



To Date and Not to Date: On the Date and Status of Byzantine Law Books by T. E. Van
Bochove

Review by: R. W. B. Salway

The Journal of Roman Studies, Vol. 88 (1998), p. 217

Published by: [Society for the Promotion of Roman Studies](#)

Stable URL: <http://www.jstor.org/stable/300860>

Accessed: 12/11/2012 07:54

Your use of the JSTOR archive indicates your acceptance of the Terms & Conditions of Use, available at
<http://www.jstor.org/page/info/about/policies/terms.jsp>

JSTOR is a not-for-profit service that helps scholars, researchers, and students discover, use, and build upon a wide range of content in a trusted digital archive. We use information technology and tools to increase productivity and facilitate new forms of scholarship. For more information about JSTOR, please contact support@jstor.org.



Society for the Promotion of Roman Studies is collaborating with JSTOR to digitize, preserve and extend access to *The Journal of Roman Studies*.

<http://www.jstor.org>

University College Dublin

THERESA URBAINCZYK

T. E. VAN BOCHOVE, *TO DATE AND NOT TO DATE: ON THE DATE AND STATUS OF BYZANTINE LAW BOOKS*. Groningen: Forsten, 1996. Pp. xxx + 251. ISBN 90-6980-096-9.

Van Bochove's study is a response to Andreas Schmink's work challenging Zachariä's later ninth-century datings of various law books. Schmink envisages the surviving *Basilica* (a compression of Justinian's *Corpus Iuris Civilis*) as an unofficial eleventh-century re-edition of an earlier *Sixty Books* of Leo VI (886–912) and re-dates the legal manual, the *Prochiron*, to 907 rather than to the reign of Basil (867–886), while fixing another, the *Eisagoge*, in 885/6. B. aims to re-attribute both manuals to Basil's reign and the *Basilica* to Leo's, elucidating the status and interrelationships of all three. B. attacks the problem by arguing from internal and external references, the dates of manuscripts and scholia. However, the organization by evidential problems rather than general issues leads to a certain repetitiveness (e.g. 102, cf. 126). B. shows the *Prochiron* — probably a product of the 870s (33) — certainly to predate 906, when both it and the *Basilica* are alluded to elsewhere (98). It was designed to replace but not repeal the existing *Ecloge*, considered unsuitable because produced by iconoclast emperors (79) and explicitly abrogated in the decree prefacing the Photian-inspired *Eisagoge*, which B. dates, maintaining its authorship by Basil, Leo, and Alexander (879–886), soon after the Constantinopolitan council of 879–80 (15). Both manuals refer already to 'purifications' of Justinian's laws by Basil, neither tallying in terms of books or volumes with the *Basilica*, apparently known to contemporaries as τὸ πλάτος (150), which, B. argues, Leo published simultaneously with his Novel Collection to create (including Basil's legislation) an all-embracing corpus of law; thus imitating Justinian but bettering him by the additional regulation of customary law (213–17). Whether or not one believes B.'s reconstruction of Leo's programme here, the pre-907 dates he establishes for all these works seem hard to challenge.

University College London

R. W. B. SALWAY