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Legal Education - History, Methods and Paradigms: the Contribution of Antiquity

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Abstract: *For today's law students, who pursue their studies under conditions where their intellectual potential is partially delegated to ever-present automated systems, shedding light on the methods of legal education practiced throughout history reveals itself to be more than just an exercise in legal culture. Understanding the ways in which legal science was taught across different historical periods -times troubled by war and migration, marked by stark social inequalities and personal restrictions, and lacking the accessibility to information and material comfort that characterizes the present - can serve as a valuable recovery of foundational principles and essential meaning.*

This study adopts a diachronic, comparative, and evolutionary approach to the content and forms of legal education in antiquity, taking into account the different models shaped by the economic, political, and cultural paradigms of the societies in which they were practiced.

The ancient civilizations of the Ancient East have left us not only pyramids and temples, Mesopotamian cuneiforms and Egyptian hieroglyphs, Chinese rice paper and Vedic writings, but also early evidence of legal education closely tied to the first codes of conduct, such as the Code of Hammurabi, the Maxims of Ptahhotep, or the principles of Confucian thought.

The Hellenic spirit later gifted the world with a fascinating model of education that formed the foundation of the great achievements of Greek civilization and the hereditary blueprint of modern gymnasiums and universities. The contribution of the ancient Greeks was to filter the cultural heritage inherited from Eastern civilizations and organize it into abstract systems of knowledge and thought. In the archaic beginnings of Greece, Homer was recognized by Plato as the greatest educator, while the three gymnasia that brought fame to Athens - Plato's Academy, Aristotle's Lyceum, and the Cynosarges - represented more than the development of Greek schools of rhetoric and philosophy; they were genuine educational structures for which all posterity remains grateful even today.

While in Greek society legal knowledge was transmitted directly through the disciple's apprenticeship alongside a master, in contrast, the organized teaching of law became the historical merit and enduring legacy of the Romans. The civilizing virtue and enduring nature of Roman law are confirmed not only by its theoretical and historical value but also by its practical and educational utility in technical training. Indeed, Roman law represents the foundation of Western legal culture, the hereditary core of the Romano-Germanic legal system, and, through the creative edicts of the praetors, was not at all foreign to the historical origins of the common law system. Furthermore, the concepts and theoretical constructions of Roman jurists (also influenced by Aristotelian thought) provided the legal alphabet still used today by civil law practitioners, just as we also owe the organized study of legal science to the Eternal City.

Keywords: *gymnasia, rethoric, Roman law, jurisconsult, law schools, legal education.*

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Introduction

The recognition he enjoyed in the city of Athens and the vehement truths triumphantly delivered in his 61 speeches made Demosthenes (384–322 BC) one of the most brilliant orators of all time. Born in Attica as the son of a wealthy arms manufacturer, Demosthenes experienced many hardships and personal crises on the threshold of fame. Orphaned at the age of seven and heir to a considerable fortune, he discovered upon reaching adulthood that his guardians, through fraudulent management, had deprived him of most of his rightful inheritance. He decided to take legal action against them. In order to support his case, he trained for no less than three years under the guidance of the orator Isaios, renowned for his knowledge of law and the success of his legal speeches (Marin, 1969). The man who would later rally the Athenians against the Persian threat (through his speech *On the Naval Boards*) and the Macedonian aggression (in the famous *Philippics*) had, through admirable tenacity, overcome certain natural weaknesses that would normally have kept him far from the public tribune. From the renowned historian Plutarch, we learn that he suffered from a speech disorder - "unclear and stammering pronunciation" - which he corrected by placing pebbles in his mouth. Similarly, to control his reflexive shoulder-lifting gesture, he would hang a sword in such a way that it would prick him with every involuntary movement (Ghimpu & Ţiclea, 1993). He would often lock himself in a cave, shaving only half of his face to avoid the temptation of going out into the world (Vidraşcu & sons, 2010) and would spend long hours preparing his speeches, which he would then deliver in front of the sea. He was harshly criticized for his early public interventions, yet it would be he who, through the power of his words, would awaken Athens from its own complacency, calling his fellow citizens to fight for freedom against the territorial ambitions of Philip II of Macedon. A symbolic figure of classical rhetoric, the author of the poignant *Olynthiacs*, *On Peace*, and his speech *On the Crown*, he embodies the living proof that eloquence is not a mere gift bestowed at birth by the favor of the gods, but a skill painstakingly acquired through the labor of necessary knowledge, consistent practice, and, no less, self-education. His actions are a steadfast expression of a life devoted to the service of the city and his fellow citizens through cultivating a passion for law, mastering the art of oratory, and a constant diligence in learning.

