

JOHANNES KODER, *Nomos Georgikos: Das byzantinische Landwirtschaftsgesetz. Überlegungen zur inhaltlichen und zeitlichen Einordnung. Deutsche Übersetzung* (Wiener byzantinistische Studien 32). Wien 2020. 94 pp. – ISBN 978-3-7001-8695-3 (€ 29.90)

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A favorite parlor game of Byzantine legal historians has been trying to guess the time, geographic origin and other circumstances surrounding the authorship of the so-called *leges speciales*, a trio of legal texts written in Greek and stemming (probably) from the period 600 to 800 CE. These three laws, namely the *Nomos Georgikos* (NG) or *Farmer's Law*, *Nomos Nautikos* (NN) or *Rhodian Sea-Law* and the *Nomos Stratiotikos* (NS) or *Soldier's Law*, enjoyed, to judge from the considerable number of surviving manuscripts, immense popularity in the Byzantine world and indeed are much better transmitted than many of the officially-promulgated secular legal collections (such as the *Basilika* or *Procheiros Nomos*). All three lawbooks are, however, utterly shrouded in mystery: nothing certain is known of who wrote them or why they were written. Of the three *leges speciales*, the NG has attracted by far the most scholarly interest. Attested in over 120 manuscripts, the NG is particularly fascinating because it offers unparalleled glimpses into the rural society of the East Roman Empire in the poorly-documented period during and after the Arab-Islamic conquests. The NG consists of 85 regulations regarding agriculture and animal husbandry, especially cattle-herding; it describes a sedentary village community of free peasants, who even possessed slaves and also made use of waged cowherds. In this picture the state has only a light presence (in the form of judges or *akroatai*, from the Latin *auditores*), while the aristocracy is non-existent.

Like the other *leges speciales*, we know no concrete details of who wrote the NG, what region the lawbook describes or (at least in the earliest period of transmission) in what circumstances it was employed. With only the rich manuscript tradition (the earliest witnesses of the NG extend back to the tenth century) and the text itself to go by, an impressive list of scholars has engaged, in a tradition extending back more than a century in time, in a feverish guessing-game as to the origin of the NG. This list includes the seminal founding figures of the study of Byzantine law in the continental (KARL EDUARD ZACHARIÄ VON LINGENTHAL) and Anglophonic

(WALTER ASHBURNER) tradition, leading historians of the mid-twentieth century (FRANZ DÖLGER and GEORGE VERNADSKY) and scholars of Byzantine law of the last decades of both older (ANDREAS SCHMINCK) and younger (M.T.G. HUMPHREYS) vintage. It is to the memory of one of the many scholars (the recently-deceased PETER PIELER) who has written about the *NG* that the newest intervention in this debate is dedicated, the present short monograph of JOHANNES KODER, who offers not only a new interpretation of the origins of the *NG*, but also a crisp German translation and a detailed commentary of the text.

In contrast to many recent interpreters of the *NG*, KODER approaches the text not as a legal scholar, but above all with his special expertise in Byzantine agriculture, historical geography and philology. After giving a brief introduction to the contents, manuscript tradition and later transmission and translation of the text, KODER embarks on a useful overview of the scholarship regarding the geographic origin and date of composition of the lawbook.¹ The only solid *terminus ante quem* for the composition of the *NG* is the beginning of the ninth century, when we have the first clear mention of the text in Byzantine sources, in a letter of Ignatios the Deacon to the *spatharokandidatos* Gregory (letter no. 1).

In attempting to pin down a timeframe for the composition of the text, KODER relies both on historical and philological evidence. For the former, he plausibly theorizes that the *NG* was likely intended for the villages in the grain-producing regions within the European and Asian littoral around Constantinople, which after the loss of the import of Egyptian grain after 618/619 assumed ever greater importance for feeding the populace of the capital.² The historical context would thus argue for a date of composition of the *NG* between 650 and 750.

A philological analysis of the *NG* by KODER confirms the observation, already made long ago by the first scholars who analyzed the text in detail, that the language of the *NG* is very similar to that of the *Ecloga*.³ Nevertheless, the fact that the *NG* and *Ecloga* employ similar vocabulary and expressions does not per se mean that the *NG* was imperially promulgated, as recently argued by M.T.G. HUMPHREYS and indeed assumed by later copyists of the text.⁴ In short, thanks to KODER we now have the most

1. KODER, *Nomos Georgikos*, pp. 26–33.

2. KODER, *Nomos Georgikos*, pp. 33–38.

3. KODER, *Nomos Georgikos*, pp. 38–40.

4. For the theory that the *NG* was imperially promulgated during the time of the “Isaurian” (Syrian) Dynasty, see M.T.G. HUMPHREYS, *Law, Power, and Imperial Ideology*

plausible explanation yet for the *NG*'s function and date of composition. According to his interpretation, the *Farmer's Law* was a legal manual composed for dispensing justice in the villages in the capital's extended agricultural hinterland sometime in the period 750–850. Setting the *NG* in the coastal littoral of western Asia Minor and eastern Greece during this era again underlines how important this region was during the critical time after the loss of the empire's eastern provinces, and, rather unfortunately, also emphasizes how little we know of life in the interior of Asia Minor (at least from Greek sources), a conclusion confirmed by hagiography.⁵

KODER has done a great service not only to Byzantinists with his analysis of the text, but also to students with his excellent translation – the best in any modern language – of the *NG*, along with a commentary and cross-references to other lawbooks containing the text (Codex Zaborda 121, the *Ecloga ad Prochirum mutata* and Appendix Three of Harmenopoulos) as well as to parallel or similar passages in other Byzantine legal texts.

Keywords

Byzantine law; *nomos georgikos*

in the Iconoclast Era: c. 680–850 (Oxford Studies in Byzantium). Oxford 2014, pp. 195–232.

5. DIRK KRAUSMÜLLER, Why Do We Have So Few Lives of Monastic Saints from Central and Eastern Anatolia? An Exploration of the Evidence. *Erytheia* 42 (2021) pp. 19–38.