen who became rich, former soldiers, but also all those who were rich enough to fulfill the census. The princeps often appointed members of this class to prominent positions in the state administration, in order to create a balance with the senatorial class.
- c) As a consequence of the increasing bureaucratization of the state, officials emerged as a special class. Unlike the magistrates from the period of the republic, who were elected for a term of one year, the officials were appointed by the princeps for life, they were directly subordinate to him, and he paid them from his coffers.
- d) The freedmen are created as a result of the mass emancipation of slaves during the period of the Principate. “A freed slave is called a *libertinus*, in contrast to a freeborn, who is called an *ingenius*” (Stojčević, 1988, p. 83). Most of the freedmen were later turned into *coloni* (Latin: *colonus*), free farmers who remained to work on the land of their former master. However, a considerable number of freedmen managed to reach high state positions thanks to Emperor Claudius (Tiberius Claudius Nero Germanicus, 10 BC - 54 AD) who made it possible for them. The freed class was the most productive

in Roman society, but also in the provinces. These were mainly: merchants, artisans, ship owners, governors of provinces, servants at the princeps' court, etc.

- e) The plebs, as in previous periods, were the poorest Roman population, who lived in the principate at the expense of the princeps. From his treasury, he paid for grain that was distributed free of charge to the plebs, organized circus shows and gladiatorial fights, gave them gifts... and all with the intention of reducing the dissatisfaction of the idle masses. According to some estimates, around 200,000 people received their daily allowance of grain. With the crisis that occurred in the 3rd century, the position of the urban poor drastically worsened. That is why a part of them was forced to leave Rome and settle on the surrounding latifundia. Coloni would later emerge from them, while the population that remained in the cities began to engage in small trades, hired work, clerical work, etc.
- f) The Peregrines were a special class whose Romanization began in the period of the Republic, and that process was finally completed in the Principate. With the Edict of Caracalla (also called *the Edict of Caracalla or the Antonine Constitution* – 212 AD), peregrines, as well as all other free citizens, received Roman citizenship, thus the peregrine category disappeared from the social division of the population of the Roman Empire.

2.4. *The Dominate*

The Dominate (284 BC - 565 AD) was the period of ruin and disintegration of slave-owning Rome, and it lasted from the coming to power of Diocletian until the death of Justinian (Kurtović, 2015. p. 233). In this period, a special form of government was introduced - the tetrarchy, in which two rulers hold the title of Augustus, and their two assistants hold the title of Caesar. In the Dominate, the entire power was concentrated in the hands of the emperor (normative, administrative and judicial), and the senate was no longer an organ of government but only the city council of the city of Rome. With the Edict of Milan in 313, Christianity became a recognized religion, which declared religious equality and ended the persecution of Christians, which had lasted for three hundred years. During the reign of Theodosius, in 395, the empire was divided into the western and eastern parts. This was a period of crisis, decline and collapse of a civilization, which was also reflected in the law of that period ("post-classical" Roman law).

During the period of Dominate, society was divided by classes: the upper class was called *honestiores*, and the lower class was called *humiliores*. They differed from each other in economic, political and legal status. The upper class enjoyed economic and judicial privileges, while the members of the lower classes were tied to their professions, political rights were unavailable to them, and the sanctions for committed criminal acts were harsher.

- a) *Honestiores* were also called *magnates*, and they consisted of: large landowners, civil servants in high positions and members of the wealthy senatorial class. The senatorial title was hereditary and acquired by birth, i.e. by descent. However, the emperor granted the non-hereditary title of *patricius* to the most prominent officials and the largest landowners. Thus, the number of senators who actually did not perform the senatorial function, but only bore that title honorably and enjoyed the benefits that title carries: lower taxes or exemption from paying taxes, autonomous collection, etc.
- b) *Humiliores* consisted of the lower layers of the population: lower civil servants (*officiales*), members of city councils - *curiales* and *decuriones* who organized the collection of taxes in their area and answered to the state for it. Even lower social classes were organized into associations in which membership was compulsory and hereditary: merchants, artisans (bakers, butchers, shipbuilders, blacksmiths, masons, carpenters, etc.). The purpose of tying them to occupation and place of residence was reflected in the state's need to ensure the supply of cities and the army with elementary needs.

