

Tamara Matović, LL.M.*

Legal History at the 23rd International Congress of Byzantine Studies¹

This summer Belgrade hosted the 23rd International Congress of Byzantine Studies, which gathered more than 1200 scholars from different fields of research, directly or indirectly connected to Byzantine and Medieval studies.

During the last five years, the main organizers – Serbian National Committee for Byzantine Studies and *Association Internationale des Études Byzantines*, with the Institute for Byzantine Studies of SASA, have envisioned and scheduled the Congress under the patronage of the President of Republic of Serbia and UNESCO, including the strong support and generous help of many institutions, among which is the Faculty of Law, University of Belgrade.

Along with the participants of the round tables and thematic sessions, who explored variety of subjects of Byzantine studies, legal historians and their themes also gave important contribution to the Congress.

The motto of the 23rd Congress “Byzantium – a world of changes” marked the scientific activity in various ways. The Round table connected to different issues from the scope of Byzantine legal history, was scheduled for 22 August. It gathered well-known names from this field of research. The main subject of this *Table ronde* was change as an element of Byzantine law, interpreted in the light of different aims, as it was remarked in the introductory part by Daphni Penna (Δάφνη Πέννα), from the University of Groningen. University of Palermo’s Guiseppe Falcone discussed nature of the Greek translation of *Constitutio Imperatorum*. Thomas Ernst van Bochove, from the Univeristy of Groningen, revisited issues concerning the list of sources found in *Florentine Index auctorum*,

* Research assistant at the Institute for Byzantine Studies SASA and PhD candidate at the University of Belgrade Faculty of Law, tamara.matovic@vi.sanu.ac.rs.

¹ The 23rd International Congress of Byzantine Studies was held in Belgrade, from 22 to 27 August 2016.

but missing in *Digesta*. His university colleague, Frits Brandsman, talked about relation between Byzantine jurisprudence and their ancestor's one, in the light of "old *scholia*" *i. e.* old interpretations found in *Basilica*. Remarkable presentation was one of the Elefteria Papagianni (*Ελευθερία Παπαγιάννη*), profesor at the National and Kapodistrian University of Athens, who spoke about changed perspective on divorce all through the Byzantine legal history, with detailed list of relevant sources. Daphni Papadatou (*Δάφνη Παπαδάτου*) from the Aristotle University of Thessaloniki, demonstrated the relation between society and customs in "making" the Byzantine law. Marios Tantalos (*Μάριος Τάνταλος*), PhD candidate at National and Kapodistrian University of Athens, discussed Roman and Byzantine provisions on dowry, specially in regard to its alienation, and looked at regulations from *Senatus Consultum Veilleianum* in later Byzantine documents. Lydia Paparriga Artemiadi (*Λυδία Παπαρρήγα-Αρτεμιάδη*), director of the Research Center for the History of Greek Law of Academy of Athens, dealt with application of stipulations by the contemporaries, and the issue of prevalence of provisions. The last speaker in this session was Lisa Bénou, *Association Pierre Belon, Fondation Maison des Sciences de l'Homme*, Paris, with review on subjects of judicial and administrative organisation in the times of *Paleologoi*, known for its obscureness, demanding for its comparative analysis.

On the very same day the audience could follow the work of the Round table related to crimes against the State and the Church. Günter Prinzing of Johannes Gutenberg-University of Mainz provided exhaustive overview of the problem of slavery in the Byzantine empire, referring to legal sources. Wolfram Brandes of the Max Planck Institute for European legal history, the convener of the Round table, presented the concept of conspiracy in the legislature of Justinian I. A similar subject was addressed to by Andreas Gkoutzioukostas (*Ανδρέας Γκουτζιουκόστας*) of the Aristotle University of Thessaloniki. The presentation was exemplified with the news from the sources concerning Michael Traulas's plot against the emperor Leo V. Kirill Maksimovich (Goethe University Frankfurt on Main) talked about anathema in Byzantine church. The Round table discussion was ended by Martin Marko Vučetić, in subject of treason, and Paolo Angelini, from the Faculty of Law KU Leuven, in subject of high treason, stipulated in Syntagma of Matheus Blasteres.

