

La trasmissione diretta / Codici del Teodosiano integro

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Editions of the Codex Integer

G. F. Hänel, *Codex Theodosianus*, Bonn, 1837-1842 [= E. Böking et al. (edd.), *Corpus Iuris Romani Anteiusiniani*, vol. II.2].

Th. Mommsen, with P. Krüger, *Theodosiani libri XVI cum constitutionibus Sirmondianis, pars posterior: Textus cum apparatu*, Berlin, 1904 [= Th. Mommsen and P. M. Meyer (edd.), *Theodosiani libri XVI cum constitutionibus Sirmondianis et Leges novellae ad Theodosianum pertinentes*, 2 vols and *Tabulae sex*, Berlin, 1905, vol. I.2].

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Discussion of transmission of late antique Latin manuscripts and/or legal works

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CLA Add. = B. Bischoff and V. Brown, « Addenda to *Codices Latini Antiquiores* », *Medieval Studies* 47, 1985, 317-366.

CLA Add. II = B. Bishoff, V. Brown, J. J. John, « Addenda to *Codices Latini Antiquiores* (II) », *Medieval Studies* 54, 1992, 286-307.

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R. Gryson and L. Gilissen, *Les scolies ariennes du Parisinus latinus 8907. Un échantillonage d'écriture latines du V^e siècle*, Armarium codicum insignium 1, Turnhout, 1980.

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R. W. B. Salway, « The publication of the *Theodosian Code* and the transmission of its text: some observations » in S. Croiez-Pétrequin and P. Jaillette (edd.), *Société, économie, administration dans le Code Théodosien*, Lille, 2012, 21-61.

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I. N. Wood, « The Code in Merovingian Gaul », in J. D. Harries and I. N. Wood (edd.), *The Theodosian Code. Studies in the Imperial Law of Late Antiquity*, London, 1993, 161-177.

Mommsen's list of manuscript authorities (Mommsen 1905, pp. vi-viii)

