

THE INSTITUTE FOR ANACYCLOSIS

EXCERPT FROM  
DIGEST OF JUSTINIAN  
BY SEXTUS POMPONIUS

530 A.D.

*Note: This text, focusing on the account of the jurist Pomponius contained in the Pandects of Justinian, also known as Justinian's Digest, extracts a description of Roman legal history which describes a diffusion and reconcentration of political power over the course of Roman history loosely correlating with the one-few-many-few-one base sequence of Anacyclosis. This one-few-many-few-one base sequence is an innovation upon the base sequence of one-few-many-one contained in the classical Polybian model of Anacyclosis. The "palindrome sequence" of one-few-many-few-one is expressed through the revised version of Anacyclosis developed by The Institute which, among other things, improves upon Polybius' original version by introducing the phase of plutocracy between democracy and demagarchy. This text is drawn from the Enchiridion of Pomponius, who was a jurist in the 2nd century A.D.*

Book I.

Tit. 2. Concerning the origin of law and of all magistrates, together with a succession of jurists.

...

2. Pomponius, Enchiridion.

It, therefore, seems necessary to explain the origin of the law itself, as well as its subsequent development.

(1) In fact, at the beginning of our State the people undertook to act at first without any certain statutes or positive law, and all government was conducted by the authority of the Kings.

...

(3) The kings having afterwards been expelled by a Tribunitian enactment, all these laws became obsolete, and the Roman people again began to be governed by uncertain laws and customs, rather than by statutes regularly passed, and this state of affairs thus endured for almost twenty years.

...

(8) Then, there being in use in the State the Law of the Twelve Tables, the Civil Law, and that of Statutory Actions, the result was that the *plebs* disagreed with the fathers, and seceded, and enacted laws for itself, which laws are called Plebiscites. Afterwards, when the *plebs* was recalled because much discord arose on account of these plebiscites, it was established by the *Lex Hortensia* that they should be observed as laws, and in consequence of this the distinction between the plebiscites and the other laws existed in the manner of their establishment, but their force and effect were the same.

(9) Then, because it was difficult for the *plebs* any longer to assemble, and much more so for the entire body of the people to be collected in such a crowd of persons; necessity caused the government of the

commonwealth to be committed to the Senate. Thus the Senate began to take an active part in legislation, and whatever it decreed was observed, and this law was called a *Senatus-Consultum*.

...

(11) Finally as it became necessary for the commonwealth that the public welfare should be attended to by one person, for the mode of enacting laws seemed to have progressed little by little as occasion demanded; and since the Senate could not properly direct the affairs of all the provinces, a supreme ruler was selected, and he was given authority, so that whatever he decided should be considered valid.

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