This is why the example of Demosthenes strikes us as surprisingly powerful in the context of today's challenges in legal education, as well as in the broader context of the importance of education itself. It is the reason why the mission of legal education reveals itself today not so much through a

strictly conceptual and functional (Baumgardner, 2024; Cristea, 2015) lens (concerned with distinguishing it from other forms of training, defining its specific content, objectives, curricular structure (Oancea, 2022), and methods of teaching (Aniţei & Petraru, 2011) and assessment but rather through a cognitive-psychological and ethical perspective (Zhukov et al., 2025; Moots & Patterson, 2024), serving as a vital lever against the traps of excessive digitalization and the dangers of the "brave new world" that Aldous Huxley allegorically described as early as 1932. In that dystopian world, the global "welfare" state controls not only thought and happiness, consumption, human reproduction, and death, but also educational policy, aiming to produce an adult unaware of their capacity to think, to make decisions, and to be truly free. The methods of education are hypnopaedia, propaganda, and standardization, since in the World State, children are "made" without parents, without family, without ancestry, and without identity (Tec, 2019). From the state-run education imposed on the masses of children, intellectual education is entirely absent; instead, early sexualization is encouraged. Literature, history, biology, and religion books are missing from libraries, while a true entertainment industry has been developed through which the state controls people's minds (Tec, 2019).

Indeed, we live in complex times, in which various moral dissonances are far too easily heard, marketing distorts the hierarchy of values, and technology despite its many benefits (Cazacu-Balan et al., 2025) and achievements (such as the application of innovations to the world of law and greater access to legal services Salmerón-Manzano, 2021; Ovcharenko et al., 2025) also gives rise to absurd behaviors. In the specific context of the observable realities shaping teacher-student interactions, we notice superficial reading habits, a certain predisposition toward underdeveloped study - often limited by the pace of professional tasks imposed by employment obligations - a lack of a solid foundation in general knowledge, and time wasted on internet distractions under the growing psychological pressure of social media and content platforms (with their hidden dangers such as cyberbullying - McCarthy, 2021). Fortunately, these symptoms do not define a constant trend in the actual course of the educational process (or remain relatively isolated), which is, in itself, encouraging.

In a masterful address, after observing that "law is not necessarily in crisis, but man is," and that "ideologies..., judicial systems..., states..., schools..., families, governments, and the economy"(Chelaru, 2023) are all experiencing their own tensions and upheavals, the distinguished Professor Ioan Chelaru offers a lucid diagnosis of some of the dysfunctions affecting the solid and meaningful learning of legal science. Unsurprisingly, these seem equally

confirmed in other fields as well, applying to both individuals and society at large, in light of the "viruses" carried by new curricula and existential "models" - phenomena that intensified after the 2020–2022 pandemic crisis. Insidiously, prolonged exposure to digital substitutes undermines logical and analytical thinking, the healthy development of personality (psychologically, emotionally, and cognitively), social maturation, personal autonomy, and, in the long term, even freedom itself. Recent empirical studies evaluate the impact of digital environments on academic performance, especially among students with ADHD, and provide relevant statistical data regarding the degree to which text comprehension is affected - including accuracy, retention of quantitative and qualitative data, and logical and working memory - within multitasking academic in Virtual Reality (VR) and Real-Life (VIVO) settings (Chiorean et al., 2024). Moreover, applied research has indicated a moderate level of student satisfaction with the hybrid learning model, further confirming the effectiveness of traditional teaching methods in promoting academic performance.(Batman, 2025). In a striking formulation, prof. Chelaru notes: "the forgetting of the law is happening before our very eyes, (...) not through a collapse of collective memory, but through the subtle weakening of scholastic memory and of the intellectual function of mandatory personal study, through the conveniences of processor memory, and through the absence of the mentor in the professions. Soon, we will know nothing of the classical books of law, (...) except perhaps for some quotes from a philosopher or ancient jurist, accidentally retained in the automated memory of computers and obsessively fed to the obedient viewer" (Chelaru, 2023).

In these circumstances of partially surrendering our intellectual potential to omnipresent machines and "black mirrors" that, through their hypnotic effect, steal our time, identity, and very lives - bringing to light the educational models practiced throughout history becomes a journey back to oneself and a return of humanity to the garden of true knowledge. Undoubtedly, it is also an exercise in legal culture (Duțu, 2014, 2015). For young people studying law today, understanding the methods used throughout history to learn legal science (methods developed during times shaken by wars and migrations, marked by deep social inequalities and restrictions on individual freedoms, in eras far less generous in terms of access to information and material comfort than our own) can be more than a mere uncovering of facts and ancient curiosities. It can become a recovery of foundations, of determining forces and the necessary meanings (Spinei, 2022), a reawakening of reason and a valuable opportunity to step more empowered onto one's own path of development. All the more so considering that the drama of the contemporary world is closely tied to the obsessive way in which