CONSPECTVS SVBSIDIORVM AD THEODOSIANVM ADHIBITORVM

- A = Ambrosianus C 29 inf. (Theod. integri pars cum Brev. decurt.) p. LXXXIII. LXXXVII.
CXXXIII.
- B = Wallersteinensis (Brev. int. ad 9, 9, 1) p. LXXII. CXXXIV.
- C = Murbacensis deperditi apographum Basileense C. III, 1 (Brev. int. inde a 2, 25, 1)
p. LXXIII. CXXXV.
- D = Parisinus 12445 = Sangermanensis 366 (Theod. int. l. XVI et Brev. excerpta)
p. LXXXVIII. XC. Marginalia ex V p. XLV.
- E = Eporediensis 35 (Brev. int. inde a 2, 8, 1 et Theod. int. l. XVI) p. LXVII. LXXXVII. XC.
CXXXIV.
- *E = Rosnyanus + Parisinus 4406 f. 1—56 (descriptus ex E) p. LXVIII. CXV.
- F = Pithoeanus deperditus (Brev. int.) non collatus totus. p. LXXIX. LXXXV. CXXXV.
CXXXVII.
- G = Gothanus fol. n. 84 (Brev. int.) p. LXXII. CXXXIV.
- H = Hispanus Legionensis rescriptus (Brev. int.) p. LXX. CXXXIII.
- K = Parisinus *nouv. acq. Lat.* 1631 = Aurelianensis (Brev. int. inde a 3, 1, 5) non col-
latus totus. p. LXXVIII. CXXXV. CXXXVII.
- L = Parisinus 4403 (Brev. int. et epitome libri XVI) p. LXXVII. XCI. CXXII. CXXXV.
CXXXVI.
- M = Monacensis 22501 (Brev. int.) p. LXXV. CXXXV. CXXXVI.
- N = Parisinus 4404 (Brev. int.) p. LXXI. CXXXIII. Eius Alaricana p. XXXII.
- N* = Berolinensis Savignianus n. 1 (Brev. decurt.) p. XCVI.
- O = Oxoniensis Bodleianus Seldenianus B 16 (Brev. int. et Theod. int. l. XVI) p. LXV.
LXXXVII. XC. CXXXII.
- P = Berolinensis Phillipssianus 1761 (Brev. int. inde a 1, 34, 3) p. LXXV. CXXXV.
CXXXVI.
- Q = Lugdunensis 303 (Brev. int. inde a 3, 16, 1 adiectis scholiis) non collatus totus.
p. LXXIX. CXXXV. CXXXVII.
- R = Parisinus 9643 (Theod. int. l. VI. VII. VIII) p. XLII—XLIV. — Quae deficiunt mar-
ginibus exesis, exhibentur inter parentheses (), ita ut indicatur in subscriptis. —
Orthographiam libri primarii retinui ad leges easdem, quas secutus sum in V. —
Compendia potiora similiter retinui.
- S = Parisinus 4405 (Brev. int.) p. LXXVI. CXXXV. CXXXVI. Eius Alaricana p. XXXII.
- T = Taurinensis a II, 2 rescriptus (Theod. int. fragmenta) p. XXXIX—XLII. — Quae defi-
cient in codice servata alibi, non distincta sunt nisi ex certa causa. — Ortho-
graphicis codicis inter bonos non optimi raro adnotantur.
- V cum scholiis suis = Vaticanus reginae 886 (Theod. int. l. VIII—XVI) p. XLIV—LVII. —
Orthographiam libri primarii ita retinui, ut ambigua, qualia sunt in vocabulis
compositis *con-* et *com-*, *in-* et *im-*, spreta constantia ad codicem formarentur,
mendoza, etiam ubi in erroribus librarius sibi constat, ut sunt *aeclesia*, *heresis*,
Acyndinus, *Arintheus*, in apparatu adnotarentur. — Compendia communia, ut
sunt *q.* = *que*, *b.* = *bus*, non retinui; retinui quae sunt huic generi librorum pro-
pria, maxime in inscriptionibus et subscriptionibus, soluta tamen ad hoc exem-
plum *p(raefectus) p(raetori)o*, ubi in codice est *ppo*.
- W = Vaticanus 5766 cum fol. tribus Taurinensibus rescriptus (Theod. int. l. XIII—XV.
XVI fragmenta) p. LVIII. — Quae deficiunt in codice servata alibi, non distincta
sunt nisi ex certa causa. — Orthographicis raro adnotavi.
- X = Eporediensis 36 (Brev. int.) non collatus totus. p. LXXIV. CXXXV.
- Y = Berolinensis Phillipssianus 1741 (Theod. int. l. XVI et Brev. excerpta) p. LXXXVIII.
XC. Marginalia ex V p. XLIV.

— VII —

14 = Montispessulanus 84 (Brev. int.) p. LXXXI } collati ad solos locos speciminis
16 = Vaticanus reginae 1128 (Brev. int.) p. LXXX } causa selectos (v. p. LXV), ubi in
17 = Vaticanus Ottobonianus 2225 (Brev. int.) } subscriptis nominantur.
p. LXXXI

Aegidiana epitome p. C. CVII. Codices eius adhibiti ad Alaricana p. XXXII.

Ambrosianus A 46 inf. (epit. Aeg.) p. CI.

Ambrosianus C 276 inf. (Brev. decurt.) p. XCV.

Appendix Breviarii I (Krueger p. 253—259) p. LXXXIII.

Appendix Breviarii II (Krueger p. 260—263) p. LXXXIII.

Basileensis C. III, 1 (varia) p. XCV.

Bernensis 263 (Brev. decurt.) p. XCV.

Berolinensis Lat. fol. 270 (varia) p. CII.

Berolinensis Lat. quart. 150 (Brev. decurt.) p. XCVI.

Berolinensis Phillipssianus 1745 p. LXII.

Berolinensis Savignianus vide supra N*.

Clermont-Ferrand 201 (Brev. decurt.) p. XCVI.

