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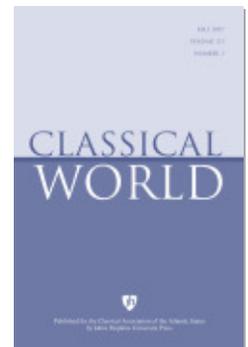
The Codex of Justinian. A New Annotated Translation, with Parallel Latin and Greek Text. Volume 1: Introductory Matter and Books I–III. Volume 2: Books IV–VII. Volume 3: Books VIII–XII ed. by Bruce W. Frier et al. (review)

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He interprets these in terms of distinctive features of gift exchange, the theory of which he presents clearly and concisely. He concludes that the Greeks did not distinguish as sharply as we do between benefactions and rewards or honor, and thus that beginning a gift relationship with a reward was not problematic to them (40, 57). Despite his counterarguments, I find more convincing the earlier and simpler view that the promise was regarded as more or less equivalent to the benefaction (20), and thus I find “proleptic honors” less of an issue than he does. Nevertheless, such minor objections should not detract from the gratitude we owe Domingo Gygax for a rich and stimulating book, important reading both for historians of the classical Greek polis and for those interested in the later, fully developed system of euergetism.

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Bruce W. Frier (general ed.) and S. Connolly, S. Corcoran, M. Crawford, J. N. Dillon, D. P. Kehoe, N. Lenski, T. A. J. McGinn, C. F. Pazdernik, and B. Salway (eds.), with contributions by T. Kearley. *The Codex of Justinian. A New Annotated Translation, with Parallel Latin and Greek Text. Volume 1: Introductory Matter and Books I–III. Volume 2: Books IV–VII. Volume 3: Books VIII–XII.* Based on a Translation by Justice Fred H. Blume. Cambridge: Cambridge University Press, 2016. Pp. clxxxvi, 3176. \$750.00. ISBN (Three Volume Set) 978-0-521-19682-6.

Justinian’s lawyers took less than seven years (from February 13, 528 to November 16, 534) to produce a first version of the *Codex*, the *Digest*, the *Institutes*, and a second version of the *Codex*. This second *Codex*, authoritatively reconstructed from various sources both Greek and Latin by Paul Krüger in the nineteenth century, has now received an equally authoritative translation in this massive trio of volumes produced by ten respected scholars of Roman law led by Bruce Frier. And although the creation of Frier’s *Codex* was fast (less than ten years), its origins go back to 1919, when Justice Fred H. Blume of the Wyoming Supreme Court undertook the massive task of translating this complex and difficult text. He did so, with care and accuracy; but his translation was left in manuscript at his death in 1971. It was rediscovered in the library of the University of Wyoming Law School, made available to Frier and his colleagues, and, somewhat revised, provides the basis for the present edition.

In Frier’s edition, the translation itself (with laconic but very helpful annotation) appears on the right-hand page, facing the Latin and Greek text taken from Krüger’s ninth edition of 1914; the text has not been modified, but a telegraphic apparatus identifies nearly 200 places where the translation has followed a different reading. The annotation also discusses in some detail problems of dating individual fragments. The text and translation are preceded by a full list of the titles, with translation; an introduction to Justice Blume’s work by Timothy Kearley; one on the revision of Blume’s translation by Frier; and a superb account of the *Codex* and its history by Simon Corcoran. At the end there is an excellent glossary of Roman law terms and (from Krüger, but with addenda) a chronological list of the constitutions included in the *Codex*. The whole is printed in a clear

and readable font (both Latin and Greek), and in what I have read (a sampling of titles from all twelve books) I have found very few mistakes.

The *Codex* is, at least for the nonspecialist, the most difficult and remote of legal texts. While the *Digest* contains fragments of jurists going back to the late Republic and extending to the early third century, the *Codex* consists entirely of legal statements emanating from the emperors themselves, the vast majority from the reigns of Diocletian and later, with many by Justinian (or Tribonian) himself. Organized into a dozen books, with fragments arranged in strict chronological order within each title, the *Codex* feels far more fragmented and abrupt than comparable titles of the *Digest*. The latter are often structured within and around Ulpian's commentary on the Edict, and at least sometimes they form a single (if mosaic-like) discussion of a particular topic; the *Codex* subordinates logic to chronology. Some titles go on for great distances, including a range of related topics, but following chronology in jumping back and forth from one to another. It is not an easy book to read.