culture has been transformed into propaganda and entertainment, goodness into material success, and beauty into perverse refinement; meanwhile, the economy and politics have only served to subject the human being to increasingly harsh conditions, reducing and reshaping him into the function-man, the instrument-man (Moarcăş & Popa, 2022). The pandemic further accelerated the automation of life patterns and of the human being, in general, often at the expense of their rights. Regarding the educational process, it has been criticized that social media platforms are not designed for online learning, as they are not prepared to respect a child's right to their own image, privacy, and dignity (Dobrilă, 2021). The protection of students' freedom of expression in schools also raises specific challenges (Decker et al., 2021). The universities of the future must cultivate responsibility toward the individual and promote ethics (MacLeod, 2024; Sandu & Caras, 2014; Caras Frunză, 2014) and civic culture (Humlen, 2025) as well as respect for the rights of the personality. Although some more critical voices argue that establishing civic education programs through legislative mandate would infringes the independence of universities and the academic freedom of faculty members, the newly established civic education centers and schools in the United States (in Arizona, Florida, Texas, North Carolina, Ohio, and Tennessee) prove the opposite. At the same time, they testify to the importance of the civic and ethical dimension in public education and to the mission of educated elites to shape the character and practices instilled in citizens (Foster, 2024).The informed voices of university leaders have emphasized that legal education is not just about the transfer of relevant knowledge; law faculties and their professors are called upon to instill in the future lawyer a set of values and principles that will inspire them to make a career choice based on sound motivations (Bercea, 2022). Beyond the implications of internationalization, Europeanization, and globalization (which, of course, require curricular adaptations (Crăciunean-Tatu, 2022), the restoration of the moral and spiritual condition of the individual, of the harmony between dignity and self-awareness, and social conduct, seems essential to us.

This is why we consider a diachronic and evolutionary perspective on the history of legal education (from antiquity through this article, and in the Middle Ages and modern era in a future article) to be valuable. Our analysis is also concerned with the different models of legal education shaped by the economic, political, and cultural paradigms of the society or legal system in which they were practiced.

Legal education in the civilizations of the ancient east

The ancient civilizations developed along the great rivers (the Nile, Tigris and Euphrates, Indus, and Ganges) have left us not only the pyramids and temples, Mesopotamian cuneiforms, Egyptian hieroglyphs, Chinese rice paper, and Vedic writings, not only the legacy of the royal Babylonian schools and libraries, the "houses of life" in Egypt where geometry and astronomy, the arts and medicine were studied, or the technical achievements from Chinese (Carcea et al., 2001), but also the early evidence of legal education.

In the fertile lands of the country between the rivers known as Mesopotamia, the first cradle of human civilization, the emergence of scribes coincides with the immemorial beginnings of education, as well as with the appearance of the first legal sources. Any visitor to the Louvre Museum in Paris cannot help but be amazed by the 2.25-meter-tall diorite stele (discovered by modern archaeologists at the beginning of the 20th century) on which the Code of Hammurabi is engraved. It was written around 1754 BCE and was inspired by collections of laws issued 300 years earlier by Sumerian kings. The code established different legal statuses for free men, subordinates, and slaves (the latter being considered movable property) and set out principles of property, responsibility, and justice (many of the penalties were very harsh, and under the law of retaliation, even the innocent could be punished!). However, it also enshrined the obligation of monogamy, protected women's rights to manage their property, and ensured they were not forced to continue living with a husband who, having abandoned the marital home, returned to the family. Thus, the Code of Hammurabi provided the necessary foundation for legal education.

Typically, knowledge of legal rules and their application was transmitted orally, following stages of apprenticeship. Babylonian and Assyrian schools (considered cultural forerunners of Plato's Academy! were initially organized near temples and royal palaces, and only later underwent secularization. It is no coincidence that Article 6 of the Code of Hammurabi stipulated the death penalty for theft from a temple or royal court, a punishment applied not only to the perpetrator but also to the recipient! This interaction between applicable sanctions and religious beliefs is far from unique; it can be seen even in the first provisions of the code, which stated that anyone guilty of casting a spell on another person would be punished by death (Article 1), and that guilt could be proven through the „trial by the river god" whereby the accused would be considered innocent if they survived immersion in the river (Article 2). In fact, the practice of ordeals would later be used in even more primitive forms during the Middle Ages (e.g., the ordeals by fire or boiling water).

In Egypt as well, education took place near temples or at the pharaoh's court. Scribes were key figures in the administration, many of them coming from the upper classes and often holding high-ranking positions in the political hierarchy of society. The pharaoh had legislative and judicial prerogatives and was responsible for maintaining law and order, a concept referred to by the ancient Egyptians as *Ma'at*.

