

Index

- abduction (*raptus*), 49, 172, 181, 255–6
 Abundantius, Praetorian Prefect, 87, 143
 accusation, 49, 108, 121, 134, 253, 263
 false, 26, 137
actio, 75
 Adeodatus, 125, 137, 138
 Adila (*comes*), 105
 Adrianople, battle of, 2
 Adriatic, 206
adscriptii, 168 n. 44, 220
 adultery, 49, 51, 77, 162, 177,
 186–8, 260 n. 56
advenae, 97. *See* travelers
adventus, 40
 Aestunae, 113
 Aetheria, 127, 196
 Africa, 2, 64
 Agapitus (Urban Prefect), 109
 age, legal significance of, 194, 274 n. 123; *see also*
 children
aggagula, 190, 191, 265
agri deserti, 98
 Alaric I, Visigothic King, 2
 Alaric II, Visigothic King, 64, 193
 Breviary (*LRV*), 64
 Albinus (Senator), 89, 144, 154
 Alemans, 8
 allotment (*sors*), 223, 224; *see also* taxation
 Amabilis (*comes*), 105, 206 n. 7
 Amalaric, Visigothic King, 5
 Amalasantha, Ostrogothic Queen, 8
 Amals (Ostrogothic dynasty), 4, 42 n. 70; *see also*
 Theoderic the Great
 Ambrose, St., Bishop of Milan, 272 n. 113
 Amiternum, 135
 Ammianus Marcellinus, 6, 123, 151
 amnesty, 136, 142–3
 Ampelius, 236
 amphitheaters, theaters, 10, 41, 51, 213; *see also*
 entertainment
 Anastasius, Emperor, 12 n. 33
ancillae. *See* slaves
 Anduit, 106, 156, 163, 164
 animals, 49
 damage caused by, 238–9
 economic significance of, 237–8
 killing of, 238, 266–7, 267 n. 87
 misuse of, 51, 72–3, 238
 theft of, 49, 51, 70–3, 210–11, 238, 266–7
 Annas (*comes*), 105, 216
annona, 181 n. 102, 237
 Anonymous Valesianus, 5, 10–11
 Anser (Serchio) river, 87; *see also* rivers
 Anthemius, Emperor, 61, 174
 Antoninus Pius, Emperor, 65
 apostasy, apostates, 55, 90
apparitor, 121
 appeals system, 49, 107, 119, 132–4
 Apulia, 208
 aqueducts, 51, 116, 228
 Aquitaine, 22
arca. *See* boundary markers
 Arcadius, Emperor, 150, 179, 229, 234
 archaeology, 9, 239
 Archotamia, 127
 Argolicus (Urban Prefect), 108
 Arianism, Arians (Christian sect), 10–11
 aristocracy, 22, 153
 military, 70, 253 n. 22
 Roman, 29, 108, 253 n. 22; *see also* nobility,
 nobles
aristoi, 70; *see also* aristocracy; nobility, nobles
 Arius, 11
 Arles, 186
 army. *See* military
 Arno river, 87; *see also* rivers
 arrest, 67, 135; *see also* imprisonment
 arson, 49, 134, 139, 216–17, 272, 278
 Artemidorus (Urban Prefect), 108
 assessment. *See* taxation
assessores, 58, 125, 128, 145, 147; *see also* judges;
 lawsuits

- asylum, 38–9, 88–9, 136, 270–1, 286; *see also* sanctuary
 Athalaric, Ostrogothic King, 8, 99, 117, 118, 119, 162
 Edict of, 29, 46–7, 99
 Attila, King of the Huns, 4
 Augustine, St., Bishop of Hippo, 2, 92
 City of God, 2
 Augustus, Emperor, 7, 77, 148
 marriage legislation of, 176–7
 Avilf (*saio*), 228
 Avitus, Emperor, 22
 Balkans, 4
 barbarians, 1
 invasion of, 1–3, 8, 16
 settlement of, 17, 221–5; *see also* Goths;
 hospitalitas
barbarus, definition of, 41–3
 Basilus (Senator, accused of sorcery), 108, 135
 Basilus, Praetorian Prefect, 25
 baths, 121, 213
belagines (Gothic law), 30
 Belisarius (East Roman general), 8, 12, 33, 83
 Benevento, 9
 betrothal, 50, 179, 277
 bigamy, 176, 179
 Bishops, 5
 and liability, 88–9
 as executive officers, 32
 jurisdiction of, 116–18; *see also* Church;
 episcopalis audientia
 Boethius, 12, 42, 67, 89, 136, 138, 144
 Consolation of Philosophy, 136
 trial of, 153–4
bona materna, 195–6; *see also* inheritance
boni homines, 78, 145–6
 boundary markers, 50, 51, 280
 destruction of, 68, 69, 233
 disputes concerning, 223, 232
 Britain, 2, 3
 Brown, Peter, 16
 Brunner, Heinrich, 56
 Bruttium, 137, 210
 Burgundians, 3, 16, 19, 193
 laws of, 42, 171
 Busta Gallorum, 8
 Butila (Gothic priest), 222–3
 Byzantium/Byzantine. *See* Constantinople

