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## CUPRINS

### Rețeaua consulară a României (1918-1947): organizare, personal, regulamente

Adrian-Bogdan Ceobanu, Daniel Cain, <i>Destinul unui fost consul onorific al României la Moscova: Pierre Guérin</i> .....	9
Lucian Leuștean, <i>Consulatul / Secția consulară a Legației României la Budapesta în cadrul „războiului rece” româno-maghiar în primii ani interbelici</i> .....	27
Adrian Vițălaru, <i>Un consul al României în Polonia interbelică: George-Traian Gallin</i> .....	37
Ionel Doctoru, <i>Rețeaua consulară a României din Franța (1924-1926)</i> .....	53
Elinor Danusia Popescu, <i>Politisation du serment consulaire roumain dans l'entre-deux-guerres. Etude de cas: l'Allemagne nazie</i> .....	75
Vasile Ungureanu, Ionuț Nistor, <i>Diplomatul Nicolae Timiraș – un strănepot al lui Ion Creangă în slujba României</i> .....	83

\*\*\*

Mădălina Sava-Moise, <i>Ceramica de tip roman provincial din Muntenia în secolele II-III p. Chr.</i> .....	113
Nelu Zugravu, De Heliogabalo fertur (ferunt), dicitur... .....	127
Yanko M. Hristov, <i>Legal and Matrimonial Implications of Captivity in Digest XLIX.15 of Emperor Justinian I (527-565)</i> .....	139

\*\*\*

Adrian-Ionuț Gîlea, <i>Piese de armament din perioada medievală. Un cap de buzdugan din colecția „Muzeului Vasile Pârvan” Bârlad</i> .....	153
Daniel Mirea, <i>La început de domnie. Vlad Călugăru în anii 1481-1482</i> .....	163
Petronel Zahariuc, <i>Despre schitul Corni (ținutul Putna), ctitoria marelui vornic Alexandru Ramandi, metoc al mănăstirii Dohiar de la Muntele Athos</i> .....	189
Ştefan S. Gorovei, <i>O pagină din istoria unui monument celebru: Bălineşti</i> ....	217
Mariana Lazăr, <i>Marele hrisov domnesc conferit de Mihai Racoviță mănăstirii Cotroceni</i> .....	233
Gheorghe Lazăr, <i>Comerțul cu produse alimentare în Tara Românească (secolul al XVIII-lea – începutul secolului al XIX-lea)</i> .....	255

\*\*\*

Mădălin Anghel, „ <i>A strigat cu glas mare ca din partea obștii</i> ”. Actorul Ioan Poni și un incident al frământărilor de la Iași din 1846 .....	277
Mihai Chiper, „ <i>Și dacă ne ocolește drumul de fier?</i> ” Competiție regională, interese economice și blocaje militare în configurația rețelei de căi ferate din Moldova (1859-1914) .....	289
Laurențiu Răduan, <i>Focul din ianuarie 1880 și Palatul domnesc din Iași</i> .....	313
Claudiu-Lucian Topor, <i>Memoirs from the time of military occupation: Romania's Europeanisation and Germany's civilising mission (1916-1918)</i> .....	327
Cătălin Botoșineanu, <i>Grădinile școlare ale aşezămintelor primare rurale. Studiu de caz: Inspectoratul școlar regional Iași (1900-1940)</i> .....	337
Dragoș Jipa, <i>Literatură franceză, diplomație culturală și Rezistență. Michel Dard între Institutul Francez și Universitatea din București (1940-1946)</i> .....	357
***	
Recenzii și note bibliografice .....	373
<p>Paula Fredriksen, <i>Pe când creștinii erau evrei: Prima generație</i>, traducere din limba engleză de Dionisie Constantin Pîrvuloiu, București, Editura Humanitas, 2023, 270 p. (Constantin Ciobanu); Liviu Pilat, <i>Moldova, Sfânta Coroană și regii Jagielloni. Vasalitate, putere și gândire politică (1387-1526)</i>, Târgoviște, Editura Cetatea de Scaun, 2023, 404 p. (Alexandru Goreanu); Lidia Cotovanu, <i>Émigrer en terre valaque. Estimation quantitative et qualitative d'une mobilité géographique de longue durée (seconde moitié du XIV<sup>e</sup> – début du XVIII<sup>e</sup> siècle)</i>, Brăila, Editura Istros a Muzeului Brăilei „Carol I”, 2022, 466 p. (Bibliothèque de l’Institut d’Études Sud-Est Européennes, 21) (Cristiana Murariu); Julia Derzsi, <i>Delict și pedeapsă. Justiție penală în orășele din Transilvania în secolul al XVI-lea</i>, Cluj-Napoca, Editura Egyetemi Műhely, Societatea Bolyai, 2022, 346 p. (Laurențiu Răduan); <i>Figures de veuves à l'époque moderne (XVII<sup>e</sup> et XVIII<sup>e</sup> siècles): Images d'un statut social accepté, cache, revendique?</i> [Figures of Widows in Modern Era (17<sup>th</sup> and 18<sup>th</sup> Centuries): Images of an Accepted, Hidden, Claimed Social Status?], sous la direction de Florence Fesneau et Maël Tauziède-Espriat, Paris, Éditions du GHRAM, 2023, 151 p. (Elena Bedreag); Anca Elisabeta Tatay, Cornel Tatai-Baltă, <i>Gravorul Mihail Stirlitzchi (a doua jumătate a secolului al XVIII-lea)</i>, Cluj-Napoca, Editura Mega, Colecția Artă – Istorie – Cultură, 2023, 345 p. (Eugenia Dima); Sebastian Popescu, Alexandru Stancu, <i>Istoria fizicii în Moldova</i>, Iași, Editura Universității „Alexandru Ioan Cuza” din Iași, 2022, 304 p. (Renata-Gabriela Buzău (Apetroaie)); Laurențiu Vlad, <i>Constantin N. Brăiloiu (1809-1889): fragmente biografice</i>, Iași, Editura Universității „Alexandru Ioan Cuza” din Iași, 2023, 224 p. (Simion-Alexandru Gavriș); Martina Winkelhofer, <i>Viața de zi cu zi a împăratului: Franz Joseph și curtea sa imperială</i>, cuvânt înainte de Mihai-Răzvan Ungureanu, traducere din limba germană de Alex Bärnthaler-Nebeja, Iași, Editura Polirom, 2024, 252 p. (Ana-Maria Lupășteanu); Tim Grady, <i>A Deadly Legacy: German Jews and the Great War</i>, Londra, Yale University Press, 2017, 291 p. (Robert Dascălu); George Albuț, <i>Un diplomat român la Budapesta (1981-1990 și după aceea...)</i>, București, Corint Istorie, 2023, 256 p. (Ştefan-Cătălin Stanciu).</p>	
Abrevieri .....	405

**Yanko M. HRISTOV\***

## **Legal and Matrimonial Implications of Captivity in *Digest XLIX.15* of Emperor Justinian I (527-565)\*\***

**Abstract:** Revealing as much as possible about captivity and slavery is crucial to the study of pre-modern societies, which would otherwise struggle to achieve significant insights. In terms of understanding the fate of war captives in the early Byzantine era, much remains to be done, despite the number of publications regarding the issue. Undoubtedly, the deficits in primary sources pose certain constraints on research into captives and slaves during the transitional period between Late Antiquity and the Early Medieval era. Nevertheless, the long-lasting influence of legal compilations from the reign of Emperor Justinian I, particularly the detailed provisions in *Digest XLIX.15*, offers valuable insights for further scholarly efforts. The present short remarks aim to trace and highlights the family-legal aspects and challenges arising from captivity, focusing on the resulting changes in the legal and social status of imperial subjects who fell into enemy hands.