Although no codified laws have come down to us from the ancient Egyptians, *The Maxims of Ptahhotep* represent not only a valuable source for:

- the conception of truth, morality, and justice (*Great is the Law; All conduct must be so just that it can be measured with a plumb line*),

- the code of conduct in family life (*Love your wife passionately*) and public dignity ("Do not spread slander, nor listen to it"),but also

- a beautiful testament of wisdom: *He who has a great heart has a gift from God. He who obeys his stomach submits even to his enemy; Those guided by God do no harm. Those whose boat He takes away cannot cross*).

Written by an Egyptian philosopher who held the office of vizier to the pharaoh (around 2300–2150 BC) and discovered in Thebes in 1847, these writings reveal a unique association between the application and transmission of law: *"Punish by principles, teach with meaning"*. The immediate follow-up *"Preventing evil leads to the unshakable establishment of virtue"* completes a broader vision that effective justice is rooted in knowledge of the law and, above all, in alignment with its ethical and moral foundations.

The moral commandment of duty toward what is true and just was refined even further by Confucian thought, which deeply influenced Chinese society. The axiological dimension of education is closely tied to the need for people to be devoted to one another, something that can only be supported by the cultivation of humanism and morality. The value of the principles promoted by Confucius (551 BC – 479 BC), as found in the *Analects*, is also demonstrated by the encouragement of meritocracy for access to hierarchical structures of governance. The key to an honest and functional society (a society that "*preserves the balance between the will of Earth and the will of Heaven*") lies in the same ideal of a person who lives in accordance with moral virtues.

In Confucian philosophy, moral education means self-knowledge and self-awareness, which implies harmony between the mind and the heart. And what better recognition of the nobility of moralizing the individual through education than this excerpt from the work of Confucius:

„To improve yourself, you must first align your mind and heart. Those who wish to align their mind and heart must clarify their thoughts. To express your thoughts clearly, you must engage in deep and thorough study. To study profoundly means to classify things by examining and comparing them. When

things are classified, knowledge arises.When knowledge is attained, the images formed in the mind become genuine. Once thoughts have become genuine, the mind and heart are aligned. And when the mind and heart are aligned, the person is improved" (Carcea et al., 2001).

The Confucian *Analects* thus anticipate concepts found in Plato's *Dialogues*, where the immortal Soul and the Ideas (*episteme*) are parts of the same whole. The virtue of reason - wisdom, the virtue of the soul - temperance, and the virtue of will -courage, through their practitioners, collectively ensure social justice.

Legal instruction among the ancient greeks

In the ancient Greek world, education (*paideia*) and culture were exceptionally valued, and from Homer to Hypatia, they represented essential criteria of Greek identity (Legras, 2002). The Hellenic spirit encompassed pedagogy in many forms, stages, concepts, and methods, without this marvelous "expenditure" in any way diminishing the value of creation. On the contrary, it offered the world a fascinating model of education that constituted not only the source of the great achievements of Greek civilization but also the hereditary matrix of modern gymnasiums and universities.

The subject proposed for analysis (legal education) does not allow for a broad exploration of the educational system in Greek society across all stages of its historical development - namely the archaic, classical, Hellenistic, and imperial-Roman periods. Nevertheless, a few observations seem useful for a comprehensive understanding of the educational environment in which the study of laws took place.

The contribution of the ancient Greeks was to filter, through the sublime work of their intellect, the cultural heritage inherited from the civilizations of the Near East, systematizing it and then delivering autonomous systems of thought and knowledge. On a more practical note, Plato captured an essential truth when he stated that, in the archaic beginnings of Greece (when the *poleis* had not yet emerged), Homer was the greatest educator of Greece. Indeed, as the distinguished Professor Valeriu Ciucă remarked in a wonderful article, "the most beautiful legal education throughout time has been achieved (...) thanks to the most beautiful codes of legal and moral norms ever written on Earth (...) the anthropomorphic mythologies (such as those of Olympus or Rome)." These were codes of law, disguised as captivating stories (complex 'cases'), which not only delighted both children and adults but also instilled in them a solid moral and legal education, grounded in legal values and principles, and immortal maxims" (Ciucă, 2022).

There were, of course, notable differences between the rigid (and ultimately bankrupt) Spartan military education devised by Lycurgus and the intellectual and civic education that flourished in the Athenian schools. A result of the subjugation of the native helots by the (minority!) Dorian conquerors, Spartan society was a harsh reality in which citizens were prohibited from engaging in commerce or industry, in order to serve the needs of a militaristic state. After reaching the age of seven, a child's education was taken over by the state through military colleges, where, under the authority of a *paidonomos*, a strict apprenticeship was enforced, marked by the severe discipline of physical training and barbaric privations. This system cultivated absolute obedience and the sacrifice of the individual for the higher interests of state policy.