caduca, 85, 201
 Caelianus (Senator), 108
 Caesarius, Bishop of Arles, 186
calumnia, 273
 Calventia (Calvenzeno), 67
 Campania, 206
 Candax, 161

capillati, 35–7, 72, 123, 291
caput, 151, 249 n. 3
 Cassiodorus, 11–13, 20, 24, 25, 32, 37–8, 39, 40, 44,
 102, 241
 Variae, 11–13, 102
 Cassius Dio, 217
castella, 239; *see also* militarization
 Catana, 51
 Catholicism, Catholics. *See* Church
cautiones, 87, 225, 285 n. 173; *see also* debt, debtors
centitores, 229; *see also* taxation
census. *See* manumission
 chancellery, 202
 charters, 126
 children, 179
 acquisitions/alienation by, 192
 emancipation of, 194
 illegitimate, 179, 180
 killing of, 176, 194
 King's concern for, 178, 195
 legitimate, 183–4
 marriage of, 193
 of mixed-status unions, 170, 171
 sale, etc. of, 50, 52, 159–60, 184, 194–5, 277; *see*
 also enslavement; inheritance; parents;
 relatives
 Chilperic, Frankish King, 127
 Chrysopolis, battle of, 149
 Church, 10
 alienation of property, 224
 and taxation, 226–7
 councils of, 38–9
 jurisdiction by/over those in service, 116–18
 King and, 10, 105
 circus, 10, 11, 41
 factions, 284 n. 166; *see also* entertainment
 cities, 9, 104, 114, 115, 212, 242; *see also* urban life
 citizenship, 56–7, 157
 civil service (*militia Romana*), 12, 101, 103, 112, 141
 civil wars, 3. *See* Roman Empire
civilitas, 12, 47, 99, 229, 241
civitas, 105. *See* cities
 clergy, 106
 jurisdiction of, 106, 117–18
 misconduct of, 144, 216, 283
 privileges of, 216
Codex Euricianus (*CE*), 27–8
Codex Gregorianus (*CG*), 61, 64, 79
Codex Hermogenianus (*CH*), 61, 62, 79
coemptio, coemptiones, 208, 227, 237; *see also*
 taxation
cognitio extra ordinem, 74–5
cognitor, 132, 134, 265 n. 83
 coinage, 209
 adulteration, counterfeiting, etc. of, 208–9,
 276; *see also* currency; money

- Collatio Legum Mosaicarum et Romanarum*, 64
 colonate, 98, 220–1; *see also* taxation
coloni, 50, 68, 167–8, 220
 restrictions on, 96–9
 Colosseum, 34
 Colosseus (*comes*), 103
comes, comites, 102–3, 104–6
 archiatrorum, 116
 civitatis, 111
 formarum urbis, 116
 rei privatae, 115
 sacrarium largitonum, 115
 secundi ordinis, 111
comitatus, 37, 110, 210, 229
 commerce, 209–12, 242, 292; *see also* trade
 Como, 137
comparatio, 237
 compositions (compensation, fines), 50
 and slave offenses, 82, 169
 consequences for non-payment of, 160, 207
 expressed in pounds of gold, 34, 90, 117, 132, 133, 265, 283
 expressed in terms of injured interest, 31, 71, 72, 72, 75, 82, 230
 in monetary terms, 207
conciliatrix, 190, 191
 concubines, 162, 176
 confiscation, 34. *See* forfeiture, as punishment
coniugium. *See* marriage
consiliarius, 107
 Consilium, 160
Consistorium, 154
 Constantine, Emperor, 55, 66, 68, 70, 83, 84, 86, 132, 139, 149, 166, 184, 187, 189, 199, 202
 Constantinople, 4, 11, 29, 30, 43, 56, 62, 77
 relations with, 4–5, 7, 154
 wars with, 8, 208
 Constantius II, Emperor, 44, 170, 185
Constitutio Antoniniana, 57
 contracts, 14, 48, 50, 58, 59–60, 90, 162, 220, 225
contubernium, 171
 contumacy, 35, 50, 122–3, 250, 291
 corporal punishment, 32, 34, 50, 97, 121, 138, 139, 169, 268 n. 95, 272, 274, 276
 corruption, 123–4
 governmental, 14, 206, 228–9, 237, 292
 judicial 6, 132–4, 148–54
 Costula, 156
 counterfeiting. *See* coinage
 countryside, 53, 99, 160, 185, 204, 218, 221
 courts, 77
 criminal, 77
 ecclesiastical, 116–18
 fiscal, 115
 military, 118–19
 organization of, 102, 104, 105–6, 107–8, 110–12, 113, 115–16
 royal, 105
 credit, creditors, 31–2, 73, 86–8, 168, 195, 208, 220–1, 277, 285, 286
crimina, 48–51
 Crispianus, 161, 187
 crown estates, 49, 234, 235
 disputes involving, 115, 201, 256 n. 40; *see also* fisc
 crucifixion. *See* execution, methods of
curator (guardian), 254 n. 29
curia, 114–15, 257
curiales, 114, 257
 burdens of, 27, 114
 functions of, 112–13, 263–4
 currency, 207–9
cursus publicus, 51, 228
 custom(s) (*ius, iura*), 47, 53, 54, 56, 60, 294
 Cyprian (Roman official), 103
 Dalmatia, 5, 105
 Danube river, 4; *see also* rivers
 Dark Ages, 18
 debt, debtors, 31, 86–8, 160–1, 207–8, 220–1, 286, 287, 288
 public, 49, 88, 132, 136, 270–1, 286
decennialia, 11, 13, 40, 41, 213
 Decius (Senator), 108
decretum, 251 n. 14
 decurions, 25–7, 99, 112, 113, 114; *see also* *curiales*
defensor civitatis, 111–13, 203, 263
delatores. *See* informers
delicta, 48–50, 134
 delivery, and sale, 59, 60
 deportation, 65–7, 69
 deterrence, 90, 108, 130, 136, 137, 139
 Dicineus, 30, 36
 Dio Chrysostom, 35
 Diocletian, Emperor, 16, 28, 57, 81, 180, 220
 Edict of Prices, 28
discussores, 291 n. 201
 disease, 8, 9, 216, 217–18
 disinheritance, 192–3
 dispute settlement, 14
 divination, 90–2, 281
 divorce, 49, 175, 176, 177, 188–92, 264–5
 doctors, 109–10, 116, 218
 documents, 45, 145, 202, 225
 as evidence in court, 126–7
 authentication of, 127
 forgery of, 66–7, 208, 276; *see also* *gesta municipalia*
dokimoi, 70, 253 n. 22; *see also* nobility, nobles
dolus, 66
domestici patres equitum et peditum, 209