Coloni (Latin: *colonus*) were the lowest social class, initially free, and later, people tied to the land. The *coloni* were most often recruited from the ranks of freed slaves, former soldiers and free small landowners. Owners of *latifundia* leased small plots to them, and in return they paid rent in money or goods. When Diocletian came to power, he introduced a special form of tax in kind and the main income in the state treasury - the *anon*, which charged the *coloni* the most. He based the *capitatio-iugatio* tax system on the *anon*, whose two basic elements were the head tax and the land tax. The tax was determined on the basis of two criteria: the size and fertility of the land plot (*iugum*) and the economic power of the man, the taxpayer (Latin: *caput* - head). If no one cultivated the land, it could not be taxed. Also, no man who does not own a piece of arable land could be a taxpayer. That is why it was in the interest of the state that every plot of land is cultivated and that as many people as possible have a piece of land that they cultivate.

In 332, Constantine passed a constitution that binds the *coloni* to the land they cultivate, and the sanction for running away from the property was to be thrown into chains. Although the *coloni* were considered free people (*ingenuus*) and had the right to marry (*ius conubii*) and the right to trade (*ius commercii*), in practice they were seen as slaves of the land (*servus ipsius terrae*). The position of the *coloni* was only an introduction to the feudalization that would occur in Western Europe in the Middle Ages.

Slaves in the period of domination continued to exist as labor on *latifundia* or as servants in houses, but in much smaller numbers than in previous periods. The importance and role of slaves in the economic life during the domination has significantly decreased, because they are no longer the basic labor force on which the economy rests, but auxiliary. The position of the slaves did not differ much from the position of the *coloni*, who were also under the patronage of the landowners, with the fact that the obligation to pay the rent for the *coloni* was predetermined, while it was not for the slaves. The number of freed slaves is increasing, they are given land to cultivate and turn into *coloni*. Since Emperor Constantine, it was forbidden for slave owners to kill their slaves, to separate children from their families by selling them, and to separate women from their husbands. The Christian church was of great importance in the affirmation of a more humane attitude towards slaves, which influenced their more favorable position with its religious and moral principles.

3. Conclusion

The right to freedom and life did not arise until after the bourgeois revolutions. Revolutions only shaped these rights and introduced them into legal frameworks, guaranteeing them to every person. Stanojević (2000) observes that "... the peoples of the ancient East do not have the concept of freedom. The political order of the eastern despots left no room for freedom, and that is why there is no such word. Only the Greeks and Romans created this term: "*elefteria*" in Greek and *libertas* in Latin. For the Romans, freedom is a thing of inestimable value (*libertas inaestimabilis res est*), the dearest of all things (*omnium rerum favorabilior*)" (p. 118).

It seems that the struggle for basic human rights is currently at its zenith, however, this is only an illusion. Can this struggle ever be greater than during the existence of slaves, without any status or rights. All slave uprisings in ancient Rome were a cry for human rights, a desperate struggle of the disenfranchised for a status that would give them rights and a position worthy

of a man. Each period of Roman history is marked by social stratification and the creation of classes according to different criteria. Sometimes it was origin, sometimes economic position, and in some situations political influence. Ancient Greece and Rome are considered the cradle of modern democracy based on basic human rights. This is the reason why human rights are the *conditio sine qua non* and foundation of every democratic society in the XXI century.

Stefanović Nenad

Pravni fakultet za privredu i pravosuđe u Novom Sadu, Univerzitet Privredna akademija u Novom Sadu, Srbija

LJUDSKA PRAVA I DRUŠTVENI POLOŽAJ GRAĐANA U ANTIČKOM RIMU

REZIME: U radu se analiziraju statusni aspekti ljudskih prava tokom perioda postojanja rimske države. Obzirom da se radi o imperiji koja je trajala više vekova, položaj čoveka u njoj i njegova prava su se menjali. Savremeno shvatanje ljudskih prava potiče iz perioda kraja XVIII i početka XIX veka kada je škola prirodnog prava postavila temelje shvatanja o ljudskim, prirodnim pravima, koja u tom obliku nisu postojala tokom antičkog perioda. Primarna društvena diferencijacija stanovništva u starom Rimu zasnivala su se na jednostavnoj podeli ljudi na slobodne i robove. Iz te premise oni su gradili temelje svojih prava i svoj društveni, pravni i politički položaj. Rimska istorija se u teoriji hronološki deli na četiri perioda: doba kraljeva, period republike, principat i dominat. Društvena struktura se u ovim periodima značajno razlikovala. Cilj ovog rada je da se prikaže položaj stanovništva u svakom od ovih perioda, njihova prava i međusobni odnos. Rimsko pravo predstavlja kolevku savremenog kontinentalnog prava, a klica ljudskih prava je “zasejana” u baš ovom periodu koji iz tog razloga zaslužuje da bude predmet dublje stručne analize.

Ključne reči: *ljudska prava, pravo na život, ropstvo, rimsko pravo, sloboda.*

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