**Keywords:** Captivity; Prisoners of war; Ransom; Postliminium; Digest of Emperor Justinian I the Great (527-565).

### **Introduction**

Studies concerning ancient and medieval societies would not possess sufficient completeness and depth without paying the necessary attention to the problems of captivity and slavery. Undoubtedly, the attempts to study what happened to the captives at the end of Antiquity and the dawn of the Middle Ages in the Eastern Mediterranean and its adjacent territories are directly dependent on the state of the sources and their informativeness. In this regard, due to the peculiarities of the early Byzantine legal compilations from the time of Emperor Justinian I (527-565) they provide a great opportunity for the development of

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research initiatives. As is well known, they include excerpts and compilations from the works of the most prominent classical representatives of the Roman legal thought. In both the noticeable and the more subtle interpolations and editorial interventions in the chapters and paragraphs of the texts, adherence to basic principles and to the Roman legal tradition is evident in the *Digest* of Emperor Justinian I the Great (527-565)<sup>1</sup>.

It must be especially emphasized that the present short remarks are far from any claim to touch on entire multitude of high value records. The focus here is much narrower, concentrating on *Digest XLIX. 15*. The section in question covers juridical opinions and decisions and examples of legal cases relating to captured soldiers and civilians abducted by the enemy. The aim is to trace and highlight family law aspects and the challenges caused by captivity and the accompanying change in the legal and social status of imperial subjects who fell into the hands of the enemy<sup>2</sup>.

### Legal Implications and Consequences of Captivity

Among the most frequent cases in which imperial subjects lost their freedom in the early Byzantine era were their capturing on the battlefield and when the provinces were ravaged during enemy invasions. Not only large-scale incursions and protracted hostilities, but also occasional collisions, along with barbaric marauding raids had a devastating effect when it comes to capturing and kidnapping imperial subjects from the affected areas. The capture and looting of the cities, the destruction of their surrounding smaller settlement structures and the despoiling of the out-of-town estates was accompanied by the dispersal, slaughter and abduction of the population in them. Falling alive into the enemy's hands was not always the preferred outcome. However, surviving imperial subjects could count on being redeemed and repatriated under the law of *postliminium*, whereby people (and property) that fell into the enemy's hands during war were restored to their pre-capture status. as soon as they re-entered the Empire or were returned by

<sup>1</sup> Иван С. Перетерский, *Дигесты Юстиниана. Очерки по истории составления и общая характеристика*, Москва, Государственное издательство юридической литературы, 1956, p. 50-74, 78-92 [Ivan S. Pereterskiy. *Digesty Yustiniana. Ocherki po istoriiya sostavleniya i obshchaya kharekteristika*, Moskva, Gosudarstvennoye izdatel'stvo yuridicheskoy literatury, 1956]; Леонид Л. Кофанов, *Введение*, in *Дигесты Юстиниана*, Vol. 1, ed. Л. Л. Кофанов *et al.*, Москва, Статут, 2002, 12-24 [Leonid L. Kofanov, *Vvedeniye*, in *Digesty Yustiniana*, Vol. 1, ed. L. L. Kofanov *et al.*, Moskva, Statut, 2002]; Tony Honoré. *Justinian's Digest: The Distribution of Authors and Works to the Three Committee*, in "Roman Legal Tradition", 3 (2006), p. 1-47; Tony Honoré, *Justinian's Digest: Character and Compilation*, Oxford, University Press, 2010, p. 8-45; 79-109.

<sup>2</sup> All quotations in the text are from the critical edition with the English translation. Cf. *The Digest of Justinian*, Revised English-language translation edited by Alan Watson, Vol. 4, Philadelphia, University of Pennsylvania Press, 1998. For the text in Latin see *Corpus Iuris Civilis*, eds. Paul Krüger, Theodor Mommsen, vol. 1: *Institutiones; Digesta*, 5<sup>th</sup> ed, Berlin, Weidmann, 1889.

military action, goodwill, treaty and/or ransom<sup>3</sup>. In general terms, the right of *postliminium* was applied in war as well as in peace, whereby the returned captives regained their status, social position, relations and legalities they had, as if they had never been in enemy's hands. The text of *Digest XLIX. 15. 5* reads:

[...] *The right of postliminium applies both in war and in peace. 1. In war, when those who are our enemies have captured someone on our side and have taken him into their own lines; for if during the same war he returns he has postliminium, that is, all his rights are restored to him just as if he had not been captured by the enemy. Before he is taken into the enemy lines, he remains a citizen. He is regarded as having returned from the time when he passes into the hands of our allies or begins to be within our own lines. 2. Postliminium is also granted in peacetime; for if we have neither friendship nor hospitium with a particular people, nor a treaty made for the purpose of friendship, they are not precisely enemies, but that which passes from us into their hands becomes their property, and a freeman of ours who is captured by them becomes their slave, and similarly if anything of theirs passes into our hands. In this case also postliminium is therefore granted. 3. If, however, a prisoner of war is released by us and joins his own people, he is understood to have returned with postliminium if and only if he prefers to follow those [who are his own] rather than remain in our civitas [...]*<sup>4</sup>.

An again few sections below in *Digest XLIX. 15. 12*:

[...] *In wartime postliminium exists, as also in peacetime for persons captured in war for whom no provision was made in the negotiations. Servius [Sulpicius Rufus] writes that this was agreed because the Romans wished their citizens' hope of returning to lie in their military courage rather than in peace. There are, however, those who have traveled in peacetime to foreign [peoples] and, on the sudden outbreak of war, are seized and become the slaves of those who have now become their enemies. The right of postliminium applies to them, in war as in peace, unless it had been provided in a treaty that the right of postliminium should not apply to them [...]* 6. A

<sup>3</sup> On the law of *postliminium*, see William W. Buckland, *The Roman Law of Slavery. The Condition of the Slave in Private Law from Augustus to Justinian*, Cambridge, University Press, 1908, p. 304-311. Although at least from the time of the Second Punic War (218-202 BC) the idea that it was unworthy of a Roman legionnaire to survive loss on the battlefield and allow himself to be captured alive by the enemy, from the Marcomannic Wars (166-180 AD) after all, in the late Roman society there was no question of “staining with the stain of shame” soldiers captured in battle or civilians kidnaped by the enemy. Cf. Levy 1943, 159-176; Noel Lenski, *Captivity, Slavery and Cultural Exchange between Rome and Germans from the First to the Seventh Century CE*, in *Invisible Citizens: Captives and Their Consequences*, ed. Catherine M. Cameron, Salt Lake City, University of Utah Press, 2008, p. 80-109; idem, *Captivity and Romano-Barbarian Interchange*, in *Romans, Barbarians and the Transformation of the Roman World*, eds. Ralph W. Mathisen, Danuta Shanzer, Farnham, Ashgate Publishing, 2011, p. 185-198; Jason Paul Wickham, *The Enslavement of War Captives by the Romans to 146 BC*, PhD Dissertation, University of Liverpool, 2014, p. 74-147.

<sup>4</sup> *The Digest of Justinian*, Vol. 4, p. 400.

*person's other legal rights, after he has returned with **postliminium**, are considered just as if he had never been in enemy hands [...]*<sup>5</sup>.