Consultatio veteris iurisconsulti p. CIV.

Cuiaciana p. CV. CVII—CXVI.

Curiensis epitome p. CII.

Fuldensis D I (epitome) p. C.

Gothofrediana p. CXVI.

Gromatici scriptores p. LIX.

Guelferbytana epitome p. CII.

Haeneliana p. CXVII.

Halberstadiensis rescriptus (Th. integri fragmenta) p. LVII.

Hincmariana excerpta p. LXXXIX.

Holkhamensis 210 (epit. Aeg.) p. CI.

Iust. = Iustinianus codex ad ed. Kruegeri maiorem a. 1877 p. LIX. CXXIV. Quae habet diversa a Theodosiano, exhibentur bipertito: lectio Iustiniana ubi aut referri potest ad ipsum Theodosiani archetypum aut ad mutationes a Iustiniani iuris peritis consulto factas, ad marginem collocata est; contra minora ad librarios magis referenda inserui apparatui meo, cavens ita, potiora aut vera aut certe notata digna ne intra variarum lectionum sordes laterent. Codices a Kruegero adhibitos secundum eundem (l. l. p. LX sqq.) allegavi retentis inter parentheses () vocabulo *Iust.* subiunctas signis ab eo usurpati, inter quae haec potissimum invenientur.

C = Casinas 49.

D = Darmstadiensis 2000.

I = Vindobonensis 2130 ad l. X. XI. XII.

K = Parisinus 4537 ad l. X. XI. XII.

L = Parisinus 4516.

N = Parisinus 16910.

O = Oxoniensis Bodleianus 3361 ad l. X. XI. XII.

P = Pistoriensis 66.

Rubricae Iustiniani codicis collatae cum Theodosianis p. XIII—XXVII.

Leges Germanorum p. LX. LXI.

Leidensis Voss. quart. 47 (Brev. decurt.) p. XCVI.

Monachi epitome p. CII. Eius Alaricana p. XXXII.

Montispessulanus 136 (Brev. decurt.) p. XCVI.

Murbacensis p. LXXXIII. CXXXV.

Parisinus 4403 A (Brev. decurt.) p. XCVII.

Parisinus 4406 f. 1—56 p. LXVIII. CXV.

f. 57—59 p. LXXVIII.

f. 60—67 p. XCIX.

f. 68 p. XCVIII.

f. 69—72 titulus de incestis nuptiis (vide ed. ad rubr. 3, 12) aliaque minora (Haenel Brev. p. LIII).

R = Berolinensis 273.

S = Summa Perusina.

T = Berolinensis 272.

V = Veronensis LXII rescriptus saec. VI/VII.

W = Vaticanus 1427.

X = Oxoniensis Orielensis A. 2. 7 ad libros XI. XII.

Hal. = Haloandri editio a. 1530.