One Round table was dedicated to matters of legal praxis in times of *Paleologoi*. On 23 August the audience gathered to hear the session convened by Inmaculada Pérez Martín, member of the Spanish National Research Council, and Raul Estangüi Gómez from the University Paris I. These two scholars together presented the life and work of Constantine Harmenopoulos, supporting it with rarely studied sources. Olivier Deloui, coming from The National Center for Scientific Research, UMR 8167

Orient et Méditerranée, the editor of the famous Byzantine journal *Revue des études byzantines*, showed the lost manuscript which he had bought in Orleans. The manuscript dates back to 16th century; it is attributed to monk Macarius, and contains Canon rules, probably written after the prior model – the one collected by Matheus Blastares. Ekaterini Mitsiou (*Αικατερίνη Μήτσιου*), researcher in the Institute for Byzantine and Modern Greek Studies, University of Vienna, with an inovative approach spread light at mobility of population in Byzantine times, researching on Patriarchal registers, with the news on tribunals and trials. Elefteria Papiagianni in this session discussed the institute of custody (*epitropeia*) in the time of Patriarch Matthew I, relying on decisions of Patriarchal tribunal. Academician Mirjana Živojinović provided facts in relation to authenticity of charters attributed to the Nemanjić dynasty, conserved in the archives of the Hilandar Monastery. Cristina Rognini from the University of Palermo researched the topic from medieval Southern Italy, confronting the adopted Greek provisions and legal praxis from the time range of the IX to XI centuries.

Thematic session entitled “Civil and Canon Law in Byzantine empire” was held on 26 August. It was chaired by prof. Srđan Šarkić from the University of Novi Sad and Paolo Angelini from the KU Leuven. Besides the two chairmen, the group consisted of six more scholars. The session was opened by Chrysavgi Athanasiou, PhD candidate at University Paris IV, with the communication concerning the punishment of exile, specially the one described by the word *ἀειφυγία*, found in one Novella of the Emperor Constantine VII Porphyrogenetos. Ana Vankova (*Анна Ванкова*) from the Institute of World History of Russian Academy of Sciences discussed legal status of early Byzantine monk. Demetrios Nikolakakes (*Δημήτριος Νικολακάκης*) talked about the right of asylum, particularly in regards to relations between the Church and the empire. Paolo Angelini talked about reception of Byzantine criminal law in the Serbian medieval law, through the Syntagma of Matheus Blastares. Prof. Šarkić provided information on Byzantine division of things, its impact on Serbian medieval law, with the reference to the division originating from Roman private law. Periandros Epitropakis (*Περίανδρος Επιτροπάκης*) presented a small part of his Master’s thesis concerning legal status of a Temple in Greek law. Tristan Schmidt, Johannes-Gutenberg University of Mainz, drew attention to hunting and animal fights, especially in the XII century, on the grounds of contemporary comments of previous ecclesiastical sources. The last presenter was Eireni Christinaki (*Ειρήνη Χριστινάκη*) from the National and Kapodistrian University of Athens, who questioned instigation in light of different sources, Canons and their comments from the Byzantine times.

Special contributions were made in sessions which included multi-disciplinary themes. We will mention the *Table ronde* entitled “*L’auteur à Byzance: de l’écriture à son public*” convened by Paolo Odorico, with the remarkable communication of E. Papagianni in subject of the work of Demetrios Chomatenos, XIII century Ochrid’s Archbichop. In the session devoted to Eastern influences in Byzantium, we listened to the interesting presentation of Valerio Massimo Minale from the University of Milano, who researched on the Byzantine poem about *Diogenes Akritas* and his life, including the analysis of several legal elements found in it. In the session connected to medieval diplomatics and documentary practices, Tamara Matović, research assistant at the Institute of Byzantine Studies of Serbian Academy of Sciences and Arts, talked about legal significance of a document in Byzantine law. The session organised for researching the Latin Cyprus included communication dedicated to the influence of Western law on Byzantine law and *vice versa*. Eventually, assistant professor from the Faculty of Law, University of Belgrade, Nina Kršljanin, delivered presentation concerning the beautified and emphasized portrayal of Byzantines in Serbian source from the XV century – The life of despot Stefan Lazarević, written by Constantine the Philosopher.

On Friday, 26 August, at the special session of the Congress dedicated to the future of Byzantine studies, one Russian project was presented. It is the *Expert system* “Byzantine law and acts”, convened by Yuri Vin, and supported by the Institute of World History of Russian Academy of Science. Its aim is to digitalize Byzantine legal sources, in order to ease the approach for researchers of the Byzantine law. It consists of several databases of Byzantine and Slavic texts, fully searchable, as well as related video interviews.

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This review is aimed at presenting a small part of scientific results achieved at 23rd International Congress of Byzantine Studies in the field of legal history. Despite the fact that the “golden age” of legal history has maybe passed – this Congress has proved that researchers interested in medieval and Byzantine law, equipped with interesting and convenient scientific topics, are still among us. Additional observation on the Congress can be made: it would be nice if on some other occasions we could hear and discuss more about some new editions of legal sources – this being done or at least assisted by legal historians.