Exceptions were made mostly for traitors, deserters, those who voluntarily refused to fight, allowing themselves to be captured, and those who made an oath to the enemy.

[...] *It was agreed by the men of old that persons captured by, or surrendered to, the enemy should return according to the right of **postliminium**. Whether a person who, after being surrendered to the enemy, has returned and not been accepted by ourselves, is a Roman citizen was dealt with variously as between Brutus and Scaevola; and it follows that he may not obtain citizenship*<sup>6</sup>.

And even clearer provisions according to *Digest XLIX. 15. 17* as well as to *Digest XLIX. 15. 19. 4, 7 and 8* read:

[...] *Those who, after being defeated, have surrendered themselves along with their arms to the enemy do not enjoy **postliminium**.*

[...] ***Postliminium** is the right, established by customs and laws between ourselves and free peoples and kings, of recovering from a foreigner property which has been lost and restoring it to its former condition [...] 4. There is no **postliminium** for a deserter to the enemy; for the man who with evil counsel and a traitor's intention has left his **patria** is to be counted among [our] enemies. This though is the legal position in the case of a free deserter, whether a woman or a man [...] 7. Again, a son-in-power who is a deserter cannot return with **postliminium**, not at least while his father is alive, because his father lost him in the same manner as did his country, and because military discipline was, for Roman parents, a more ancient tradition than love of children. 8. A deserter, however, is taken to be not only someone who goes over to the enemy in time of war but also someone who goes over after accepting a promise during a truce to [a people] with whom Rome has no friendship [...]*<sup>7</sup>.

By the time of the compilation of the 49<sup>th</sup> book of the *Digests*, at the beginning of the second quarter of the 6<sup>th</sup> century, Tribonian and the members of the commission he headed were faced with a problem that had not been in the same way for their predecessors in the era of the Roman Republic and the period of time of Principate. It was related to the consequences for the marriage and the

<sup>5</sup> *Ibidem*, p. 401-402.

<sup>6</sup> *Ibidem*, p. 399-401. Since the present text is concerned with the status of free persons who fell into enemy captivity the terms of their return to the Empire, no special attention is given to captured and kidnapped slaves, to whom the terms of chattel *postliminium* apply. Cf. *Digest XLIX. 49. 12. 7-16; Digest XLIX. 49. 19. 5-6*.

<sup>7</sup> *The Digest of Justinian*, Vol. 4, p. 404.

relationship between the partners when one of them fell into the enemy's hands. According to the classical Roman principle in *Digest XLIX. 15. 12. 4*, it specified that in case of captivity the marriage was considered to have ended, as it was in case of divorce or death:

[...] 4. *But the wife of a captive, however much she may wish it and although she may live in his house, is not in the married state [...]*<sup>8</sup>.

Moreover, as far as can be judged from the additional decrees and in the following parts of the considered title, the restoration of marital relations and cohabitation upon return of captives did not happen automatically and unconditionally. It is stated in *Digest XLIX. 15. 14. 1* that:

[...] *A husband does not get his wife back by postliminium as a father does his son; it is only by consent that the marriage is renewed [...]*<sup>9</sup>.

Without invalidating the old legal principle, substantial additions were made. Thus, for example, it was assumed that the wives of those in captivity retained their married status to avoid the possibility of others marrying them hastily. It was also expressly emphasized that if the captive husband was known to be alive, his wife could not enter into another marriage. Even in the case of uncertainty about the captive's fate, in order to obtain the right to remarry, the wife had to wait for a period of five years from the time of captivity. As it appears from *Digest XXIV. 2. 6* the principle was the same for men whose wives were in captivity. The text reads:

[...] *The wives of people who fall into enemy hands can still be considered married women only in that other men cannot marry them hastily. Generally, as long as it is certain that a husband who is in captivity is still alive, his wife does not have the right to contract another marriage, unless she herself has given some ground for repudiation. But if it is not certain whether the husband in captivity is alive or has died, then if five years have passed since his capture, his wife has the right to marry again so that the first marriage will be held to have been dissolved with the consent of the parties and each of the parties will have their rights withdrawn. The same rule applies where a husband stays at home and his wife is captured [...]*<sup>10</sup>.

The mentioned restrictions did not eliminate the possibility that when an imperial subject returned from captivity, his marriage might not be renewed due to

<sup>8</sup> *Ibidem*, p. 402. The enclosed fragment completely aligns with the general statement in *Digest XXIV. 2*, according to which [...] *marriage is dissolved by the divorce, death, captivity, or other kind of slavery of either of the parties [...]*. *The Digest of Justinian*, Revised English-language translation edited by Alan Watson, Vol. 2, Philadelphia, University of Pennsylvania Press, 1985, p. 256.

<sup>9</sup> *The Digest of Justinian*, Vol. 4, p. 403.

<sup>10</sup> *Ibidem*, Vol. 2, p. 257.

the spouse's disapproval. In this regard, *Digest XLIX. 15. 8* consisted a text that illustrated that regardless of the terms observed and the grounds available, the wife could not marry another without being held responsible for the separation due to her fault.

[...] *A wife cannot be recovered by her husband, as a son can be by his father, by right of **postliminium**, but only when she wishes and so far, as she has not married another after the fixed period [of five years]; but if she is unwilling, without there being a valid reason, she will be liable to the penalties for [unjustified] divorce [...]*<sup>11</sup>.

Captivity had its impact not only on the relationship between spouses, but also on those between parents and children. Thus, for example, falling into enemy's hands, the head of a household lost his *potestas* over sons, daughters-in-law, unmarried daughters, grandchildren, adopted children and slaves, with all the resulting rights, duties and responsibilities. From the moment of his capture, adult sons under the father's authority became subject (*sui iuris*). In the event that the *pater familias* did not return from captivity, in the relevant section of the *Digest* of Emperor Justinian I the Great, all legal questions are decided according to the presumption that he was presumed dead from the moment of captivity. An intriguing part of book *XLIX. 15.* of the legal compilation in question reads:

<sup>11</sup> *Ibidem*, Vol. 4, p. 400. This, of course, does not mean that in drafting the *Corpus Iuris Civilis*, the idea that the captivity of one of the partners was grounds for terminating the marriage was abandoned. On the contrary, Emperor Justinian I's *Novella XXII* of 17 March 536 states that when imperial subjects (whether male or female) were taken captive, the misfortune befalling one party created inequality in the personal status and destroyed the marital equality. Along with this, however, the legislator's efforts were aimed at preserving the relationship between the partners. The grounds and limitations found in *Digest XXIV* were repeated. 2. 6. In addition to the well-known observance of the minimum period of 5 years, in the absence of notifications about the fate of the captive, it was explicitly specified that the marriage was not subject to dissolution as long as it is known that the partner in enemy hands was alive. Cf. *Novella XXII. 7*. In the second quarter of the 6<sup>th</sup> century, in view of the attempts to repel the barbarian raids and the large-scale military undertakings in the Middle East, North Africa, the Apennines, the reference in the mentioned *Novella XXII* to a decree from 337 of Emperor Constantine I the Great does not seem surprising at all. It concerns imposing a ban on the wives of soldiers in limbo from remarrying and establishing conditions under which they may do so without being held liable. The legislative initiatives were further developed in *Novella CXVII. 12.* of December 18, 542, and the texts in this specific direction found a place in the *Book V. 17. 7.* of the *Codex* of Emperor Justinian I. Cf. *The Codex of Justinian, A New Annotated Translation, with Parallel Latin and Greek Text Based on a Translation Justice Fred H. Blume, ed. Bruce W. Frier et al., Vol. 1-3, Cambridge, University Press, 2016, p. 1226-1127; The Novels of Justinian. A Complete Annotated English Translation, eds. David J. D. Miller, Peter Sarris, Cambridge, University Press, 2018, p. 761.* (for the Latin text see *Corpus Iuris Civilis*, ed. Paul Krüger, Vol. 2: *Codex Iustinianus*, 5<sup>th</sup> edition, Berlin, Weidmann, 1892; *Corpus Iuris Civilis*, eds. Rudolf Schöl, Wilhelm Kroll, Vol. 3: *Iustiniani Novellae*, 6<sup>th</sup> edition, Berlin, Weidmann, 1928).