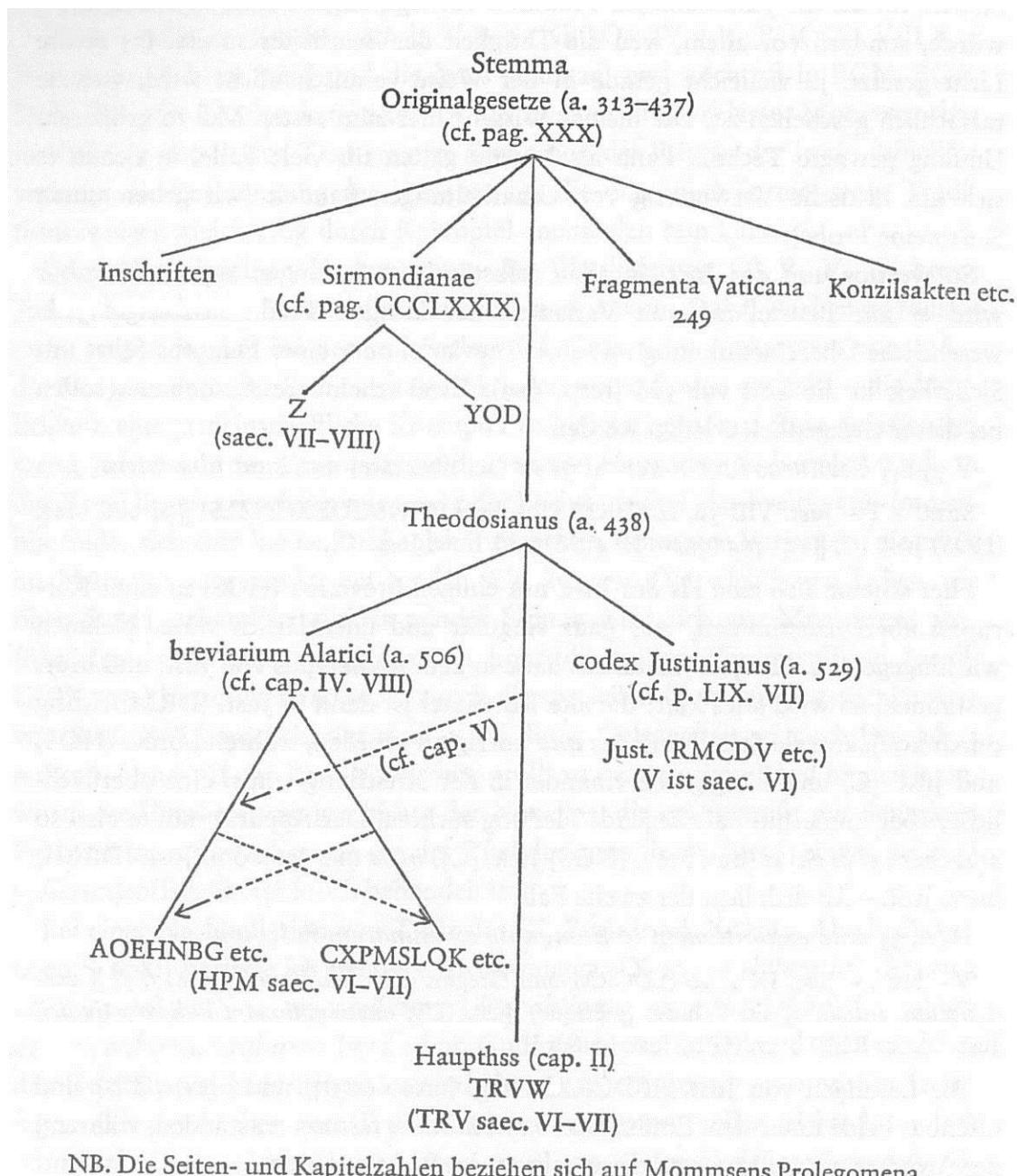
— VIII —

- Parisinus 4408 (Brev. decurt.) p. XCVII.
 Parisinus 4409 (Brev. decurt.) p. XCVII.
 Parisinus 4410 adiuncto folio nunc Parisini 4406 f. 68 (Brev. decurt.) p. XCVIII.
 Parisinus 4411 (Brev. decurt.) p. XCVIII.
 Parisinus 4412 (Brev. decurt.) p. LXXXV. XCVIII.
 Parisinus 4413 (Brev. decurt.) p. LXXXV. XCVIII.
 Parisinus 4414 (Brev. decurt.) p. XCVIII.
 Parisinus 4415 (Brev. decurt.) p. XCIX.
 Parisinus 9652 + 4406 f. 60—67 (Brev. decurt.) p. XCIX.
 Parisinus 9653 (Brev. decurt.) p. XCIX.
 Parisinus 10758 (epitome) p. LXXXIX. CL.
 Parisinus 12161 f. 65/66. 79/80. 71/72. 73/74 rescripta p. LXV.
 Pithoeana excerpta *Réserve* F² p. CIX—CXVI.
Réserve F³ p. CIX.
Réserve F⁴ p. LXXIX. LXXXV. CXXXV. CXXXVII.
 Sangallensis 731 (Brev. decurt.) p. XCIX.
 Solmsianus (excerpta ex V) p. LVII.
 Varsoviensis n. 480 (Brev. decurt.) p. XCIX.
 Vaticanus reginae 520 p. LXIV. LXXXVI.
 Vaticanus reginae 857 (Brev. decurt.) p. C.
 Vaticanus reginae 1023 (Brev. decurt.) p. LXXXV. C.
 Vaticanus reginae 1048 (Brev. decurt.) p. C.
 Vaticanus reginae 1050 (Brev. decurt.) p. C.
om. nota ubi apponitur, refertur ad solum vocabulum proxime praecedens, nisi plura repetuntur, id quod maxime retinendum est in apparatu ad subscriptiones pertinentem. Exempli causa *ii caes.* (*om.*) significat solum vocabulum *caes.