domini, 26, 49, 98, 165–6, 220, 221
 and *coloni*, 96–8, 220–1
 and freedmen, 65, 172–3
 and slaves, 38–9
 legal privileges of, 129, 168, 218–20
 liability of, 68–9, 81–3, 89–90, 140, 169, 273,
 278, 281, 284, 287
dominium, 95, 158, 196; *see also* ownership
donatio nuptialis, 179
 donations, 22, 59, 115, 125, 202–3, 263–4
 Donatism, Donatists (Christian sect), 90
 Dopsch, Alfons, 17
dos (dowry), 179, 187, 189, 196
 drought, 206 n. 7, 218
 Duda (*saiō*), 104, 153, 215
 Dumerit (*saiō*), 104
duumviri, 112, 113, 154, 203, 263 n. 74,
 264 n. 75; *see also* *curiales*
dux, *duces*, 119, 147
 East, East Roman Empire. *See* Constantinople
 Easter, 50, 293
 amnesty to coincide with, 136–7
 edict(s) (*edictum*, *edicta*), 5, 28–9
Edictum Theoderici (ET). *See* Theoderic the Great
 education, 19, 126
 Egidius, Bishop of Rheims, 127
 emancipation, 158, 173
 of children, 194
 embezzlement (*peculates*), 51, 143, 150; *see also*
 corruption
 Ennodius, Bishop of Pavia, 24, 119–20, 212
 enslavement, 156, 159–62, 163–4, 274, 278
 entertainment, 10, 11, 40, 51, 114, 213
 Epaune, Council of, 39
 Epiphanius, Bishop of Pavia, 162
episcopalis audientia, 116–18
Epitome Gai, 64
 Ereliuva, mother of Theoderic, 117
 Euric, Visigothic King, 28
 Eutharic, consul, 32
 Eutychnianus, Praetorian Prefect, 179
evectioes, 107
 evidence. *See* documents, lawsuits, testimony,
 witnesses
 Exarch, 103
 excommunication, 39, 186
 execution, methods of, 66, 68, 70
 exile, 47, 50, 67
 extrajudicial action (self-help), 31–2, 80, 86, 161,
 187–8, 229–31, 233, 251, 254
falsum, 260 n. 59
familiarii. *See* slaves
 family, 175–6
 royal, 4
 famine, 5, 8, 105, 206 n. 7, 218, 228