[...] *In every branch of the law, a person who fails to return from enemy hands is regarded as having died at the moment when he was captured [...]*<sup>12</sup>.

In such cases, the family property was inherited by those who were generally entitled to inherit it upon the death of the testator.

[...] 1. *Should someone be captured by the enemy, those whom he had in his power are in an uncertain state, whether they become *sui juris* or are still to be reckoned as sons-in-power; for on his death in enemy hands, they will be considered as *patres familiarium* from the date of his capture or, should he return, as never having ceased to be in his power. Therefore, it has been debated whether, if, when the father has not returned, it should happen that others have been instituted heirs to all the estate ([the *sui*] being disinherited by the will) or to part of it, those things that [the *sui*] acquire meantime by stipulation, delivery, or legacy (for they cannot [do so] by inheritance) are part of the captive [father's] inheritance which falls under the *lex Cornelia*, or become their own property. The latter is true; and it is different in the case of those things which are acquired through slaves, and rightly so; for the one class were [part of his] property and continue to be so, while the others are understood to be *sui juris* from then on and for that reason to have acquired on their own behalf [...]*<sup>13</sup>.

Along with *Digest* XLIX. 15. 12. 1. Enclosed above, *Digest* XLIX. 15. 22. pr. reads as follows:

[...] *The property of persons who have fallen into the power of the enemy and there died, whether or not they have *testamenti factio*, belongs to those to whom it would belong if they had not fallen into the power of the enemy. And it is required by the *lex Cornelia* that there should be the same legal right and the same ground for action in all matters which there would have been if the persons, for whose inheritances and tutelages arrangements were made, had not fallen into the power of the enemy [...]*<sup>14</sup>.

If the father was alive, the situation in question was considered temporary and, according to the law of *postliminium*, upon his release, the restoration of the position of *pater familias* was guaranteed. This peculiarity was very clearly exemplified in *Digest* XLIX. 15. 12. 2 and 6 and in regaining his control over the family property.

[...] 2. *By no [imperial] constitution can questions of fact be undone. Therefore, usucaption is interrupted of property which was being usucapted by himself in person, by a possessor who is subsequently captured, because it*

<sup>12</sup> *The Digest of Justinian*, Vol. 4, p. 404.

<sup>13</sup> *Ibidem*, p. 401.

<sup>14</sup> *Ibidem*, p. 405.

*is certain that he has ceased to have possession. However, Julian writes that it was believed in his time that usucaption of property which the [captive] was possessing and usucapturing through persons legally subject to himself, or if in any way [this property] is included subsequently under the heading of **peculium**, continues to be fulfilled so long as those persons remain in possession. Marcellus writes that it makes no difference whether he possesses himself or through a person subject to him, but we should follow Julian's opinion.*

*[...] 6. A person's other legal rights, after he has returned with **postliminium**, are considered just as if he had never been in enemy hands [...]<sup>15</sup>.*

And in *Digest* XLIX. 15. 16:

*[...] A person who comes home from enemy hands is retrospectively regarded as having been in the **civitas** [...]<sup>16</sup>.*

And also, in *Digest* XLIX. 15. 22. 2:

*[...] 2. But if the son of the person who is in enemy hands accepts or stipulates for [anything], it is understood to have been acquired for himself if his father dies before returning with **postliminium**. Even if he should die while his father is still alive, it will belong to the father's heir. For the status of men whose fathers are in the power of the enemy is in suspense, and if the father should indeed return, [such a person] is reckoned as never having been *sui juris*, while if his father dies, he is reckoned as having been a **pater familiias** as from the time his father fell into the power of the enemy [...]<sup>17</sup>.*

And respectively in *Digest* XLIX. 15. 29:

*[...] If you have returned with **postliminium**, you have had no power to usucapt anything while you were in the power of the enemy. PAUL: Not always. If, while you were in that state, your slave possessed anything under the heading of **peculium**, you will be able to usucapt it at that time also since, even without our knowledge, we customarily usucapt such things. And it is in this way that the inheritance of a posthumous child who is not yet born or [an inheritance] not yet entered into is commonly increased through a slave of the inheritance [...]<sup>18</sup>.*

The *postliminium* restored the status and position in the family of sons (and daughters) who fell into enemy hands, with the mentioned exception for those who voluntarily resorted to military service, deserters and traitors. The simultaneous fall

<sup>15</sup> *Ibidem*, p. 401-402.

<sup>16</sup> *Ibidem*, p. 404.

<sup>17</sup> *Ibidem*, p. 405.

<sup>18</sup> *Ibidem*, p. 406.

of both spouses into enemy captivity, provided that they were not separated, but continued to live together after their displacement from the imperial possessions, raises the question of the offspring that they might have before the couple, or at least one of them, was able to return back to the homeland. To a large extent, the starting point in finding a solution to the questions surrounding the status of children born in captivity was a consequence of the fact that their parents, regardless of their state of “no-freedom”, were not considered slaves. However, there were some difficulties. A child born in captivity was considered a legal heir, he/she must be accompanied by his/her father, or respectively by both the father and the mother, benefiting from the right of *postliminium*. If the father died among the enemies and the offspring returned with only the mother, both were of free status, but the child was not considered a legitimate heir, but born *sine patre*. The relevant text from *Digest XLIX. 15. 25* reads as follows:

[...] *The deified Severus and Antoninus wrote in a rescript that if a wife were captured by the enemy along with her husband and there gave birth by her husband, if they returned [together], they were parents and children in the eyes of the law, and their son was in his father's power, inasmuch as he had returned with the right of postliminium; but if [the child] were to return with his mother alone, he will be held a bastard, as if born without a husband* [...]<sup>19</sup>.

In a socio-legal aspect, it is of great importance that imperial subjects could benefit from the right of *postliminium*, regardless of whether their captivity ended after escape, release or military success.

[...] *It is of no concern in what manner a captive has returned, whether he was set free or whether he escaped from the power of the enemy by force or trickery, provided that he comes back with the intention of not returning thither; for it is not enough for a person to have returned home in body, if in spirit he is elsewhere. But those who are rescued on the defeat of the enemy are reckoned as having returned with postliminium* [...]<sup>20</sup>.

Without downplaying the successes of the Imperial armies during the Dominate and Early Byzantine periods, their ability to liberate individuals captured during enemy invasions and barbarian raids remained limited. This in turn forced the authorities to look for additional avenues such as ransom to bring the captives back. Towards the end of the 4<sup>th</sup> century, the redemption and release of captives

<sup>19</sup> *Ibidem*.

