THE CORPUS JURIS CIVILIS

by

Fred Dingly
Senior Reference Librarian
College of William & Mary Law School

for

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### PARTS OF THE CORPUS JURIS CIVILIS

<table>
<thead>
<tr>
<th>Part of CJC</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Justinian’s Institutes (I. or Inst.) (Bluebook: J. INST.)</td>
<td>Textbook for first-year law students that also had binding legal effect. Based on Gaius’s Institutes. (Released in 533)</td>
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<tr>
<td>Justinian’s Digest (D. or Dig.) (Bluebook: DIG.) (often ff. in medieval references)</td>
<td>Compilation of excerpted writings of jurists (people who taught law, gave legal opinions, advised parties and judges on the law and drafted legal instruments) dating from the late Roman Republic to early third century AD (Released in 533)</td>
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<tr>
<td>Codex (C. or Cod.) (Bluebook: CODE JUST.)</td>
<td>Compilation of excerpts from imperial constitutiones (legislative pronouncements) dating back to Hadrian (AD 117-138)</td>
</tr>
<tr>
<td>Novels (N. or Nov.) (Bluebook: NOV.)</td>
<td>(a.k.a. Novellae constitutiones) Unofficial posthumous compilations of Justinian I’s constitutiones</td>
</tr>
</tbody>
</table>

### CITING THE CORPUS JURIS CIVILIS

What a cite to Justinian’s Digest, Book XLVII, Title II, Law 15, Section 3 would look like in:

**Present Day**

(abbreviation for part of the CJC) (Book #). (Title #). (Law #). (Paragraph/Section #)

- D 47.2.15.3

**Older Formats**

l (for lex) (law #). (Paragraph/Section #). (Title of Paragraph/Section)

- 1 15. § 3. de furtis

l (for lex) (law #). (Paragraph/Section #). (Part of CJC) (Title of Paragraph/Section)

- 1 15. § 3. D de furtis

l (for lex) (law #). (Paragraph/Section #). (Part of CJC) (Title of Paragraph/Section), ((Book #). (Title #))

- 1 15. § 3. D de furtis, (47.2)

**Source for cite formats**: Stephen L. Sass, *Research in Roman Law; a Guide to the Sources and Their English Translations*, 56 Law Lib. J. 210, 232-33 (1963); Bluebook Rule T2.34; Ames Foundation, *Corpus Iuris Civilis Citation Form*, http://amesfoundation.law.harvard.edu/digital/CJCiv/CitationForm.shtml
Medieval Format

(Which of Justinian’s works you’re using).(Title Name).l (for lex).(First word in law)
- ff.de furtis.l.creditorus
l.(First word in law).(Which of Justinian’s works you’re using).(Title Name)
- l.creditorus.ff.de furtis

BLUEBOOK TWISTS

The Bluebook adds a couple of extra requirements when citing to parts of the Corpus Juris Civilis (see Rule T2.34):

If you cite to the Digest or to the Code, you should also indicate the original source of the section.
- So, for the Digest, list the author of the original law, along with the title of the author’s work and the book number:
  - DIG. 9.2.23 (Ulpian, Ad Edictum 18).
- For the Code, list the emperor and year of the edict:
  - CODE JUST. 2.45.3 (Diocletian & Maximian 290/293).

If you cite to the Novels, you should include the year of the constitution:
- Nov. 15.1 (535).

Source for cite formats: Stephen L. Sass, Research in Roman Law; a Guide to the Sources and Their English Translations, 56 LAW LIB. J. 210, 232-33 (1963);
BLUEBOOK Rule T2.34; Ames Foundation, Corpus Juris Civilis Citation Form,
http://amesfoundation.law.harvard.edu/digital/CJCiv/CitationForm.shtml
TIMELINE

AD 528: Justinian appoints commission to compile and harmonize enactments of previous emperors

529: First edition of Justinian Codex effective.

533: Justinian’s Institutes and Justinian’s Digest released.

534: Second edition of Justinian Codex effective, superseding the first. Versions of the Codex extant in modern times are from this edition.

565: Justinian dies. His Novels were compiled and released after his death. (More detailed Novels timeline at http://www.uwyo.edu/lawlib/blume-justinian/_files/docs/ajcnovels2/novels2-new-pdf/novels%20timeline_replacement.pdf )

Mid-11th c.: Beginning of the Roman law revival in Europe. Glossators (scholars) at University of Bologna’s law school spend next ~200 years adding glossae (commentaries applying the law to the Middle Ages) to the parts of the Corpus Juris Civilis.

1583: Dionysius Gothofredus (Godefroy) produces Corpus iuris civilis in IIII partes distinctum, the first edition to use the title Corpus iuris civilis and to divide the CJC into the four parts (Institutes, Code, Digest, Novels) we know today. Gothofredus’s edition was part of the beginning of the movement towards publishing the CJC as it was originally, minus the edits and additions the medieval glossators made.

1753: George Harris’s The Four Books of Justinian’s Institutions, the first English translation of Justinian’s Institutes, published.

1867: Paul Krueger’s Iustiniani Institutiones published.

1870: Theodor Mommsen’s Digesta Iustiniani Augusti published.

1877: Paul Krueger’s Codex Iustinianus published.

1895: Rudolf Schöll and Wilhelm Kroll’s Novellae published.

1904: Charles Henry Monro’s Digest published.

1932: S.P. Scott’s The Civil Law published.
~1952: Justice Fred H. Blume finishes work on his translation of the Justinian Codex and Novels. Blume’s work was not officially published then, but is now available online.

1985: Alan Watson’s The Digest of Justinian published.