The translation itself is impressive; the technical terminology of law is very carefully translated, and where literalism is impossible, the Latin phrase is repeated in parentheses within the translation for clarity; technical passages are often annotated, and the glossary at the end generally supplies explanations when the annotations do not. There are passages that still stumped me in either language: parts of the law code (any law code) only make sense to those who already understand it. The less technical parts of the text are also translated fairly literally, matching the flowery language of legal draftsmanship with equally bizarre English. The imperial "We" is always capitalized; ornamental epithets and euphemisms for death, sex, or other vulgar concepts are preserved faithfully. Thus Justinian within a single paragraph (12.19.15.2) refers to the late Proculus as *excelsae memoriae* and *magnificae memoriae*; the untimely death of the bureaucrat is *si . . . ab hac luce fuerit subtractus* (12.19.11). In warning against trying to abandon a prosecution for adultery without the governor's permission, Valerian and Gallienus apostrophize the slacker (9.9.16): *Ceterum erras tu, marite, existimans . . .* Another fragment in the same title (rightly described in the note as "very obscure") about passive homosexuality goes off into periphrastic lyricism about sexual relationships (9.9.30): *. . . ubi sexus perdidit locum, ubi scelus est id quod non proficit scire, ubi Venus mutatur in alteram formam, ubi Amor quaeritur nec videtur. . .* Here "sexual passion" as a translation of *Venus* (who lurks in a parenthesis) is less poetic; but in general the reader is always made aware of the striking style of much late-antique legal writing.

Romanists and historians know the importance of the *Codex* and thus of this translation: it is the last portion of the Justinianic legal code to receive a scholarly translation into English, and the annotation and glossary make it accessible to a wider audience. But although some familiarity with law makes it much easier to read the *Codex*, it, like the *Digest*, holds great pleasures for the nonspecialist reader. The style, as noted above, is remarkable and vivid; the vocabulary and syntax are distinctive, and not just in technical legal matters: any student of later Latin needs at least to dip into this text. And to read through some of the longer titles is eminently worthwhile. The elaborate and careful discussion of the reliability of documents in 4.21 is illuminating on problems of evidence, and the problem of forgery; it is far more detailed than the short title on the subject in *Digest* 22.4. To read the titles on the relationships between freedmen and their patrons (6.3–7) and on claims of free status (*De liberali causa*, 7.16)

is a painful reminder of the pressures placed on ex-slaves and their families and of the rapacity of their patrons and would-be patrons. So too the plight of decurions unable to escape their burdens (10.32); of bound tenants and *coloni* (11.48); of ambitious clerks striving for seniority, salary, bribes, and exemptions from onerous services (12.19). There is no text like this for revealing the greed, ambition, pressures, and suffering of everyday life in late antiquity. It is much better than fiction.

The late Ernst Badian once told me that any student of Roman literature needs to know something about Roman law; he was right, and I have been grateful for that advice ever since. But until recently (and still in Europe), Roman law has been the property of law schools rather than Latinists. (Perhaps that explains the extraordinary price for these volumes. Who but a lawyer could afford them?) That in the United States it has begun to move to departments of classics or history is a good thing both for the subject and for students of the classical world: it is a major part of Roman culture, and a major body of texts. Nobody has done more in recent times to make Latin and law mutually intelligible than Bruce Frier, and this superb *Codex* is another step in that direction. Thank you, Justice Blume. Thank you, Bruce and your fellow editors. You do justice to the *Codex*.

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William S. Bubelis. *Hallowed Stewards: Solon and the Sacred Treasurers of Ancient Athens*. Societas: Historical Studies in Classical Culture. Ann Arbor: University of Michigan Press, 2016. Pp. xv, 272. \$75.00. ISBN 978-0-472-11942-4.

This book examines Athenian fiscal administration through the lens of sacred treasurers in the archaic and classical periods. Bubelis argues that treasurers played an essential, though rather accidental, role in the developing institutional landscape of Athens from Solon to the fourth century, and through careful examination of their evolving responsibilities he pieces together changes in the management of cult finances that shaped the Athenian state. These changes were inherently conservative: fiscal innovations occurred not through design, but as a result of competition within the elite for offices exclusively reserved for them. Holding office brought prestige and allowed the elite to use communal resources to further their own standing and electoral prospects whilst the revenues of the polis were increasing. This, in turn, led to the development of new structures for the administration of sacred property, but also fostered electoral patronage and institutional change.

In chapters 1–3 the focus is primarily on archaic Athens. Here Bubelis argues that Solonian laws shaped institutional practices over the long term. *Prima facie* this makes sense, but the devil is in the detail. So, the Solonian law that restricted service as *tamias* to the *pentakosiomedimnoi* also established *klerosis ek prokriton* as the selection procedure and, as such, served as a model for reforms of the archonship in 487/6 (chapter 1). Other laws—the ghost-like remnants of which are, according to Bubelis, preserved in the sacrificial calendar of 399—laid out duties for officials that were centered on their responsibilities to