



In the most ancient period, the undividedly dominant legal system was the Quirite law. It was distinguished by a sacred character, a high degree of tradition, and a connection with the Quirite customs and rituals, which were reflected in the Laws of the XII tables. Civil law bore traces of its origin in a small agricultural state. It applied only to persons with Roman citizenship and was considered a special privilege of the Roman citizen. Roman law of the most ancient period was distinguished by its rigor and formalism. Particular attention was paid to the settlement of relations related to the movement of property and the right of private property, which was considered as complete domination of the owner over the object of law. However, the community for a long time retained the right of supreme control over the disposal of land and other economically important property, which had a family character.

By the III century. BC. inherently conservative civil law began to turn into a certain obstacle to the growth of trade turnover and came into conflict with the needs of the developing slave system. However, the Romans did not abolish the Laws of the XII Tables, adding to the legislation a more flexible praetor law. In today's age of high technologies and information, very rapid changes in legislation, the topic of the continuity of legislation is very relevant. The experience gained in ancient times in other countries is becoming an integral part of modern legislation.

Modern civil legislation cannot exist without Roman law, since at its root it contains the norms of the legislation of ancient Rome.

Among the reasons for the emergence of obligations, a prominent place is occupied by torts. Delict is an illegal act, an offense. Depending on the consequences associated with tort, they were divided in Roman law into public and private tort.

Monetary fines, for the collection of which these claims were directed, were received by the victim and collected in accordance with the general procedure established for resolving property disputes. In the same manner, cases were considered for those torts that in ancient times entailed corporal punishment. The tort was based on the institution of private revenge: the identity of the criminal was an object for revenge, and the content of the crime was indifferent - inflicting wounds, personal insult, causing property damage. In this form, the concept of responsibility (haftung) of one person to another first appeared. But this is not yet an obligation: there is responsibility (haftung), but not yet duty (schuld). Gradually, however, the state begins to intervene in this area and initially

restricts revenge; instead of it, private (that is, going in favor of the offended) fines are established. And from that moment on, the legal state of obligation arises. But failure to fulfill this obligation will carry the consequences of revenge for a long time. Fines, first of all, were applied in relation to lighter torts, which is why the norms on relations from tort are of a mixed, transitional nature, which is what marks the oldest Roman law - the law of the laws of the Twelve Tables, in which, in particular, the principle of talion was enshrined ... So, in the laws of the Twelve Tables, three particular offenses were identified, which together formed the basis of the Roman legal institution of tort: theft (*furtum*), destruction or damage of other people's things (*damnum injuria datum*), encroachment on the person (*injuria*). All this was taken as a basis, as a result of which the institution of tort law was formed.