

Ancient and Medieval Maxims

2 free books and a scroll was perfection could you please find a few from days of very old that that above the others concerning name, identity and or status, I will read the freebies but i do not have time now that's why I'm requesting your assistance if you find one or two that could be very helpful

The following ancient and medieval maxims address concepts of name, identity, and status, primarily from Roman law and early English common law, generally predating Coke:

From Roman Law & Medieval Tradition

These maxims were widely known and applied long before Coke's time:

1.

- **Meaning:** "A name is as it were the note or mark of a thing."
- **Origin:** This principle is similar to *Nomina sunt nota rerum* and reflects a medieval understanding, often found in glossators' comments on Roman law and early legal dictionaries. It reinforces the idea that names are identifiers.

2. "Status est qualitas, qua homo a bonis separatur, vel a caeteris hominibus differt."

- **Meaning:** "Status is a quality by which a person is separated from his goods, or differs from other persons."
- **Origin:** This comes from Roman law (Justinian's *Digest* and *Institutes*) and defines "status" as a fundamental element of a

person's legal identity, distinguishing them in terms of rights and responsibilities (e.g., free vs. slave, citizen vs. foreigner). The concept of *status* was crucial and predates English common law.

From Legal Commentators & Philosophers

These phrases reflect the underlying principles that influenced legal thought:

3. "Nomina si nescis, perit cognitio rerum."

- **Meaning:** "If you do not know the names, the knowledge of things perishes."
- **Origin:** This sentiment is a classical philosophical and logical principle, not strictly a *legal* maxim, often attributed to figures like Linnaeus or scholastic philosophers who were drawing on classical thought. It highlights the fundamental importance of nomenclature for understanding reality.

4. "Nomen non sufficit."

- **Meaning:** "The name is not enough."
- **Origin:** Found in medieval and later legal commentaries, this maxim emphasizes that a mere name, without accompanying circumstances or clear identification, is insufficient in legal contexts. Specific details are required alongside the name.

These maxims showcase the long-standing recognition in legal history that names and identity are crucial for certainty, distinction, and the proper administration of justice.

Here are a few maxims from ancient times concerning name, identity, and status that predate Sir Edward Coke (c. 1552–1634), along with their approximate origins where possible.

1. "Nomen est quasi rei notamen"

- **Meaning:** "A name is, as it were, the note (or distinctive sign/signifier) of a thing."
- **Origin:** This maxim expresses the same core concept as "Nomina sunt nota rerum" and is often found in older legal dictionaries and texts. It is generally considered a *medieval* legal maxim, well established by the time of Coke, who also used this specific formulation. It reflects a long-standing understanding in law that a name serves as an essential descriptor for legal clarity.

2. "Status est homo cum statu quodam consideratus"

- **Meaning:** "Status is a man considered with a certain condition/legal capacity." (A person's legal standing is determined by their condition.)
- **Origin:** This is a core definition from **Roman Law**, found in the works of jurists whose writings formed the basis of Justinian's *Digest* and *Institutes* (compiled c. 535 AD). The entire Roman law system was deeply rooted in the concept of *status* (*libertatis, civitatis, familiae* - freedom, citizenship, family position), which defined a person's legal identity and rights. This principle is foundational to Western legal systems concerning legal identity and capacity.

3. "Pater est quem nuptiae demonstrant"

- **Meaning:** "The father is he whom the marriage points out (indicates)."
- **Origin:** This is a classic maxim of **Roman Law**, found in the *Digest* of Justinian. It establishes a strong, though rebuttable, presumption of paternity based on a valid marriage, which was crucial for determining a child's legal *status*, inheritance rights, and identity within a family and society. It is an excellent example of how the law uses a specific relationship (marriage) to legally define an identity (father/child).

4. "Nomina si nescis, perit cognitio rerum"

- **Meaning:** "If you know not the names of things, the knowledge of things perishes."
- **Origin:** This is a much older, more general philosophical and logical maxim, predating the medieval legal usage of the others. It has been attributed to the grammarian and philosopher Priscian (c. 500 AD) and is also related to the works of Plato and Aristotle concerning the nature of names. It underscores the fundamental importance of nomenclature for all understanding, a principle the legal system adopted to emphasize the need for precision.