

Censorial note as an instrument of regulation on the borderline of Roman public and private law

The censor's office had a huge political significance in Republican Rome. Its competences included a number of tasks related to the census of citizens, drawing up lists of senators or the elite centuries of the knights. Censors were also responsible for leasing private income and expenses to private entities. The most interesting part of their activity was to supervise public morality. They had the right to punish the citizen with a censorial note for behavior contrary to the customs of the forefathers (*mores maiorum*). The effect of such a note was social degradation. The source texts concerning the application of notes are anecdotal, usually they refer to individual cases. Therefore, in the study of Roman law they were perceived as of little use. Research on private law in the Republican period has so far focused on the *ius civile* and the *ius honorarium* that strongly influenced it. Careful analysis of these source texts, however, leads to the conclusion that the activities of the censors may have often affected private law, sometimes allowing someone to be held accountable when there was no other option. The adoption of such a research perspective allows us to look differently at the development of private law and draw new conclusions concerning many of its institutions, especially in the area of family law and obligations.