This social history of Byzantine law offers an introduction to one of the world’s richest yet hitherto understudied legal traditions. In the first study of its kind, Chitwood explores and reinterprets the seminal legal-historical events of the Byzantine Empire under the Macedonian dynasty, including the re-appropriation and refashioning of the Justinianic legal corpus and the founding of a law school in Constantinople. During this last phase of Byzantine secular law, momentous changes in law and legal culture were underway: the patronage of the elite was reflected in the legal system; theological terms from Orthodox Christianity entered the vocabulary of Byzantine jurisprudence; and private legal collections of uncertain origins began to circulate in manuscripts alongside official redactions of Justinianic law. By using the heuristic device of exploring legal culture, this book examines the interplay in law between the Roman political heritage, Orthodox Christianity and Hellenic culture.

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BYZANTINE LEGAL CULTURE AND THE ROMAN LEGAL TRADITION, 867–1056

ZACHARY CHITWOOD
In Loving Memory of My Father, Gregory Bryant Chitwood
(1954–2010)
Cesare fui e son Iustiniano
che, per voler del primo amor ch’i’ sento,
d’entro le leggi trassi il troppo e ’l vano.
I was Caesar and am Justinian
Who, by the will of the first love which I feel,
Removed the superfluous and vain from the law.
Dante, Paradiso, Canto VI, lines 10–12
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Over the last four years I have had the honor of working within the venerable tradition of German Byzantine and Medieval Studies as a postdoctoral scholar on the European Research Council Project “Foundations in medieval societies: Cross-cultural comparisons,” hosted by the...
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Note on Naming, Translation and Transliteration

The spelling of names in this study follows that of the *Oxford Dictionary of Byzantium*. Transliteration from Medieval Greek to the Roman alphabet is done according to the method prescribed by the Library of Congress. As in the *Oxford Dictionary of Byzantium*, names with a well-established anglicization are presented in their anglicized rather than transliterated form, so Constantine instead of Kōnstantinos, John instead of Iōhannēs, etc. In the interest of readability I completely avoid diacritical marks in the text (no ē for the letter eta, ō for omega, etc.). Given that in the Middle Byzantine administration as well as in Middle Byzantine law there were a great many terms borrowed from Latin, at some points in this study it has proved simpler to use the original Latin term rather than the Greek equivalent, not least of all because these Hellenisms often varied considerably, as the bilingual Greek–Latin lexica from the period demonstrate.

By and large I have attempted to keep quotations in Greek and other ancient and medieval languages confined to footnotes. All Greek words in the main text are transliterated for the benefit of the non-specialist. All translations in the text are my own unless otherwise noted.

For the bibliography I have transliterated Modern Greek and Russian names according to the Library of Congress system while keeping the titles of such authors’ work in the original language.
Abbreviations

The use of abbreviations in this work conforms for the most part to their forms found in the ODB, vol. I, pp. xix–xlv. Abbreviations for journals are where possible those used in L anni e philologique.

APF Archiv für Papyrologie und verwandte Gebiete
BMGS Byzantine and Modern Greek Studies
ByzF Byzantinische Forschungen
ByzSlav Byzantinoslavica
ByzZ Byzantinische Zeitschrift
CArch Cahiers archéologiques
CFHB Corpus fontium historiae byzantinae
CSHB Corpus scriptorum historiae byzantinae
DOP Dumbarton Oaks Papers
EEBS Επετηρίς Εταιρείας Βυζαντινών Σπουδών
FM Fontes Minores
GRBS Greek, Roman and Byzantine Studies
JEH Journal of Ecclesiastical History
JGR Jus graecoromanum
JHS The Journal of Hellenic Studies
JÖByz Jahrbuch der österreichischen Byzantinistik
MGH Monumenta Germaniae historica
NG Nomos Georgikos
NM Nomos Mosaikos
NN Nomos Nautikos
NS Nomos Stratiotikos
Nov. Novels of Justinian. CIC, vol. III
PG Patrologia Graeca
Abbreviations


REByz  Revue des études byzantines


RJ  Rechtshistorisches Journal

SG  Subseciva Groningana

TIB  Tabula Imperii byzantini, ed. H. Hunger. Vienna, 1976–.

Tijdschrift  Tijdschrift voor rechtsgeschiedenis

TM  Travaux et mémoires/Centre de recherche d'histoire et civilisation de Byzance

ZRVI  Zbornik Radova Vizantološkog Instituta

ZRG  Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Romanistische Abteilung