The proverbial „laconic speech" is merely a reflection of this model of obedience to Spartan behavioral norms, as intellectual education was reduced to a minimum - limited to reading and writing. The only permitted escape, as narrated in his characteristically unscholarly yet engaging style by Indro Montanelli, „was singing. But solo singing was forbidden; only choral singing was allowed, as it served the purpose of reinforcing discipline. Choirs are a distinctive feature of military and warlike societies: Germans and Russians sing in choirs, whereas the French and Italians sing individually. Sparta loved music in much the same way Prussia did in the previous century" (Montanelli, 1996).

As a closed society that functioned through the glorification and imposition of force, the so-called legal instruction in Sparta was limited rather to a rudimentary form of civic education that demanded blind obedience to Spartan laws and the state's militaristic policies. Violations of the rules were punished in the most undignified and trivial ways. For instance, celibacy was forbidden, and anyone who violated this prohibition was punished by being forced to walk naked - even in winter - while singing a hymn in which he confessed his breach of the law. Neither Sparta nor the totalitarian regimes that later imitated this model survived, despite their temporary military victories. It was precisely the laws upon which Spartan "society" was built that ultimately hindered its progress and, in the long run, condemned it to extinction.

By contrast, in the city of Pericles - a community of maritime and overland commerce, of silver and marble extraction, of craftsmanship, a stable drachma, and emerging techniques of credit and banking - economic advances were accompanied by cultural development. In Athens of the 7th - 6th centuries BC, physical and military training (which was common across archaic Greece) no longer played a central role. Athenian laws were increasingly concerned with shaping a citizen capable of integrating into a socially disciplined order, establishing the state's obligation to oversee the education of children as a fundamental civic responsibility (Carcea et. al., 2001).

After the *grammatistes* school and the *kitharistes* school, students would proceed to the *palestra*, where they were trained in combat exercises accompanied by moral and political dialogues maintained with teachers or officials who inspected the schools. The more gifted youths continued their education in the renowned gymnasia, for which posterity remains indebted to Athenian culture to this day: Plato's Academy (which operated until 129 BC), Aristotle's Lyceum (*Lykeion*), which was closed by the Roman general Lucius Cornelius Sulla in 86 BC and was rediscovered by archaeologists in January 1997; and, since intellectual education in Athens was not limited to citizens, there was even a gymnasium for *metics* - Cynosarges (*Kynosarges*), where the Cynic philosopher Antisthenes frequently gave his lectures.

The study of laws was part of the obligatory civic education conducted (alongside military training) in the *ephebia* funded by the state. In the Hellenistic period, the *curriculum* of the *ephebic* schools was expanded to include intellectual education through the teachings of great orators and scholars, as well as through access to libraries. This is hardly surprising, considering this was cosmopolitan, flourishing Athens - „which, in two centuries, gave humanity what other nations failed to offer in thousands of years" (Montanelli, 1996) - to which the celebrated actress, performer, and political figure Melina Mercouri paid the most heartfelt tribute through her voice.

The *Mouseion* of Alexandria, built by Ptolemy I Soter (the Savior), one of Alexander the Great's generals, was a gathering place for the most eminent scholars of the time - historians and geographers, mathematicians and astronomers, physicians, poets, and artists. Its great libraries formed a cultural "infrastructure" of inestimable value, serving as the foundation of the city's prestige over other capitals in the territories ruled by the Diadochi of the Macedonian Empire. Scholars and scientists were exempt from public taxes and had no teaching obligations, dedicating themselves entirely to scientific research under royal patronage.

In light of research conducted by contemporary historians, historical sources confirm the practice of legal professions even though no formal law schools existed in Greece prior to the Roman conquest. Thus, the papyri from Oxyrhynchus and Fayoum contain legal texts, edicts, contracts of sale or lease, receipts, and so on - mostly written in Demotic Greek - and represent a reliable source on the basis of which historians have reconstructed the socio-economic life of Ptolemaic Alexandria (Orzaţă, 2023).

In practice, the transmission of legal knowledge occurred through apprenticeship under a master; acquiring professional skills and experience was the result of this mentor-disciple relationship. The systematic study of

legal science and the establishment of organized legal education, however, would be the enduring work and historical merit of the Romans.

Legal education in ancient Rome

The renowned Romanian historian Nicolae Iorga stated that the Romans conquered the world through the power of arms and the power of law; while the Roman Empire has vanished, the legal system conceived by its unmatched jurists and praetors has outlived the state that created it, proving its civilizing virtue, its enduring character, and even its universality. The Romans were not only great builders but also great legislators, possessing a genuine vocation for law, and they "knew how to organize the world conquered by force on legal foundations" (Hamangiu & Nicolau, 2022). The power of Roman law is confirmed not only by its historical and theoretical utility, but also by its practical, educational, and technical instructional value. This „great event of social history (...) and immense treasury of legal experience" (Hamangiu & Nicolau, 2022) represented the matrix of Western legal culture, the hereditary foundation of the Romano-Germanic legal system, and - through the creative edicts of the praetors - was by no means alien to the historical origins of the common law system, as Roman legions also took possession of the province of Britannia! The concepts, classifications, and theoretical structures devised by Roman jurists have provided the legal alphabet still used today by practitioners of civil law, just as we also owe to the Eternal City the organized study of legal science.