<sup>20</sup> *Ibidem*. Cf. Book V. 2 of the *Codex of Emperor Theodosius II* (408-450). *The Theodosian Code and Novels, and the Sirmondian Constitutions*: A Translation with Commentary, and Bibliography by Clyde Pharr, in Collaboration with Theresa Sherrer Davidson and Mary Brown Pharr, Princeton, University Press, 1952, p. 107-108 (the Latin text *Theodosiani libri XVI cum constitutionibus Sirmondianis et leges novellae ad Theodosianum pertinentes*, eds. Theodor Mommsen, Paul M. Meyer, Vol. 1, Berlin, Weidmann, 1905). See also *The Codex of Justinian*, p. 2212-2213.

was not at all reserved solely for the authorities and also went beyond acts of charity and forms of religious solidarity, and became a commitment of the Christian community, with the active intervention of the church hierarchs<sup>21</sup>. It is extremely important to note, however, that the efforts of the church and secular authorities did not eliminate the obligations of families to seek out and do what was necessary to free their members who were in captivity<sup>22</sup>. The situation was complicated when the captives were paid for not by the authorities or their relatives, but by third parties. Relatively long ago, Ernst Levi drew attention to the fact that in the compilation of the *Digest* and the *Codex*, they painstakingly resorted to cleaning and correcting all the included texts that pointed to the classical rule according to which the ransomed captive became the slave of the purchaser<sup>23</sup>. The commission led by Tribonian carefully compiled and interpolated passages from classical juridical works to establish a fundamental rule: until the ransom was paid, the redeemed captive remained dependent, and the right of *postliminium* was postponed and suspended. However, under no circumstances did this create a master-slave relationship between the captives and their redeemer. Redeemed have the ability to compensate the invested funds for their ransom both personally or through the assistance of their relatives. See the *Digest* XLIX. 15. 15:

[...] *If, when his father has been ransomed and has died before discharge of the debt, a son after his death should offer the amount of the ransom, it should*

<sup>21</sup> Cf. with the enclosed bibliography Carolyn Osiek, *Ransom of Captives: Evolution of a Tradition*, in "Harvard Theological Review", 74 (1981), No 4, p. 365-386; Youval Rotman. *Captives and Redeeming Captives: The Law and the Community*, in *Judea-Palaestina, Babylon and Rome: Jews in Antiquity*, eds Benjamin Isaac, Yuval Shahar, Tübingen, Mohr Siebeck, 2012, p. 227-247; Lenski, *Captivity and Romano-Barbarian Interchange*, p. 185-198; Kyle Harper, Walter Scheidel, *Roman Slavery and the Idea of 'Slave Society'*, in *What is a Slave Society? The Practice of Slavery in Global Perspective*, eds. Noel Lenski, Catherine M. Cameron, Cambridge – New York, Cambridge University Press, 2018, p. 86-105; Jane F. Gardner, *Slavery and Roman Law*, in *The Cambridge World History of Slavery*, Vol. 1, The Ancient Mediterranean World, eds Keith Bradley, Paul Cartledge, Cambridge, 2011, p. 414-436. Even before the reign of Emperor Justinian I, specific legislative initiatives were taken, but their actual deployment was between 529 and 545. According to the regulations (regardless of the presence of legal heirs), in the event that someone decided to bequeath all his property for the redemption of captives, the will was considered valid. Local bishops were charged both with the supervision of such property and with the appropriate use of the annual income (*CI* I. 2. 23; *CI* I. 3. 28; *CI* I. 3. 48. See also *CI* VIII. 53. 36 pr.; *Novella* CXXXI. 11). Moreover, in principle, inalienable ecclesiastical utensils and real estate owned by the church were permitted to be sold if the intention was to use the proceeds to redeem captives (*CI* I. 2. 21; *Inst.* II. 1. 8; *Novella* VII. 8; *Novella* LXV. 1; *Novella* CXX. 9-10). *The Codex of Justinian*, p. 60-61, 62-63, 86-89, 128-129, 2240-2241; *The Novels of Justinian*, p. 107-108, 483-485, 790-792, 873-874; *The Institutes of Justinian, English Introduction, Translation, and Notes*, ed. Thomas C. Sandars, 4<sup>th</sup> edition, London, Longmans, Green and Co., 1869, p. 170.

<sup>22</sup> The property confiscated in such cases was used precisely as a fund to pay a ransom for those held captive by the enemy. Punishment also threatened parents who did not make efforts to search for and bring home their captured children. Cf. *Novella*. CXV. 3. 13, 4. 7.

<sup>23</sup> Ernst Levy, *Captivus Redemptus*, in "Classical Philology", 38 (1943), No 3, p. 159-176 (p. 172-174 in particular).

*be said that it is possible for him to be **suus heres** to [his father]; unless by chance someone should say with greater formal logic that [the father], in dying, had obtained **postliminium**, the legal right of pledge being as it were at an end, and that he had died without the obligation for the debt, so that he was able to have a **suus heres**. This will not be an unreasonable argument [...]]<sup>24</sup>.*

In view mentioned in *Digest* 15. 12. 14 one can assume that, through working their ransom out, the redeemed restored the status prior to the moment they fell into enemy hands:

*[...] 14. If a captive was due his liberty under **fideicommissum**, on being ransomed, he cannot yet seek it unless he has recompensed his ransomer [...]]<sup>25</sup>.*

Although not considered slavery under Justinian's law, the severity of dependence and the trials resulting from it should not be underestimated. In this regard, it is hardly accidental that a text is found in the *Digest* of Emperor Justinian I the Great, according to which the redeemers could not, driven by the desire for profit, demand more than they paid. The text of *Digest* XLIX. 15. 19. 9 reads:

*[...] 9. If he, who had bought [someone] from the enemy, assigns the right of pledge to another for a greater sum than he paid to ransom him, it is not that sum but the earlier one which the ransomed man must pay; and the buyer has an action on sale against him who sold [...]]<sup>26</sup>.*

However, judging by Emperor Diocletian's (284-305) decree of 291, raising the amount was much less of a problem than refusing to accept it at all and allowing the captive to exercise his right to *postliminium*. Given the involvement of men in military endeavors, it is no coincidence that a large proportion of the texts focused on the challenges that arose when they fell into enemy captivity. In late Antiquity and the early Middle Ages, especially in the frontier provinces of the Empire, women (and adolescents) were at least as vulnerable to barbarian invasions and marauding raids, and in some ways were even more vulnerable<sup>27</sup>. It should be noted that captivity, which (as mentioned) was usually the cause of breaking up marriages, also provided an opportunity to build new families. Whether or not it was a late 3<sup>rd</sup> century innovation that ignored earlier cases, a decree of Emperor Diocletian of 294, preserved in the *Codex* of Emperor Justinian I the Great, was

<sup>24</sup> *The Digest of Justinian*, Vol. 4, p. 403.

<sup>25</sup> *Ibidem*, p. 403. Cf. *The Theodosian Code*, p. 108-109; *The Codex of Justinian*, p. 2206-2209, 2214-2218. See also Buckland, *The Roman Law of Slavery*, p. 311-312; Wickham, *The Enslavement of War Captives*, p. 45-73; Serena Connolly, *Roman Ransomers*, in "Ancient History Bulletin", 20 (2006), No 1-4, p. 115-131 (p. 116-117 in particular); Judith E. Grubbs, *Between Slavery and Freedom: Disputes over Status and the Codex Justinianus*, in "Roman Legal Tradition", 9 (2013), p. 31-93 (p. 57 in particular).

