

# Domitius Ulpianus (Ulpian)

Domitius Ulpianus was one of the last great Roman law jurists so well respected that when Justinian's law reform commissions, some 300 years later, compiled the Digests (part of Corpus Juris Civilis), 40% was taken from Ulpianus' work and writings.

Thus, on that basis alone, he stands as an important contributor to Roman law, the precursor to civil law. His date of birth is estimated to be 170.

Ulpianus was a contemporary of two other Roman jurists, one being Paulus (or Paul). The two young lawyers worked together in the administration of the older Papinian, a protégé of the Roman Emperor Lucius Severus (145-211).



Ulpianus, in addition to writing prolifically – some 280 books – and much like his mentor Papinian, was later a political aide and confidante to a Roman Emperor, Alexander Severus (208-235).

Ulpian's earlier political life had been lively and included a banishment from Rome, with Paul, by a previous emperor Elagabalus (203-222). But by 222, Ulpian had achieved the rank of chief justice in the Roman empire, Praefectus Praetorio.

Ulpianus' most famous legal writings were *Ad edictum libri 81* and *Ad Sabinum* (the latter, a 51-book set).

These works are mostly encyclopedic in nature but the mention and exposition of basic human rights often leads legal historians to refer to Ulpian as a pioneer of human rights.

Oddly enough, in spite of their close working conditions, Ulpian does not cite Paul as Paul never cites Ulpian in his legal works.

During the course of his judicial work for Alexander, one of his decisions antagonized the Emperor's body guards (Praetorian Guard). In the result, Ulpianus was soon the mysterious victim of a riot (223).

His legacy of legal writings grew after his death.

Theodosius II, by the Law of Citations of AD 426, declared that a judge should decide according to the majority of five named "great Roman law jurists", one of which was Ulpianus (another Gaius and, especially, Papinian).

The 533 AD Digest, forming part of Justinian's Institutes, included mostly verbatim from earlier works of Ulpianus - more than any other Roman jurists and twice as much as Paul - with full credit given, such as: "There is no doubt that a man can sell something belonging to another. The thing is indeed bought and sold, but it can be taken away from the buyer."

Ulpianus was also a contributor to the more important Institutes, although not to the extent of Gaius. One of his more famous quotes:

"No injustice is done to someone who wants that thing done."