Farmer's Law, 55
 Faustus, Praetorian Prefect, 40, 104, 120, 142, 208,
 226, 231, 251 n. 10, 262 n. 65
 Faventia, 104
favor libertatis, 25; *see also* emancipation
 Felix (*consiliarius*), 107
 Ferrocinctus (*apparitor*), 142
 Festus, Quaestor, 119–20
 fines. *See* compositions
 Firminus, Praetorian Prefect, 95
 fisc, 26, 49, 85, 230, 231, 257, 265, 270, 275, 280,
 282, 283, 292
 administration of, 115
 disputes involving, 201, 256–7; *see also* crown
 estates; taxation
fiscus Gothorum, 226
 flogging. *See* corporal punishment
foederati, *foedus*, 3
 forfeiture, as punishment, 31, 34, 69, 87, 92, 140,
 163, 187, 192, 196, 198, 230, 233, 234–5, 256,
 258, 267, 274, 280, 282, 288
 forgery, 22, 49, 51, 65–7, 127, 140, 198, 199,
 258, 261
 formal procedure, 74
 Franks, 7, 16, 19
 fraud, 51, 66, 89, 111, 165, 202, 208, 209, 229, 237,
 246, 262, 276 n. 133
 freedom, 95
 as reward, 172–3
 conditions of, 157–8
 degrees of, 156, 166–8, 174
 Fridibad, Governor of Suavia, 72
 Frontosus, 143
fructus, 251 n. 12
 Fruirarith (*saiō*), 104
 Gaius (jurist), 76, 198
Institutes, 76
 Gaudentius, 89, 136
 Gaudenzi, Augusto, 37
 Gaul, 2, 3, 22, 38, 39, 104, 105, 185, 242
 Gelasius I, Pope, 42, 117, 118
 Gemellus (Senator), 128, 159, 196
 Genoa, 32, 46, 233
 Germanization, 17
gesta municipalia, 112–13, 125, 166, 199, 271
 Gibbon, Edward, 15, 16, 194
 gifts. *See* donations
 Gildas, 151
 Gildilas (*comes*), 142, 229
 Goffart, Walter, 17, 221, 222, 223, 224
 gold, 133, 144, 150, 207, 208, 215, 216, 219, 225,
 276, 283, 284 n. 166, 293
 Gordian, Emperor, 80
 Gospels, 129
 swearing upon, 127–9

- Gothic Bible, 10
 Gothic language, 10
 Gothic law (*belagines*), 30
 Gothic War, 8–9, 206
 Goths, 3, 4
 settlement of. *See* barbarians; *see also*
 Ostrogoths; Visigoths
 Goths and Romans, 10
 division of land between. *See* allotment (*sors*)
 relations between, 10, 100
 separate legal regimes of, 105–7
 government, 3
 imperial/Roman, 3, 53, 103, 150
 municipal, 111–15
 Ostrogothic, 11, 102, 103, 111
 Governors, 102, 110–11
 decline in number of, 102
gratia, 148; *see also* corruption; judges
 Gratian, Emperor, 86, 133, 150, 183
 graves, 215
 damage to, 215
 destruction of, 281
 robbing of, 215–16, 282 n. 157
 Gregory, Bishop of Tours, 127, 151
 Gregory, St., the Great, Pope, 159, 185, 225, 237;
 see also papacy, popes
 Grenoda (*saio*), 104
 Grimoda (*saio*), 142
 guarantors, 135, 253, 288
 guardianship, guardians, 104
 of children, 195, 254
 royal (*tuitio*), 104, 109, 195
 Gudila, 156, 163
 guildsmen, 26, 27, 270
 Gundobad, Burgundian King, 162, 163
 Hadrian, Emperor, 7, 61, 71, 72
harioli, 91, 92, 281
 heresy, heretics, 10–11, 86; *see also* Arianism,
 Arians (Christian sect); Donatism, Donatists
 (Christian sect); Manichaeism, Manicheans
 (Christian sect)
 Heruli, 113
 holy men, 16
 homicide, 49, 67, 80, 185, 254, 279
 homosexuality, 68, 70, 77, 138
honestiores, 139–40, 156–7, 174–5; *see also* nobility,
 nobles; patronage, patrons
 Honorius, Emperor, 2, 90, 150, 179, 202, 221, 234
 horses, 71, 72, 207, 209, 238, 245, 266; *see also*
 curtus publicus
hospitalitas, 222, 224
humiliores/viliores, 139–40, 156–7, 174–5
 Hunulf, brother of Odovacer, 6
 ignorance, 48
 and judiciary, 110, 147
 of law, 48, 118
 Illyricum, 112
 imprisonment, 67
 pre-trial, 135, 144, 253
 unlawful, 132, 134, 265; *see also* prisoners,
 prisons
 incest, 179–81
infamia, 90
 infanticide, 175–6, 194
 informers (*delatores*)-18, 49, 85–6, 259 n. 53
 inheritance, 14, 49, 113, 126, 178, 189, 194, 195–7,
 200–1, 259
inscriptio, 121, 134, 253
 interest, 87, 288
interpretationes, 64, 225, 231
 intestacy, 49, 117, 158, 197, 200–1, 256, 257, 259; *see*
 also testaments
invasio, 25, 33, 229–32, 233, 262
 Isidore, Bishop of Seville, 28
 Isonzo river, 5; *see also* rivers
 Istria, 5
iudex, iudices. *See* judges
iudicium quinquevirale, 108
iudicum, 74
iurators (oath-takers), 131
ius, iura. *See* custom(s) (*ius, iura*)
 Jews, 206, 233–4
 and Christians, 16, 32 n. 35, 68, 187 n. 121
 tolerance towards, 32–3, 50, 216–17, 290
 John of Antioch, 6
 John, Governor of Campania, 30, 40
 Jordanes, 4, 24, 30, 35–6, 42
 Getica, 4
 Jovinus (curial), 67
 judges, 48
 corruption, negligence, ignorance, etc. of, 48,
 66–7, 134, 147–54, 249–50, 265, 283
 discretion of, 66–7
 jurisdiction/types of, 110–19
 role of in hearings, 131, 250; *see also* lawsuits
 judgments, 131
 enforcement of, 141–6, 271
 false, 249
 recording of, 131, 250, 269 n. 96
 Julian, Emperor, 55, 235
 Jura, 186
 jurisprudence, jurists, 11, 54, 55, 57–60, 61
 justice, 146
 and King, 9, 10, 11, 30, 101, 146, 153–5, 242
 and law (*civilitas*), 12, 229
 Justin, Emperor, 126 n. 106
 Justinian, Emperor, 1, 8, 25, 60, 62, 76, 128, 152,
 167, 185, 192, 195, 224
 Codex (CJ), 25, 61, 62