* desiderari; ubi etiam *ii* desideratur, scribitur aut *ii* (*om.*) *caes.* (*om.*) aut *ii caes.* (*ii caes.* *om.*) orthographica minora passim suppressa sunt in apparatu. Exempli causa ubi scribitur *praescribere* legi in codicibus pluribus, his item continentur *ii* qui habent *scribere*.

CONSPECTVS SVBSIDIORVM
AD SIRMONDIANAS ADHIBITORVM

- A = Ambros. C 29 inf. (rubricae const. 5 et 7) p. CCCLXXIX (cf. supra p. VI).
 D = Parisinus 12445 (const. 1—7) p. CCCLXXIX (cf. supra p. VI).
 E = Eporediensis 35 (const. 1—3) p. CCCLXXIX (cf. supra p. VI).
 O = Oxoniensis Bodleianus Seldenianus B 16 (const. 1—3. 5—7) p. CCCLXXIX (cf. supra p. VI).
 W = Stuttgartensis 113 (const. 1) p. CCCLXXX.
 Y = Berolinensis Phillipssianus 1741 (const. 1—7) p. CCCLXXIX (cf. supra p. VI).
 Z = Berolinensis Phillipssianus 1745 (const. 1—16) p. CCCLXXVIII (cf. supra p. VII).
Bellov. = Parisinus 9652 p. CCCLXXIX (cf. supra p. VIII).
Berol. = Berolinensis lat. f. 270 p. CCCLXXIX (cf. supra p. VII).
 Benedictus Levita p. CCCLXXIX. | Parisinus 1452 (descriptus ex *Z*) p. CCCLXXIX.
 Florus (descriptus ex *Z*) p. CCCLXXVIII. | Parisinus 10753 (epitome) p. CCCLXXIX (cf.
 Hincmarus p. CCCLXXIX (cf. supra p. VII). | supra p. VIII).
 Leidensis Voss. quart. 119 p. CCCLXXIX. | Parisinus 12097 p. CCCLXXIX.

Paul Maas' stemma (Maas 1906, p. 642 [1973, p. 610])