2016: Justice Blume’s translation of The Codex of Justinian to be published.
WHERE TO FIND THE CORPUS JURIS CIVILIS

In English

Complete CJC

S.P. Scott, The Civil Law.

- Only English translation of the complete Corpus Juris Civilis.
- Regarded as an amazing effort for one person. Many Roman law scholars, however, do not consider it reliable due to Scott’s choice of source material and his preference for readability over accuracy (e.g., replacing Roman legal terms with not-quite-equivalent English ones instead of leaving the Roman term untranslated and adding a footnote explaining it)
- Available on Hein Online
- Available for free online at http://www.constitution.org/sps/sps.htm -- although there doesn’t seem to be much information on the organization, the Constitution Society, that hosts the site, and it’s a text transcription of Scott’s book, not a PDF.
- Each volume its own Table of Contents; last volume has an Index covering all volumes.

Codex


- Print version of Justice Blume’s translation of the Codex, including background information on the translation, a glossary, and annotations. Will include parallel Latin and Greek text.

Novels

Codex and Novels

Justice Fred H. Blume, *Annotated Justinian Code* and *Justinian Novels*.

- Based on the Krueger *Codex* and Schöll *Novels*.
- Available for free on the University of Wyoming Law Library’s website at http://www.uwyo.edu/lawlib/blume-justinian/

Digest


- Considered the authoritative English translation of Justinian’s *Digest*
- English translation and original language on facing pages
- Searchable “limited preview” available through Google Books at https://books.google.com/books/p/pennpress?q=bibliogroup:%22The+Digest+of+Justinian%22&hl=EN&source=gbs_metadata_r&cad=2


- Partial translation of *Digest*
Institutes

There are several English translations of Justinian’s Institutes. These are some of the more-well-regarded translations (two older ones available for free online and two newer ones still print-only):

J.B. Moyle, *The Institutes of Justinian: Translated into English with an Index*.

- Last edition was the Fifth (1913)
- Fifth Edition available on Hein Online
- Has Index and English Table of Contents
- Fourth Edition (1906) available for free on Internet Archive at [https://archive.org/details/institutesjusti00moylgoog](https://archive.org/details/institutesjusti00moylgoog)

Thomas Collett Sandars, *The Institutes of Justinian: With English Introduction, Translation, and Notes*.

- Last new edition was the Ninth Revised and Corrected Edition (1898), but numerous reprints were made afterwards. These reprints were given “impression” numbers (e.g., Fifteenth Impression 1922).
- Try to use Sixth Edition (1878) or later; these were based on a more recent version of the original-language text.
- One of the reprints (probably the Fifteenth Impression, dated 1922 and 1970) is available on Hein Online
- Latin and English text run in side-by-side columns
- Includes commentaries on sections with references to other parts of CJC as well as a thorough introductory chapter discussing Roman private law and the history of Roman law
- Includes Index, but no TOC.
- Numerous editions available for free on Internet Archive (Fifteenth Impression at [https://archive.org/details/institutesofjus00sanduoft](https://archive.org/details/institutesofjus00sanduoft))

- Adds helpful commentary, including citations to relevant sections of the other parts of the *Corpus Juris Civilis*.
- Conveniently runs English and Latin text in side-by-side columns, including TOC
- Has useful Index and list of abbreviations
- Not currently available online, but many libraries have it


- Most recent English translation of the *Institutes* and the only one still being published; not available for free online, but paperback edition is affordable (under $30)
- Birks tried to translate the *Institutes* into modern English
- Latin and English text, including Table of Contents, run alongside each other in side-by-side pages
- Includes Index and Glossary
- Doesn’t have extensive commentary as in Thomas’s translation, but has a good introductory chapter on the CJC’s history and the *Institutes’* impact on modern law
In original Latin and Greek

Complete CJC

Paul Krueger, Theodor Mommsen, Rudolf Schöll, and Wilhelm Kroll (eds.), *Corpus Iuris Civilis*.

- A compilation of Mommsen’s *Digest*, Krueger’s *Codex* and *Institutes*, and Schöll and Kroll’s *Novels*. Considered the authoritative version of the CJC in its original languages.

- Available for free online at the Internet Archive at [https://archive.org/details/corpusjuriscivil01krueuoft](https://archive.org/details/corpusjuriscivil01krueuoft) (Vol. 1 – *Institutes* and *Digest*), [https://archive.org/details/corpusjuriscivil02krueuoft](https://archive.org/details/corpusjuriscivil02krueuoft) (Vol. 2 – *Codex*), and [https://archive.org/details/corpusjuriscivil00krueuoft](https://archive.org/details/corpusjuriscivil00krueuoft) (Vol. 3 -- *Novels*); and

READING LIST/BIBLIOGRAPHY

On Justinian

JOHN W. BARKER, JUSTINIAN AND THE LATER ROMAN EMPIRE (1966)


TONY HONORÉ, TRIBONIAN (1978)

MICHAEL MAAS (ED.), THE CAMBRIDGE COMPANION TO THE AGE OF JUSTINIAN (2005)

JOHN MOORHEAD, JUSTINIAN (1994)


On the medieval era and the glossators


On the Corpus Juris Civilis


PETER BIRKS AND GRANT MCELROY, JUSTINIAN'S INSTITUTES (1987)


Paul J. du Plessis, Borkowski’s Textbook on Roman Law (5th ed. 2015)


Timothy G. Kearley, Justice Fred Blume and the Translation of Justinian’s Code, 99 Law Lib. J. 525


Theodore F.T. Plucknett, A Concise History of the Common Law (5th ed. 1956)


Peter Stein, The Attraction of the Civil Law in Post-Revolutionary America, 52 Va. L. Rev. 403 (1966)

Thomas Glyn Watkin, An Historical Introduction to Modern Civil Law (1999)