<sup>26</sup> *The Digest of Justinian*, Vol. 4, p. 404. See also *The Codex of Justinian*, p. 2214-2215.

<sup>27</sup> *The Codex of Justinian*, p. 2208-2209. Cf. Grubbs, *Between Slavery and Freedom*, p. 62-63.

categorical that a ransomed woman captive with the intention of marrying her and begetting offspring, regained her free status, and the children produced by such a couple were considered legitimate<sup>28</sup>.

In *Digest* XLIX. 15. some passages were included that point to a feature that can be defined as the use of the reproductive potential of captive girls and women. It is significant that the restoration of the status of a redeemed female captive also took place in cases of extramarital cohabitation with her ransomer. A statement in *Digest* XLIX. 15. 21 leaves no doubt that the heirs of such a relationship were also free, though illegitimate:

[...] *If anyone has with him a freeborn woman, ransomed from the enemy with the intention that he should get children by her, and subsequently he manumits a son born to her, along with the mother, under the designation of his natural son, the ignorance of him as husband and father ought not to stand in the way of the true status of those whom he seemed to have manumitted; and it should be understood that the mother is released from the bond of pledge from the time when he had hoped to get children by her. Therefore, it is agreed that she, who returned with postliminium, free and freeborn, has produced a freeborn son. But if she was publicly recovered as booty by the valor of our soldiers, and the father did not pay a ransom for the mother to anybody, she is forthwith declared to have returned with postliminium, not with a master but with a husband [...]*<sup>29</sup>.

Children redeemed along with their parents, or solely with their mother, also remained in a state of dependence until the ransom was paid or worked off, and the redeemer was compensated for the amount invested, as *Digest* XLIX.15.12.18 unequivocally affirms:

[...] *if the child which she (mother – Y.H.) was carrying in her womb at the time she was captured by the enemy, who was born while still in enemy hands, is ransomed with his mother by the same person and for the one price, then, by offering as much of the price as was given in the one [payment] for both, an estimate is reached of the value of the offspring; and he is seen as having returned with postliminium. This is much more so if there are different buyers for both [mother and child], or for one of them. But if [someone] ransomed each [of them] at an individual price, what was paid to the enemy for each should be offered for each individual to the ransomer, so that [the two of them] can also return separately with postliminium [...]*<sup>30</sup>.

<sup>28</sup> Cf. *The Codex of Justinian*, p. 2206-2207, 2212-2214. Although it should not be ruled out that concubinage or marriage in the mentioned cases was forced on the former captives, such a development was more favourable than that found mentioned in another decree of the emperor Diocletian of 291, which was also included in the *Book VIII. 50. 7.* of the *Codex of Emperor Justinian I*. It was in reply to the petition of a subject of his, named Claudius, whose daughter was forced into prostitution, after her redemption. See with the comments Connolly, *Roman Ransomers*, p. 122-124.

<sup>29</sup> *The Digest of Justinian*, Vol. 4, p. 404-405.

<sup>30</sup> *Ibidem*, p. 403.

## Conclusion

The brief notes presented above does not claim for some comprehensiveness. They do not encompass the entire diverse palette of aspects touched upon in *Digest XLIX. 15*. Rather, they draw attention to one specific aspect of the larger theme of the early Byzantine captivity. In this regard, one should highlight the borrowings from the Roman legal heritage, reconsidered and updated during the selection of the texts included in the legal compilation. Against the background of the above, it can be reasonably said that the members of the committee of jurists headed by Tribonian paid considerable attention to the problems arising in the relations, in the private and public spheres, when imperial subjects fell into enemy hands. The positives of the old Roman principle of ***postliminium*** are fully implemented. At the same time, finding synchronicity with such general aspects as the celebration of Christianity in the early Byzantine world; or, the more trivial, but no less defining, e.g., the personal initiative and profit-seeking of the redeemers of captives; the position of adult and minor heirs in the case of the captivity of one or both parents and vice versa; the conditions for the full restoration of the pre-captivity social and personal status for both sexes; the cases and reasons for refusal of this and a number of others.

## ABREVIERI

<i>AARMSI</i>	= Analele Academiei Române, Memoriile Secțiunii Istorice
<i>AARMSL</i>	= Analele Academiei Române, Memoriile Secțiunii Literare
<i>AARPAD</i>	= „Analele Academiei Române”, seria II, București, 1879-1916
<i>AA.SS.</i>	= <i>Acta Sanctorum</i> , ed. Bollandisti, III <sup>a</sup> edizione, Parigi 1863-1870
<i>AB</i>	= Arhivele Basarabiei
<i>ACNSAS</i>	= Arhivele Consiliului Național pentru Studierea Arhivelor Securității
<i>AE</i>	= L'Année Epigraphique, Paris
<i>AIR</i>	= Arhiva Iсторică a României
<i>AIIAC</i>	= Anuarul Institutului de Istorie și Arheologie Cluj
<i>AIIAI</i>	= Anuarul Institutului de Istorie și Arheologie „A. D. Xenopol”, Iași
<i>AIIC</i>	= Anuarul Institutului de Istorie Cluj
<i>AIINC</i>	= Anuarul Institutului de Istorie Națională, Cluj
<i>AIIX</i>	= Anuarul Institutului de Istorie „A. D. Xenopol”, Iași
<i>ALIL</i>	= Anuarul de Lingvistică și Istorie Literară, Iași
<i>ALMA</i>	= <i>Archivum Latinitatis Medi Aevi</i> . Genève.
<i>AM</i>	= Arheologia Moldovei, Iași
<i>AMAE</i>	= Arhiva Ministerului Afacerilor Externe
<i>AmAnthr</i>	= American Anthropologist, New Series, Published by Wiley on behalf of the American Anthropological Association
<i>AMM</i>	= Acta Moldaviae Meridionalis, Vaslui
<i>AMMB</i>	= Arhiva Mitropoliei Moldovei și Bucovinei, Iași
<i>AMN</i>	= Acta Musei Napocensis
<i>AMR</i>	= Arhivele Militare Române
<i>AMS</i>	= Anuarul Muzeului din Suceava
<i>ANB</i>	= Arhivele Naționale, București
<i>ANC</i>	= Arhivele Naționale. Serviciul Județean Cluj
<i>ANSMB</i>	= Arhivele Naționale. Serviciul Municipiului București
<i>ANG</i>	= Arhivele Naționale. Serviciul Județean Galați
<i>ANI</i>	= Arhivele Naționale, Iași
<i>ANIC</i>	= Arhivele Naționale Istorice Centrale
<i>ANR-Cluj</i>	= Arhivele Naționale, Cluj-Napoca
<i>ANR-Sibiu</i>	= Arhivele Naționale, Sibiu
<i>ANRM</i>	= Arhivele Naționale ale Republicii Moldova, Chișinău
<i>ANRW</i>	= Aufstieg und Niedergang der römischen Welt, Berlin-New York
<i>ANSMB</i>	= Arhivele Naționale. Serviciul Municipiului București
<i>ANV</i>	= Arhivele Naționale, Vaslui
<i>AO</i>	= Arhivele Olteniei
<i>AP</i>	= Analele Putnei
<i>APH</i>	= <i>Acta Poloniae Historica</i> , Varșovia
<i>AqLeg</i>	= <i>Aquila Legionis. Cuadernos de Estudios sobre el Ejército Romano</i> , Salamanca
<i>AR</i>	= Arhiva Românească
<i>ArchM</i>	= Archiva Moldaviae, Iași
<i>ArhGen</i>	= Arhiva Genealogică
„Arhiva”	= „Arhiva”. Organul Societății Științifice și Literare, Iași
<i>ArhMold</i>	= Arheologia Moldovei

