



ΑΚΑΔΗΜΙΑ



ΑΘΗΝΩΝ

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Greek Law

## **Re-reading Title 1 of the Eisagoge: Law, Justice, and Constitutional Thought in Byzantium**

### **Abstract:**

The talk deals with the question whether Byzantium produced anything comparable to a written “constitutional charter” before modern constitutionalism. It focuses on the late ninth-century Eisagoge (Εἰσαγωγή, Introduction) and, in particular, its first title, Περὶ νόμου καὶ δικαιοσύνης (“On law and justice”). The core subject matter is functional rather than doctrinal: although the content of Title 1 of the Eisagoge largely restates juristic definitions of Roman / Justinianic Law (with some ancient Greek influences) transmitted through the Basilica, the Byzantine innovation lies in editorial design. By placing “law and justice” at the very beginning—before the institutional chapters on emperor and patriarch—the text frames political authority as grounded, at least programmatically, in a normative order prior to office-holding. Moreover, the first title of the Eisagoge is reused or echoed in some later legal compilations and authors. Thus, it might have served as a durable normative framework for public order. Without equating this with modern rule-of-law constitutionalism, the presentation will invite discussion on criteria and evidence: when do foundational principles count as “constitutional,” how should rhetoric be weighed against actual limits on power, and what would decisively confirm—or refute—this interpretation in a non-liberal imperial polity?