The evolution of education in ancient Rome, including legal instruction, cannot be properly understood without a close connection to the dynamics of the Roman state's organization across its various historical periods. From the sacred reverence of a rural community for the traditions of the ancestors (*mos maiorum*) and the formalistic and secretive nature of norms during the monarchical era (753-509 BC), through the secularization of law accompanied by its interpretation by the great Roman jurists and the emergence of the first schools of rhetoric in the Republican period (509–27 BC), we eventually arrive in the Imperial period (27 BC–284 AD), when the state organized education (including oratorical training) following the Hellenistic model.

During the archaic period of the Roman *gentes*, education was carried out under the strict authority of the *pater familias*, who was responsible for transmitting both the written laws and the moral values that cultivated a code of conduct mainly characterized by *virtus* (manliness), *dignitas* (dignity), *constantia* (perseverance), *pietas* (piety), *fidelitas* (faithfulness) and *gravitas* (seriousness). Upon reaching the age of majority and donning the *toga praetexta*,

the young Roman would begin a stage of civic instruction and military training. Afterward, if he came from Rome's elite classes, he would choose a career path - military, legal, or political - and would be entrusted to a military commander, a jurist, or an orator to complete his technical training.

In the earliest times of ancient Rome, laws and all societal regulations were believed to originate from the sacred will of the gods. The science of law was known only to the *pontifices* (*sacerdotes publici*), who guarded in secrecy both the calendar of legally permissible days (*dies fasti*) and the ritual formulas required to initiate and conduct legal proceedings. These priests (who inherited their patrician status by birth) were seen as guardians of the laws and were, in fact, the earliest „advocates" of sacramental law (Pop, 2020). The separation between *ius* (law) and *fas* (religious law or divine will) became increasingly evident as we approach the era of the Law of the Twelve Tables (Guţan, 2013). Drafted by the *decemviri* after consulting the laws of Solon and inscribed on bronze tablets in the Roman Forum in 450 BC, the Law of the Twelve Tables represented a high point in the conflict between the patricians - who were the sole keepers of unwritten law, and the plebeians - who demanded that customary law be written down and made public (Mousourakis, 2016; Sava, n.d).

Even after the law became accessible to all, the *pontifices* continued to guard the secrecy of the judicial calendar and procedural formulas until their disclosure in 305 BC. Gnaeus Flavius, the secretary of Consul Appius Claudius (allegedly at the secret prompting of the latter, according to some sources), published the sacred formulas of legal actions (*legis actiones*), and shortly thereafter, also the days on which legal proceedings were permitted. The revolution brought about by the *ius Flavianum* was completed by Tiberius Coruncanius, the first plebeian pontifex (253 BC), who, according to Pomponius, provided many legal consultations publicly (*publice profiteri*), thus giving the audience the opportunity to learn the law and pass it on. This *novus homo*, whom Cicero described as one of those extraordinary individuals whose greatness seemed to be the result of special Providence, is rightly considered the first Roman law professor to provide public instruction. Indeed, Coruncanius' students were not left merely to acquire knowledge by observing legal cases and hearing or reading their teacher's opinions; rather, they received specific instruction in the general doctrines of law (Smith, 1867). The public practice of law through offering legal advice to citizens and guiding those interested in pursuing a legal career finalized the process of the law's secularization and marked the beginnings of the organized study of law.

During the Republic, the civil and political emancipation of the plebeians coincided with the development of private schools (the so-called *ludi*), where regular educational activities did not begin until the recitation by

heart of the Law of the Twelve Tables. The secularization of the law marked the emergence of a genuine legal science, thanks to the contributions of Roman jurists who, through the interpretation of laws, the practical method of case enumeration, and later even by formulating principles, concepts, and institutions, brought full renown to Roman law. From Cicero we know that the activity of jurists consisted of *respondere* (providing legal opinions), *cavere* (drafting legal documents), and *agere* (representing parties in court). Sextus Aelius Paetus Catus (nicknamed „the Clever") produced an extensive commentary on the Law of the Twelve Tables, later regarded by Roman jurists as the "cradle" (*cunabula*) of the law (Pomponius apud Hamangiu & Nicolau, 2022). Manilius, Publius Mucius Scaevola, and his cousin Quintus Mucius Scaevola (Cicero's mentor), along with Publius Rutilius Rufus, are regarded by classical jurists as the founders of law through their scholarly works. At the doctrinal level, it has been noted that during the Republic, the method of acquiring legal knowledge remained the same as in the time of the pontiffs, though it no longer held a secret character: observation, imitation, and then the integration of acquired knowledge (Pop, 2020). Nevertheless, the jurisconsults of the Republican period focused primarily on the application of the law, being essentially practitioners, and only secondarily theorists; the development of legal concepts aimed at eminently practical goals, not theoretical ones (Guţan, 2013).