ASRR	= Arhiva Societății Române de Radiodifuziune
AŞUI	= Analele Științifice ale Universității „Alexandru Ioan Cuza”, Iași
ATS	= Ancient Textile Series, Oxbow Books, Oxford și Oakville
AUAIC	= Arhiva Universității „Alexandru Ioan Cuza” din Iași
AUB	= Analele Universității „București”
BA	= Biblioteca Ambrosiana, Roma, Città Nuova Editrice
BAR	= Biblioteca Academiei Române
BArchB	= Bundesarchiv Berlin
BAR <i>int. ser.</i>	= British Archaeological Reports, International Series
BBRF	= Buletinul Bibliotecii Române din Freiburg
BCIR	= Buletinul Comisiei Istorice a României
BCMI	= Buletinul Comisiei Monumentelor Istorice
BCU-Iași	= Biblioteca Centrală Universitară, Iași
BE	= Bulletin Epigraphique
BF	= Byzantinische Forschungen, Amsterdam
BJ	= Bonner Jahrbücher, Bonn
BMI	= Buletinul Monumentelor Istorice
BMIM	= București. Materiale de istorie și muzeografie
BNB	= Biblioteca Națională București
BNJ	= Byzantinisch-Neugriechische Jahrbücher
BOR	= Biserica Ortodoxă Română
BS	= Balkan Studies
BSNR	= Buletinul Societății Numismatice Române
ByzSlav	= Byzantinoslavica
CA	= Cercetări arheologice
CAI	= Caiete de Antropologie Istorică
CartNova	= <i>La ciudad de Carthago Nova 3: La documentación epigráfica</i> , Murcia
CB	= Cahiers balkaniques
CBI	= <i>Der römische Weihebezirk von Osterburken. Corpus des griechischen und lateinischer Beneficiarier – Inschriften des Römischen Reiches</i> , Stuttgart
CC	= Codrul Cosminului, Suceava (ambele serii)
CCAR	= Cronica cercetărilor arheologice din România, CIMEC, București
CCh	= <i>Corpus Christianorum</i> , Turnhout
CChSG	= <i>Corpus Christianorum. Series Graeca</i>
CCSL	= <i>Corpus Christianorum Series Latina</i> , Turnhout, Brepols
CDM	= <i>Catalogul documentelor moldovenești din Arhivele Centrale de Stat</i> , București, vol. I-V; supl. I.
CDTR	= <i>Catalogul documentelor Țării Românești din Arhivele Statului</i> , București, vol. II-VIII, 1974-2006
Chiron	= Chiron: Mitteilungen der Kommission für Alte Geschichte und Epigraphik des Deutschen Archäologischen Instituts, 1971
CI	= Cercetări istorice (ambele serii)
CIL	= <i>Corpus Inscriptionum Latinarum</i> , Berlin
CL	= Cercetări literare
CLRE	= <i>Consuls of the Later Roman Empire</i> , eds. R. S. Bagnall, A. Cameron, S. R. Schwartz, K. A. Worp, Atlanta, 1987
CN	= Cercetări Numismatice
CNA	= Cronica Numismatică și Arheologică, București
CSCO	= <i>Corpus Scriptorum Christianorum Orientalium</i> , Louvain
CSEA	= <i>Corpus Scriptorum Ecclesiae Aquileiensis</i> , Roma, Città Nuova Editrice
CSEL	= <i>Corpus Scriptorum Ecclesiasticon Latinorum</i> , Wien, De Gruyter
CSPAMI	= Centrul de Studii și Păstrare a Arhivelor Militare Centrale, Pitești
CT	= Columna lui Traian, București

<i>CTh</i>	= <i>Codex Theodosianus. Theodosiani, Libri XVI cum constitutionibus Sirmondianis, I, edidit adsumpto apparatu P. Kruegeri, Th. Mommsen, Hildesheim, 1970-1971</i>
<i>Cv.L</i>	= Convorbiri literare (ambele serii)
<i>„Dacia”, N.S.</i>	= <i>Dacia. Nouvelle Série, Revue d'archéologie et d'histoire ancienne, Bucureşti</i>
<i>DGAS</i>	= Direcția Generală a Arhivelor Statului
<i>DI</i>	= <i>Diplomatarium Italicum</i>
<i>DIR</i>	= <i>Documente privind istoria României</i>
<i>DIRRI</i>	= <i>Documente privind Istoria României. Războiul pentru Independență</i>
<i>DOP</i>	= <i>Dumbarton Oaks Papers</i>
<i>DTN</i>	= <i>Din trecutul nostru, Chișinău</i>
<i>DRH</i>	= <i>Documenta Romaniae Historica</i>
<i>EB</i>	= Études Balkaniques
<i>EBPB</i>	= Études byzantines et post-byzantines
<i>EDCS</i>	= <i>Epigraphik-Datenbank Clauss-Slaby</i> ( <a href="http://www.manfredclauss.de/">http://www.manfredclauss.de/</a> )
<i>EDR</i>	= <i>Epigraphic Database Roma</i> ( <a href="http://www.edr-edr.it/default/index.php">http://www.edr-edr.it/default/index.php</a> )
<i>EpigrAnat</i>	= Epigraphica Anatolica, Münster
<i>ERAsturias</i>	= F. Diego Santos, <i>Epigrafía Romana de Asturias</i> , Oviedo, 1959.
<i>EuGeSta</i>	= <i>Journal of Gender Studies in Antiquity</i>
<i>Gerión</i>	= Gerión. Revista de Historia Antigua, Madrid
<i>GB</i>	= Glasul Bisericii
<i>GCS</i>	= <i>Die Griechischen Christlichen Schriftsteller</i> , Leipzig, Hinrichs, 1897-1969
<i>GLK</i>	= <i>Grammatici Latini Keil</i>
<i>HEp</i>	= <i>Hispania Epigraphica</i> , Madrid
<i>„Hierasus”</i>	= <i>Herasus. Anuarul Muzeului Județean Botoșani</i> , Botoșani
<i>HM</i>	= Heraldica Moldaviae, Chișinău
<i>HU</i>	= Historia Urbana, Sibiu
<i>HUI</i>	= Historia Universitatis Iassiensis, Iași
<i>IDR</i>	= <i>Inscriptiile din Dacia romană</i> , Bucurști-Paris
<i>IDRE</i>	= <i>Inscriptions de la Dacie romaine. Inscriptions externes concernant l'histoire de la Dacie</i> , I-II, Bucarest, 1996, 2000
<i>IGLN</i>	= Inscriptions grecques et latines de Novae, Bordeaux
<i>IGLR</i>	= <i>Inscriptiile grecești și latine din secolele IV-XIII descoperite în România</i> , Bucureşti, 1976
<i>IILPecs</i>	= Instrumenta Inscripta Latina. <i>Das römische Leben im Spiegel der Kleininschriften</i> , Pecs, 1991
<i>ILAlg</i>	= <i>Inscriptions latines d'Algérie</i> , Paris
<i>ILB</i>	= <i>Inscriptiones Latinae in Bulgaria repertae. Inscriptiones inter Oescum et Iatrum repertae</i> , Sofia, 1989
<i>ILD</i>	= <i>Inscriptiile latine din Dacia</i> , Bucureşti
<i>ILN</i>	= <i>Inscriptions latines de Novae</i> , Poznań
<i>ILLPRON</i>	= <i>Inscriptionum Lapidarium Latinarum Provinciae Norici usque ad annum MCMLXXXIV repertarum indices</i> , Berlin, 1986
<i>ILS</i>	= <i>Inscriptiones Latinae Selectae</i> , 1892
<i>IMS</i>	= <i>Inscriptiones Moesiae Superioris</i> , Belgrad
<i>IN</i>	= „Ioan Neculce”. Buletinul Muzeului Municipal Iași
<i>ISM</i>	= <i>Inscriptiile din Scythia Minor grecești și latine</i> , Bucureşti, vol. I-III, 1983-1999
<i>JGO</i>	= Jahrbücher für Geschichte Osteuropas
<i>JL</i>	= Junimea literară
<i>JRS</i>	= The Journal of Roman studies, London
<i>LR</i>	= Limba română
<i>Lupa</i>	= <i>Ubi Erat Lupa</i> ( <a href="http://lupa.at/">http://lupa.at/</a> )
<i>MA</i>	= Memoria Antiquitatis, Piatra Neamț