- Justinian, Emperor (cont.)
Corpus Iuris Civilis (CJC), 54, 60
Digest (Dig.), 44, 62, 76–7
Institutes, 44
Pragmatic Sanction, 152–3
- Juvenalia, 123
- kidnapping (*plagium*), 48, 51, 68, 81, 161, 163, 273, 274
- killing
 in self-defense, 80, 254
 of animals, 238, 266–7, 267 n. 87
 of children. *See* children
 of slaves, 168, 171, 293
- kinship, 19
- L'Aquila, 135
- Labeo (jurist), 198, 199
- Laconius, 163
- land
 cultivation of, 1, 98, 218–20
 division of, 28 *see* allotments (*sors*); *See* barbarian
 ownership of. *See* ownership
 royal grants of, 88
 tax on, 224–8
 traveler's rights of use to, 211
- Latinity, 182
- Laurentian schism, 109
- law
 civil, 55, 56, 57, 199
 classical, 54, 56, 60, 66, 75, 189
 criminal, 48–51
 customary, 28, 53, 56
 distinction between public and private, 48–50
 enforcement of, 141–6
 equality/inequality before, 140–1, 156–7
 family law, 175–97
 practical requirements of, 48
 property law, 95, 197–203
 publication of, 46–7
 territorial aspect of, 210
- lawsuits
 between Romans and Goths, 105–6
 distinction between civil and criminal, 120–1
 frivolous, 77–8, 271
 general rules, 120–31
 involving clerics, 116–18; *see also* courts
- lawyers, 57–8, 123–4, 124–5, 261
- leases, 220, 236–7
- lenocinium*, 77
- Leo I, Emperor, 86
- Leontius, 232, 233
- Leucothea, 160
- Levy, Ernst, 57–60
- Lex Christiana*, 128
- Lex Cornelia*, 65–7, 80
- Lex Fabia*, 73, 81, 273 n. 118
- Lex Iulia*, 69, 73, 77, 89, 176
- Lex Papia-Poppaea*, 177
- Lex Romana Visigothorum (LRV)*. *See* Alaric II, Visigothic King (Breviary)
- lex, leges*. *See* law
- liability
 fiscal, 49, 225–7, 263–4, 290–1, 293
 noxal, 49, 50, 71, 81–2, 169, 273, 278, 281, 284, 285
- Libanius (Roman dignitary), 193
- Liber Constitutionum* *see also* under Burgundians, laws of
- Liberius, Praetorian Prefect, 103, 223–4
- libertas*. *See* freedom
- liberti*, 172–4
- Licinius, 149
- Liebeschuetz, John, 223
- Liguria, 104, 162, 206
- Lilybitano, 185
- Lipari islands, 67
- literacy, 126–7, 257
- Liveria, 236
- loans, 22, 50, 168, 207–8, 221, 285–6
- Lombards, 9
- Lucania, 137, 210
- Luna, 185
- lunatics, 121
- Lyons, 162, 282 n. 157
- magic, 90–2, 108, 191, 281
- magister militum*, 3, 5, 118
- magister officiorum*, 37, 43, 44, 119
- Magnus of Narbo, Praetorian Prefect, 22, 25, 29–30
- maiestas* n., 69–70, 259 n. 53; *see also* treason
- Majorian, Emperor, 22, 25, 27, 29, 37, 96, 214, 215
- malefici*, 90–2, 281
- mancipia*. *See* slaves
- Manichaeism, Manicheans (Christian sect), 86, 90
- manumission, 22, 172–3; *see also* *liberti*
- Marabad (*comes*), 105, 128, 196
- marble, 113, 213, 215, 227, 235
- Marcian, Emperor, 4, 61
- marriage, 48, 49, 171, 176–86
 by abduction, 181–6
 relationship/rights of spouses within, 186–7
 unsuitable/unlawful types of, 171–2, 179–81
- Marseilles, 186
- martyrs, 34
- masters. *See* *domini*
- Maximus (*cancellarius*), III n. 140
- Maximus of Turin, 149
- medicamentarii*, 190, 191
- merchants, 14, 206, 208, 210, 292