After the military victory over Greece (146 BC), the Hellenistic culture brought to Rome by the thousand Greek intellectuals sent by Paulus Emilius had a considerable influence on the educational system. „Greece, conquered, conquered her savage conqueror and brought the arts to rustic Latium" wrote Horace in his *Epistles*, meaning „Defeated, Greece captured the wild victor and brought the arts to rural Latium". The education of the youth from the Roman elite (taught by Greek educators !) followed the Athenian model, with mastering the art of oratory and understanding jurisprudence becoming essential for embracing a political career. Moreover, the contact with the analytical methods practiced by Greek philosophical schools (mainly the Stoics) refined the methods of the jurisconsults, who borrowed Aristotelian reasoning - first applied to law by Q. Mucius Scaevola (Hamangiu & Nicolau, 2022), the systematization through legal categories, the use of analogy, and even some substantive elements.

Legal education was permitted for young Roman men, but not for women, as a result of specific legal prohibitions, social conventions, and cultural mentalities of the era. Physical weakness (*sexus infirmitas*), presumed intellectual inferiority (*imbecilitas sexus*), moral frailty (*levitas animi*), and ignorance of public and legal affairs (*ignorantia rerum forensium*) were the official

justifications for establishing tutorship over women (*tutela mulierum*) in Roman law once they reached the age of 12. However, the real reasons behind this status (also found in Greek law) were far more pragmatic and related to the protection of the inheritance rights of agnatic male relatives.

Using both legal and non-legal sources (literary and epigraphic), the vivid pen of Jane F. Gardner revealed how Roman law affected women in various aspects of their lives - in families, as daughters, wives, and mothers; as heiresses and testators; as property owners and managers; and as workers (Gardner, 2015). Although they were considered "both the source and the end of her own family" (Gardner, 2015), women could not extinguish a debt, alienate property, establish a dowry, initiate legal action, testify in court, or draft a will. Formal legal education was even more strongly forbidden to them, as they were excluded entirely from holding any public office, according to the Roman juristconsult Ulpian: *"Feminae ab omnibus officiis civilibus remotae sunt"* – *Digesta*, 50.17.2

In practice, Roman law, despite its technical sophistication, served as a vehicle for perpetuating gender inequality. *"Women are an inconvenient anomaly in Roman law; they appear almost as an afterthought."* (Gardner, 1995). Legal incapacities were admirably challenged by figures such as Cornelia, the mother of the Gracchi, or Hortensia, daughter of the famous orator Quintus Hortensius Hortalus, who pleaded before a tribunal in the 1st century BC and Livia Drusilla, wife of Augustus, known for her influence in the political and legal affairs of the empire. Moreover, it seems that some elite Roman women (often wives or daughters of famous jurists) acquired informal legal knowledge through observation, even though they were not permitted to apply it officially. In the strength and brilliance of these models, we find a paradoxical explanation for the fact that, ultimately, the position of women in pagan antiquity was higher than the one they came to hold under Christianity (Cantarella, 1986). Just as the name of more frivolous figures—such as Julia, the daughter of Emperor Augustus- is associated with Ovid's immortal *Metamorphoses*, Ovid himself being educated at university level in controversiae, a decemvir judge for a while (Ciucă & Bob-Bocşan, 2023), and achieved fame as a poet exiled to the Black Sea. After legitimate guardianship was abolished in the 1st century AD by the *Lex Claudia*, in the post-classical period female tutelage (Guţan, 2013; Jucan, 2007) became merely a historical memory of outdated constraints and institutions.

The period of the Empire (specifically its first stage, the Principate, 27 BC – 285 AD) meant not only the flourishing of trade and industry as a result of Roman conquests but also the progress of education through the establishment of numerous gymnasiums and the focus on the autonomy of legal studies in relation to rhetoric and civic education. Emperor Octavian Augustus

understood the importance of granting the most experienced jurisconsults the privilege of *ius publice respondendi*, meaning the right to give legal consultations on behalf of the emperor (more precisely, with the personal authority of the emperor) (*ex auctoritate principis*), which contributed to the development of legal science and, no less, to the more organized learning of it. Thus, two schools of jurisconsults emerged, competing for supremacy: the Sabinian school (led by the consul C. Ateius Capito, a supporter of imperial power) and the Proculian school (led by M. Antistius Labeo, loyal to the republican regime). The Sabinians represented the conservative, formalist current, adherents of the casuistic method, while the Proculians supported a more innovative vision, encouraging the systematization of law. Gaius' *Institutions* are a key reference work in this endeavor to organize law for didactic purposes.

