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Doroteya Mihova

THE INTERDICTION "CONTRA IUSTITIAM IUDICASSE" ("TO ADJUDICATE AGAINST JUSTICE") IN LEX ROMANA VISIGOTHORUM AND CODEX THEODOSIANUS

(Summary)

The article provides translation of key titles postulating the interdiction "contra iustitiam iudicasse" in Lex Romana Visigothorum. The author commented on the way in which specific norms and texts are derived from the Theodosius Code, guarding the fair private and public law relations, and embodying this prohibition "to adjudicate against justice". The focus is on the concepts of the ancient Roman iustitia, defined through its connections with the grounds of mos maiorum (the customs of the ancestors), with ancient Roman valour (virtus Romana), with freedom (libertas), with civil and personal dignity (dignitas), with the community benefit (communis utilitas) and with the common good (bonum commune), with justice and law (ius and lex), Whose ultimate goal is the just retribution of "giving each one his own" ("suum cuique tribuere"). The article also analyzes the complex metamorphoses that Roman legal moral concepts of justice and valoyr underwent (iustitia и virtus), following the transformations in the Roman values system and in the perceptions of Romanitas, accompanied by the processes of barbarisation and reception of Roman law (ius Romanum) after the fall of the Western Roman Empire in 476.