

## **Graeca legantur. Basilicas and ancient scholia as a tool for interpreting Justinian sources**

The aim of the project is to develop a coherent and convincing method of interpreting the texts of Emperor Justinian's compilations by referring to fragments of an important monument of Byzantine law, the Basilics, accompanied by commentaries known as scholia. Justinian's monumental legislative work (Institutions, Digest, Codex, and Novellae) is undoubtedly a reference point for the entire European legal tradition. But in practice Justinian's undertaking was more a work of anachronistic romanticism. The texts of the Justinian compilation were written in Latin, while the vast majority of the population of the Eastern Empire spoke Greek. Understanding and applying the new body of law must have been a linguistic challenge, including for aspiring law students.

Byzantine law teachers (antecessores) during lectures first presented students with free paraphrases of the Justinian legal texts into Greek, followed by commentary on these texts - also in Greek. The fragments of the Greek paraphrases were collected in the ninth century after Christ in the form of a new monument of law: the Basilics. Then, from the middle of the tenth century after Christ, commentaries (scholia) began to be added to the text of the Basilics. Of particular importance are the so-called old scholia, which were written in the second half of the sixth and the beginning of the seventh century after Christ, that is, during the reign of Justinian and his immediate successors. A careful and systematic analysis of the old scholia and the texts of the Basilics can shed new light on the interpretation of the texts of the Justinian compilation. The analysis of the old scholia will thus make it possible to discover a closer context of the statements of classical jurists and Roman emperors, and even to find additional information about the sources of classical Roman law that was not provided in the canonical version of Justinian's compilation.

In the past, the impetus for the study of Roman law has always been a solid study of the sources based on sound methodology. It seems, however, that till now the issues of methodology of source studies have been paid little attention in the Polish studies of Roman law. This is evidenced by the fact that the problem of interpolation and interpolationism, fundamental for source criticism, has been almost neglected in Polish science. Achieving the aims of this project will make it possible not only to broaden the source base for the study of Roman law, but also to develop a new kind of methodology, useful in subsequent research undertakings.