- Milan, 32, 46
miles, milites, 121, 141, 142, 271 n. 108; *see also militia Romana*
 militarization, 103–4, 173, 239
 military
 and Goths, 8, 43, 104, 106–7, 144, 156
 barbarian recruitment of, 3, 106
 of Theoderic, 5, 7, 37, 69–70, 211–12
 Roman, 3
militia Romana, 271 n. 108; *see also* government
 Mincius river, 87; *see also* rivers
 mints, 209
moecha, 190, 191
 Moesia, 4
 Molé, Eduard, 23
 Momigliano, Arnaldo, 3
 money, 50, 87, 107, 138, 143, 206, 207–8, 209; *see also* currency
 monuments, 51
 preservation of, 105, 213–15
multa. *See* compositions (compensation, fine)
munera, 98, 228
 murder. *See* homicide
- Nandus (*saiō*), 104
 Naples, 33, 185, 206
 Narbonnaise, 5
 Narses (East Roman general), 8
 necromancy, 22, 50, 91, 92
 Nedao river, 4; *see also* rivers
 negligence, 239
 as contributing factor in offences, 239
 New Testament, 128
 Nicaea, Council of, 10
 Nicomedia, 149
 Nimfadius, 210, 211
 nobility, nobles, 156, 253 n. 22; *see also* patronage, patrons
 Nola, 117, 185
Notitia Dignitatum, 44
novellae, 61, 93, 99
novi homines, 153
 noxal action/liability. *See* liability
 Nursia, 224
 oaths, 50, 130–1, 146, 280, 285
 oath-helpers, 131
 oath-takers (*iuratores*), 131
 Odovacer, 2, 3–6, 7, 11, 28, 118, 212–13
 officials
 Gothic, 106, 107
 Roman, 106
 Ollius (Oglio) river, 87; *see also* rivers
 Opilio, 89, 136
 Oppa, 156, 163
optimates, 156, 253 n. 22
originarii, 96–9
 Orléans, 38, 39
 Ostrogotho, daughter of Theoderic, 193
 Ostrogoths, 4
 arrival of in Italy, 5
 customs of (*belagines*), 30
 in Pannonia, 4
 jurisdiction of, 105–7
 number of, 5
 settlement of in Italy, 221–4; *see also* Arianism, Arians (Christian sect); Goths; Goths and Romans
 Otto (*referendarius*), 127
 ownership, 287, 288–9
 and land, 234–6
 and possession, 14, 229–31, 234–6, 251–2, 272
 oxen, 51, 292–3
Pactus Legis Salicae, 131
 paganism, pagans, 90–2, 281
 Pannonia, 4, 103
 Papacy, Popes, 117–18
 Papinian (jurist), 61, 62, 76
 parents, 160
 authority of/over children, 159–60, 192–3, 194–5, 277
 inheritance by, 200–1
 restrictions on disposal of property by, 195–7
 Paschasius, 232, 233
paterfamilias, 52, 157, 174, 175–6, 189, 194
patria potestas, 52, 175, 192; *see also* children; parents
 patrimony, subject to fine, 34, 267, 282; *see also* inheritance
 patronage, patrons, 43, 119–20, 129, 146, 148, 173, 241, 262–3; *see also* *liberti*; nobility, nobles
 Paul (jurist), 61, 64
 Responsa, 64
 Sententiae (PS), 57, 61–2, 64–5, 75–6
 Pavia, 113, 239
peculium, 158, 165, 166, 168, 192, 221, 273, 274, 285
pecunia, 148; *see also* corruption; judges
 Pelagius I, Pope, 9
perfecta aetas, 194, 274 n. 123; *see also* age, legal significance; children; emancipation
periculum, 97, 131, 269 n. 96
 perjury, 49, 67, 129, 130, 261, 276
pervasio, pervasores, 140, 229–32, 233; *see also* *invasio*
 Picenum, 225
pietas, 121
pignoratio, 30–2
 pigs, pork, 238, 266
 supply of to Rome, 11 n. 29
Pilleati, pilleus, 36
 Pisa, 185

Pithou, Pierre, 22–3
pittacia, 225, 286
 Pitzias, 163
placita, 124
plagium. See kidnapping (*plagium*)
 plague, 217–18
 pledges, 31–2, 86–7, 285–6, 287, 288
 children as, 195, 277
 Pliny the Elder, 36
poena, 50; see also punishment
 poisoning, 190, 191
 Poitiers, 186
polyptycha, III, 225, 291 n. 201; see also *gesta municipalia*
 Pontine marshes, 88
 post, 207, 238
 post-Theodosian novels. See *novellae*
potentes/potentiores, 42, 146, 261 n. 63; see also nobility, nobles
potentia, 148
potestas de coniunctione, 193, 277
praefecti, 115
 annonnae, 115
 vigilum, 116
praescriptio fori, 116, 119, 124, 134
 Praetextatus (Senator, accused of sorcery), 108, 135
 Praetor, 75, 199
 Praetorian Prefect, 5, 44, 102
 jurisdiction of, 107
 prescription, 25–7, 49, 93–6, 233–4, 269–70
 Principate, 74
 prisoners, prisons, 142–4, 150, 162
 amnesty of, 136–7
 conditions of, 136–7; see also imprisonment
 Procopius, 8, 9, 24, 42, 70, 138, 144, 156, 217
 Secret History, 138
procuratores, 26, 47, 221, 270, 285, 294
 prostitutes, 129, 186
 provinces. See *dux*, *duces*, governors
pulveratica, III
 punishment
 dependent on status, 139–40
 outmoded forms of, 67–8
 types of, 50, 70, 138–9
quaestio. See torture
 Quaestor, 13, 37, 44–5
 rape (*raptus*). See abduction (*raptus*)
rapina, 283–4, 283 n. 165
rationales, 115
 Ravenna, 5, 8, 32, 46, 114, 116, 213, 214, 239
 Ravenna papyri, 114–15, 124, 125–6, 145, 173
 Reate, 103, 114, 213, 224
 relatives
 and accusation, 187
 as guardians, 195