<i>MCA</i>	= Materiale și cercetări arheologice
<i>MEF</i>	= <i>Moldova în epoca feudalismului</i> , vol. I-XII, 1961-2012, Chișinău
<i>MEFRA</i>	= <i>Mélanges de l'École française de Rome: Antiquité</i> , Roma
<i>MGH</i>	= <i>Monumenta Germaniae Historica inde ab anno Christi quingentesimo usque ad annum millesimum et quingentesimum auspicis societatis aperiendis fontibus rerum Germanicarum mediis aevi</i> , Berlin 1877-
<i>MI</i>	= Magazin istoric, București
<i>MIM</i>	= Materiale de istorie și muzeografie
<i>MM</i>	= Mitropolia Moldovei
<i>MMS</i>	= Mitropolia Moldovei și Sucevei
<i>MN</i>	= Muzeul Național, București
<i>MO</i>	= Mitropolia Olteniei
<i>MOF</i>	= Monitorul Oficial al României
<i>Navarro</i>	= M. Navarro Caballero, <i>Perfectissima femina. Femmes de l'elite dans l'Hispanie romaine</i> , Bordeaux, 2017.
<i>NBA</i>	= <i>Nuova Biblioteca Agostiniana</i> , Roma, Institutum Patristicum Augustinianum
<i>NDPAC</i>	= <i>Nuovo Dizionario Patristico e di Antichità Cristiane</i> , I, A-E, 2e edizione, Marietti, 2006; III, P-Z, 2e edizione, Marietti, 2008
<i>NEH</i>	= Nouvelles études d'histoire
<i>OI</i>	= Opționi istoriografice, Iași
<i>OPEL</i>	= <i>Onomasticon provinciarul Europae latinarum</i> , vol. I-IV, Budapesta-Viena, 1994-2002
<i>PG</i>	= <i>Patrologiae cursus completus, Series Graeca</i> , ed. J.-P. Migne, Paris, 1886-1912
<i>PIR</i>	= <i>Prosopographia Imperii Romani. Saec. I.II.III.</i> , editio altera, Berlin.
<i>PLRE</i>	= <i>Prosopography of the Later Roman Empire</i> , 3 vol., eds. A. H. M. Jones, J. R. Martindale, and J. Morris, Cambridge, 1971-1992
<i>RA</i>	= Revista arhivelor
<i>RBAR</i>	= Revista Bibliotecii Academiei Române, București
<i>RC</i>	= Revista catolică
<i>RdI</i>	= Revista de istorie
<i>REByz</i>	= Revue des Études Byzantines
<i>RER</i>	= Revue des études roumaines
<i>RESEE</i>	= Revue des études Sud-Est européennes
<i>RGI</i>	= Revista Generală a Învățământului
<i>RHP</i>	= <i>Die römischen Hilfstruppen in Pannonien während der Prinzipatszeit. I: Die Inschriften</i> , Viena
<i>RHSEE</i>	= Revue historique de Sud-Est européen
<i>RI</i>	= Revista istorică (ambele serii)
<i>RIAF</i>	= Revista pentru istorie, arheologie și filologie
<i>RIB</i>	= <i>Roman Inscriptions of Britain</i> , Londra
<i>RIM</i>	= Revista de Istorie a Moldovei, Chișinău
<i>RIR</i>	= Revista istorică română, București
<i>RIS</i>	= Revista de istorie socială, Iași
<i>RITL</i>	= Revista de istorie și teorie literară
<i>RIU</i>	= <i>Die römischen Inschriften Ungarns</i> , Budapesta
<i>RJMH</i>	= The Romanian Journal of Modern History, Iași
<i>RM</i>	= Revista muzeelor
<i>RMD</i>	= <i>Roman Military Diplomas</i> , Londra
<i>RMM</i>	= <i>Römische Militärdiplome und Entlassungsurkunden in der Sammlung des Römisch-Germanischen Zentralmuseums</i> , Mainz
<i>RMM-MIA</i>	= Revista muzeelor și monumentelor, seria Monumente istorice și de artă
<i>RMR</i>	= Revista Medicală Română
<i>RRH</i>	= Revue roumaine d'histoire

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<i>RRHA</i>	= Revue roumaine de l'histoire de l'art
<i>RRHA-BA</i>	= Revue Roumaine d'Histoire de l'Art. Série Beaux Arts
<i>RSIAB</i>	= Revista Societății istorice și arheologice bisericesti, Chișinău
<i>Rsl</i>	= Romanoslavica
<i>SAHIR</i>	= Studia et Acta Historiae Iudaeorum Romaniae, București
<i>SAI</i>	= Studii și Articole de Istorie
<i>SANIC</i>	= Serviciul Arhivelor Naționale Istorice Centrale
<i>SCB</i>	= Studii și cercetări de bibliologie
<i>SCh</i>	= <i>Sources Chrétienennes</i> , Paris
<i>SCIA</i>	= Studii și cercetări de istoria artei
<i>SCIM</i>	= Studii și cercetări de istorie medie
<i>SCIV/SCIVA</i>	= Studii și cercetări de istorie veche (și arheologie)
<i>SCN</i>	= Studii și Cercetări Numismatice, București
<i>SCŞI</i>	= Studii și cercetări științifice, Istorie
<i>SEER</i>	= The Slavonic and East European Review
<i>SHA</i>	= Scriptores Historiae Augustae
<i>SJAN</i>	= Serviciul Județean al Arhivelor Naționale
<i>SMIC</i>	= Studii și materiale de istorie contemporană, București
<i>SMIM</i>	= Studii și materiale de istorie medie, București
<i>SMIMod</i>	= Studii și materiale de istorie modernă, București
<i>SOF</i>	= Südost-Forschungen, München
<i>ST</i>	= Studii Teologice, București
<i>StAntArh</i>	= Studia Antiqua et Archaeologica, Iași
<i>T&amp;MBYZ</i>	= <i>Travaux et Mémoires du Centre de recherches d'histoire et de civilisation byzantines</i>
<i>ThD</i>	= Thraco-Dacica, București
<i>TR</i>	= Transylvanian Review, Cluj-Napoca
<i>TV</i>	= Teologie și viață, Iași
<i>ZPE</i>	= Zeitschrift für Papyrologie und Epigraphik
<i>ZSL</i>	= Zeitschrift für Siebenbürgische Landeskunde