

Study Questions: Code of Justinian

On November 16, 534, Justinian I, the ruler of the Eastern Roman (or Byzantine) Empire, issued his *Corpus juris civilis* (The Body of the Civil Law), commonly called the Code of Justinian. It expanded on Justinian's earlier release of the Code (in 529) and was divided into three parts: the Codex, which was a compilation of the existing decrees of emperors and statesmen; the Digest (or Pandects, as they were termed in Greek), an anthology of the thoughts and decisions of the famous lawyers of antiquity; and the Institutes, a state issued and mandated legal textbook designed to standardize legal education across the empire. A separate book of later laws, the Novels, is also considered part of the Justinian Code. With his law code, Justinian completely revolutionized the law of the Eastern Roman Empire, inherited from over a thousand years of Roman jurisprudence. The Code of Justinian brought together all codifications and decrees put forth before it and streamlined, organized, and ultimately professionalized the vocation of the law for the vast Byzantine Empire. It removed the obsolete and Christianized the pagan, and its organization and structure provided a model during the millennia that followed, such that nearly every European legal system can trace its basic structure and form to the Code of Justinian.

1. Throughout the history of the Roman Empire, various emperors issued legal codes. Using such documents as the Twelve Tables of Roman Law, the Theodosian Code, the Law of Caesar on Municipalities, and the Code of Justinian, trace—as much as possible—the development of Roman law and its impact on the empire. Note that the Theodosian Code and the Code of Justinian were produced by the Eastern Roman Empire; the others were products of the West. Did the two sets of codes differ in any fundamental way? Explain.
2. In what specific ways did the Code of Justinian represent an advance in jurisprudence and the practice of law, not just in Rome but, ultimately, throughout much of Europe and other regions of the world?
3. Compare and contrast the Code of Justinian with the Laws Ending Persecution of Christians. Using these two documents, trace the history of Christianity in the Roman Empire.
4. Numerous documents from the first millennium demonstrate the profound influence of the state on religious affairs, and vice versa. Compare the Code of Justinian with one such document—the Capitulary of Charlemagne, for example—and explain why religion played such a large role in secular, governmental life at that time.
5. Imagine that you are a student at one of the law schools established at Beirut, Constantinople, or Alexandria. Based on what you know, how would you go about using the Code of Justinian to resolve a legal problem put to you by one of your professors?