inheritance by, 196, 200–1, 256, 282
 rent, 236–7
rescripta, 28
 retinue, 52, 99, 146, 272, 276; see also nobility, nobles; patronage, patrons
rex, 7, 9, 40 see also Theoderic the Great
 (constitutional position of)
 rivers, 87, 210
 roads, 51
 robbery, 49, 51, 134, 283–4, 283 n. 165
 Roman Empire, 4
 continuity of, 16–17, 19
 decline of, 1–4
 Roman law, 48, 54, 55–61, 83, 242; see also *Theodosian Code (CTh)*; vulgarization/vulgar law
 Roman law
 jurisdiction of, 105–6
 Rome, 2, 8, 9, 11, 33, 34–5, 41, 46, 107–8, 115, 116, 181, 213–15
 Romulus Augustulus, Emperor, 2, 3, 4, 11, 15
 Rothari, Lombard King, 171
saio, *saiones*, 102–4
 sale, 14, 22, 50, 59–60, 289, 292
 into slavery, 161–2
 of children. See children
 of slaves, 80–1, 129, 279
 Samnium, 31
 sanctuary, 6, 38–9, 136, 286
 Sardinia, 185
scrinia, 33, 43, 44, 53, 58, 131, 145 see also Government
 sedition, 50, 69–70, 139, 216, 281; see also treason
 self-defense, 80, 254
 self-help. See extrajudicial action (self-help)
 Senarius (*comes*), 58 n. 12
 Senate, 44, 101, 109, 216–17
 Senators, 29, 116
 trials involving, 108, 135, 153–4
 Senigallia Medallion, 35 n. 45, 40
 Seronatus (Roman official), 27
 Servatus, Duke of Reate, 103
 Severinus, Governor of Suavia, 110
 Severus, Emperor, 27, 61
 Severus, Governor of Lucania and Bruttium, 160, 210–11
 Sicily, 5, 8, 67, 105, 120, 185, 229, 237
 Sidonius Apollinaris, 27, 192, 282 n. 157
 Sigismund, Burgundian King, 193
 silver, 208, 215, 276
 Simeon (*comes*), 105
 Sipontum, 208
 Siscia, 36
 slaves, 22
 as property, 50, 59–60, 158