In these schools, students paid a fee to the teacher, although Ulpian, for whom the science of law was sacred, considered it beneath the dignity of a jurisconsult to demand remuneration for his scholarly patronage, with a donation from the student being more appropriate. However, it is worth noting that Emperor Vespasian (69-79 AD) was the first to grant state salaries to rhetoric teachers and legal scholars.

The establishment of numerous law schools during the period of the Dominate (after imperial power was taken over by Diocletian) in Rome, Beirut (where the famous Ulpian taught), Alexandria, Caesarea, and Constantinople - marks this stage of an organized state-run legal education. In these schools, students studied the *Responses* of Papinian (the most famous Roman jurisconsult) and Paul, the imperial constitutions, and after Justinian's reform, they delved into the *Code*, *Digests*, *Institutions*, and *Novels*.

Uniquely, they had different appellations depending on the year of study, based on the "curriculum" taught and the works of the studied jurisconsults: first-year students, who studied Gaius' *Institutes*, were called *dupondii*; second-year students (who studied from the *Libri ad Edictum* by Ulpian) were called *edictales*; third-year students (who learned from Papinian's *Responsa*) were called *papianistae*; fourth-year students were called *lytae* (those who resolved legal cases); and fifth-year students were called *prolytae* (more advanced *lytae*) (Hamangiu & Nicolau, 2022.

What stronger recognition of a jurist, a law professor, and the value of the act of teaching can there be ? The question is not merely rhetorical. It becomes relevant for understanding the importance of legal education and the status of a law professor in the history of Roman law and beyond. The recognition of a jurist or a law professor is not only linked to academic status or titles but also to the influence they have in shaping and transmitting legal knowledge.

In the case of Roman law, the recognition of the greatest jurists was not only theoretical but also practical, having a significant impact on the legal system of Rome and the world that followed. The titles and names assigned to students based on their stage of legal studies highlight a well-regulated system of recognition of educational progress, which reflects not only the knowledge acquired but also the prestige and respect earned through study and practice. Furthermore, the fact that these professors were considered authorities in their field and had a real impact on the application of the law, as was the case with Papinian, Ulpian, or Gaius, constitutes proof of the importance of the educational act in the formation and enrichment of a legal system. Additionally, during that time, teaching was not just an act of transmitting knowledge but also a way of directly influencing judicial practice and the understanding of law at the civic level, which enhanced the value of the educational act in a unique way.

Thus, what makes the recognition of a jurist or a law professor so powerful is precisely the connection between education, authority, and the direct impact on the functioning of the state and society.

Conclusions

The ancient roots of legal education are closely tied to the application of the first codes of conduct and moral precepts established by the ancient civilizations of the Near East – the Code of Hammurabi, the Egyptian Teachings of Ptahhotep, or the Analects of Confucius. Greek civilization, and especially the cultural advancements of the Hellenistic period, left us a legacy not only in the logical and abstract systems that exemplified the genius of Homer's successors but also in the renowned Academy of Plato, Aristotle's Lyceum, and Cynosarges. The rhetoric and philosophy schools within Greek society had a significant impact on the educational system and legal thinking in Rome. It is no coincidence that it has been asserted that Roman education „is nothing but an adoption of Hellenistic education to a Latin-speaking environment" (Carcea et. al., 2001).

From this cultural vein, the path of the „uninterrupted conversation"(Patapievici, 2015) which Plato, in the dialogue between Phaedrus and Socrates, considered the only form of memorization, of embedding, of assuming the essential things, remains today an effective key for cultivating intellect and critical thinking. Not by chance, some contemporary philosophers revalue it and even elevate it to the level of an educational principle, being the source of that „*to miotaton* (*το τιμώτατον*)" - „the most precious thing" that must be understood and applied, as Plotinus speaks of in the *Enneads*. Furthermore, the paradigm around which legal education in

Romania should be reconsidered can only be one focused on „the essential things, the most precious, through the transmission, discovery, understanding, and assumption of values and knowledge that truly matter" (Tuleaşcă, 2022).

In Greek society, the transmission of legal knowledge took place through the direct relationship between a master and a disciple. However, the organized study of law and the creation of the great law schools would be the historical contribution of the Romans during the flourishing period of the Empire. Moreover, the value of Roman law for legal culture, for the formation of major legal systems (especially the Romano-Germanic system), and for legal education is invaluable. Legal education in the great medieval universities (such as the Faculty of Law at Bologna, where Justinian's Digest was taught as early as 1088, or at the University of Paris, founded in 1150) coincided with the process of the Renaissance of Roman law, through the extensive work of studying and interpreting it by the glossators. The reception of Roman law in the Germanic, Dutch, and French territories (both at the jurisprudential level and doctrinally by the legal humanist schools) later provided national legislators with the necessary foundations for the major civil codifications in the modern era.

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