- as witnesses, 49, 129, 169–70, 262–3, 279
 flight of, 38–9, 164–7, 274–5
 legal status of, 158
 marriage/sexual relations with, 49, 170–2, 267–9
 owner's jurisdiction over/punishment of, 168–9, 219, 290
 prices of, 169
 property rights of, 158, 168
 torture of, 65, 129, 169–70, 279
 types of, 164
solidi, 207, 219, 293 n. 209
 sorcery, 50, 91, 92, 108, 190, 281
sors, sortes. *See* allotment (*sors*)
 Spain, 2, 4, 5, 144, 173, 236
spatharius (sword-bearer), 39
 Spoleto, 9
 Squillace (Scillacium), 210
 status, 156–8
 and birth, 99, 159, 175
 difference of, between freedmen and freemen, 174
 difference of, between slave and free, 167–8, 174–5
 differences of, among freemen, 139–41
stuprum, 170, 186; *see also* incest
 Suavia, 5, 36, 72
 subscription, 126, 127, 198, 257; *see also* literacy; witnesses
 succession, 200–1, 256; *see also* inheritance
suffragator, 43, 261
 Sunday, 50, 293
 Sunigilda, wife of Odovacer, 6
superficies, 235–6; *see also* fisc
superindicta, 226–7; *see also* taxation
 Sura (*comes*), 105
 Symmachus (Senator), 108
 Symmachus, Pope, 186
 Syracuse, 114, 142, 229
 Tanca, 231, 232
 Tancila (Senator), 137
 taxation, 113, 221–3, 225–9, 286, 290–1; *see also* fisc
 Teias, Ostrogothic King, 8
temporis praescriptio, 25
tempus luendi, 188–9, 196
 tenants, 22, 26, 47, 98, 167–8, 216, 218, 220, 236–7, 255, 270, 285, 293, 294
tertia (term of assessment), 223
 testaments, 22, 43, 49, 66, 197–200, 257–8, 271, 276
 testimony, 65, 67, 127–30, 261; *see also* *infamia*; lawsuits; witnesses
 theft (*furtum*), 22, 49, 51, 71, 75, 137, 151, 259, 275, 283–4, 283 n. 165, 287, 292
 Theodahad, Ostrogothic King, 8, 25, 104, 142, 144, 153
 Theoderic I, Frankish King, 24
 Theoderic I, Visigothic King, 24
 Theoderic II, Frankish King, 24
 Theoderic II, Visigothic King, 22, 24, 25, 27–8, 29, 35
 Theoderic III, Frankish King, 24
 Theoderic IV, Frankish King, 24
 Theoderic Strabo, 24
 Theoderic the Great, 4
 and Arianism, 10–11
 and Constantinople, 4–5
 and Senate, 29, 217
 and war with Odovacer, 5–6
 confirmation as King, 7
 constitutional position of, 5, 7, 29
 death of, 7, 11
 economic policies of, 87–8, 206
 Edict of, 10, 13–15, 30, 40–1, 53
 mausoleum of, 7
 reign of, 9–11, 241–2
 religious policies of, 10, 32–3, 88–9
 royal lineage of, 4
 Theodericopolis, 213 n. 36
 Theodora, Empress, 138
Theodosian Code (CTh), 28, 40, 44, 48, 54, 61–2, 83–5, 92–3
 Theodosius I, Emperor, 2, 34, 86, 88, 91, 133, 150, 188, 196, 229
 Theodosius II, Emperor, 38, 83, 90, 93, 196, 221
 Theudis, 5, 144
 thirty-year rule, 25–7, 49, 93–5, 96, 233–4, 252, 270; *see also* prescription
 Thiudigotho, daughter of Theoderic, 193
 Thiudimir, father of Theoderic, 4
 Thrasamund, Vandal King, 159 n. 13
 Tiber river, 87; *see also* rivers
 Ticinum, 154
tituli, 234, 262
 torture, 129, 137–8
 Totila, Ostrogothic King, 8
 Toulouse, 4, 38
 Tours, 186
 towns, 9, 115, 185, 204, 206, 212–13
 trade, 14, 87, 205–6, 209–10; *see also* commerce
traditio, 113, 264; *see also* donations
 Trajan, Emperor, 10, 155
 travelers, 210–11
 treason, 50, 69–70, 263, 283
 treasuries, 50, 115, 208, 215; *see also* fisc
 Trento, 222, 223
 Triwila (*saiō*), 107, 231
tuittio, 104, 109, 195
 Tuscany, 153
 Ulfilas, 10
 Ulpian (jurist), 61, 62, 72, 76, 130, 180, 198

332

umbrarii, 91, 92
 Unigilis (*saiō*), 104
 Unigis (*spatharius*), 39
 urban life, 14, 212–15, 216, 217–18
 Urban Prefect, 45
 jurisdiction of, 107–9
 usufruct, 196, 197
 usurpation, of property. *See invasio*

Valamer, Gothic leader, 4
 Valens, Emperor, 183
 Valentinian I, Emperor, 10, 44, 155
 Valentinian II, Emperor, 86, 87, 133, 183, 187, 229
 Valentinian III, Emperor, 93, 95, 96, 147, 150,
 225, 234
 Valeria, 135
 Vandals, 3, 7
 Venantius, Governor of Lucania and Bruttium,
 137, 138
 Verona, 5, 32, 144, 239
Via Flaminia, 51; *see also* roads
 vicars, 102, 109–10, 132
 Victor (*censitor*), 229
 Victor, bishop of Turin, 162
 Vienna, 186
viliores, 139, 276; *see also humiliores/viliores*
villae, 218–20, 272, 278
 villages, 218–20

Index

vindicatio, 252 n. 16
virii illustres, 58 n. 12, 108, 128, 161, 209, 236
vis, 89–90, 140, 251, 255, 272, 273
 Visigoths, 4, 19, 38
 laws of, 28, 33, 64, 173–4, 197, 211, 239
 Vismara, Giulio, 24–5, 27, 29–30
 Vouillé, battle of, 144
 vulgarization/vulgar law, 56–60
 Wamba, Visigothic king, 174
 Ward-Perkins, Bryan, 18
wargus, 282 n. 157; *see also* excommunication
 widowers, 188, 195–6
 widows, 140, 170, 184–5, 188–9, 196,
 267–8
 Wilitanch (*dux*), 260 n. 56
 Witigisidus (*censitor*), 229
 witnesses
 and agreements/declarations of will, 145, 189,
 197–9, 202, 203, 257–8, 263–4
 in court, 127–8, 276; *see also* lawsuits
 women
 and religious life, 185–6
 concern with virtue of, 170–1, 184–6, 187,
 203–4, 267–9
 in court, 123–4, 127–8, 196
xenia, 167 n. 43
 Zeno, Bishop of Verona, 149
 Zeno, Emperor, 4–5, 28, 212