Illustrated Guide to the Surviving Direct Manuscript Tradition

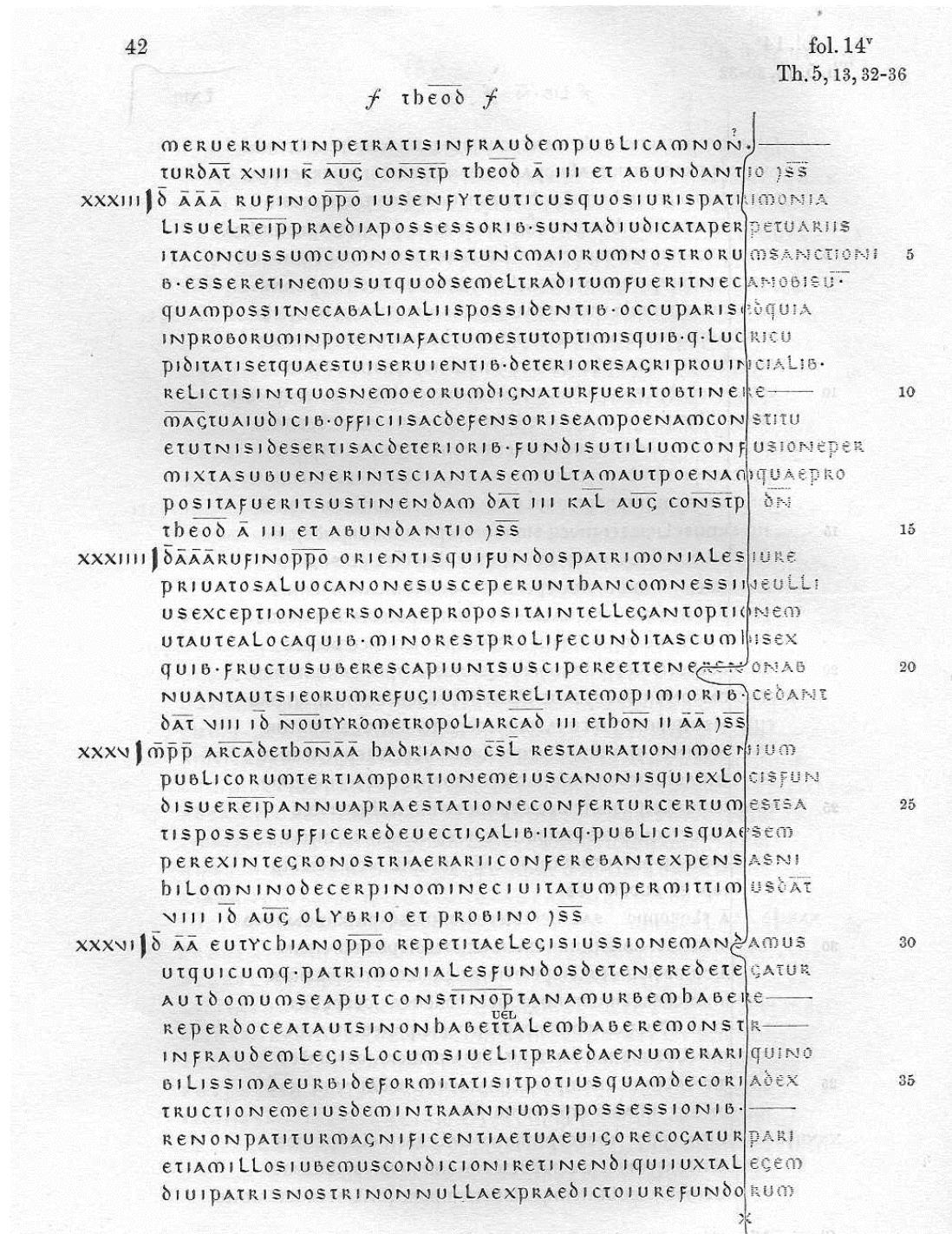
The following entries give the full library catalogue details of each of the surviving fragments (there is no complete manuscript of the entire Codex), references to the full descriptions of their character and content by Mommsen in the prolegomena to his edition of the Codex and by Coma Fort in his monograph on the textual transmission of the Code (available on-line at: <http://hdl.handle.net/10016/19297>), as well as to the palaeographical discussions of E. A. Lowe in the *Codices Latinae Antiquiores* and other significant editions and discussions.

Uncial Manuscripts

Torino, Biblioteca Nazionale Universitaria, ms. A II 2 T = Mommsen 1905, ms. T, pp. xxxix-xlii = CLA IV 440 (uncial, Italy, saec. VIⁱⁿ) = Coma Fort 2014, pp. 44-55. Destroyed by fire on 26 January 1904.

Facsimile edition (apograph of palimpsest): P. Krüger, *Codicis Theodosiani fragmenta Taurinensia*. APAW, philosophisch-historische Klasse, 1879, 2, Berlin 1880.

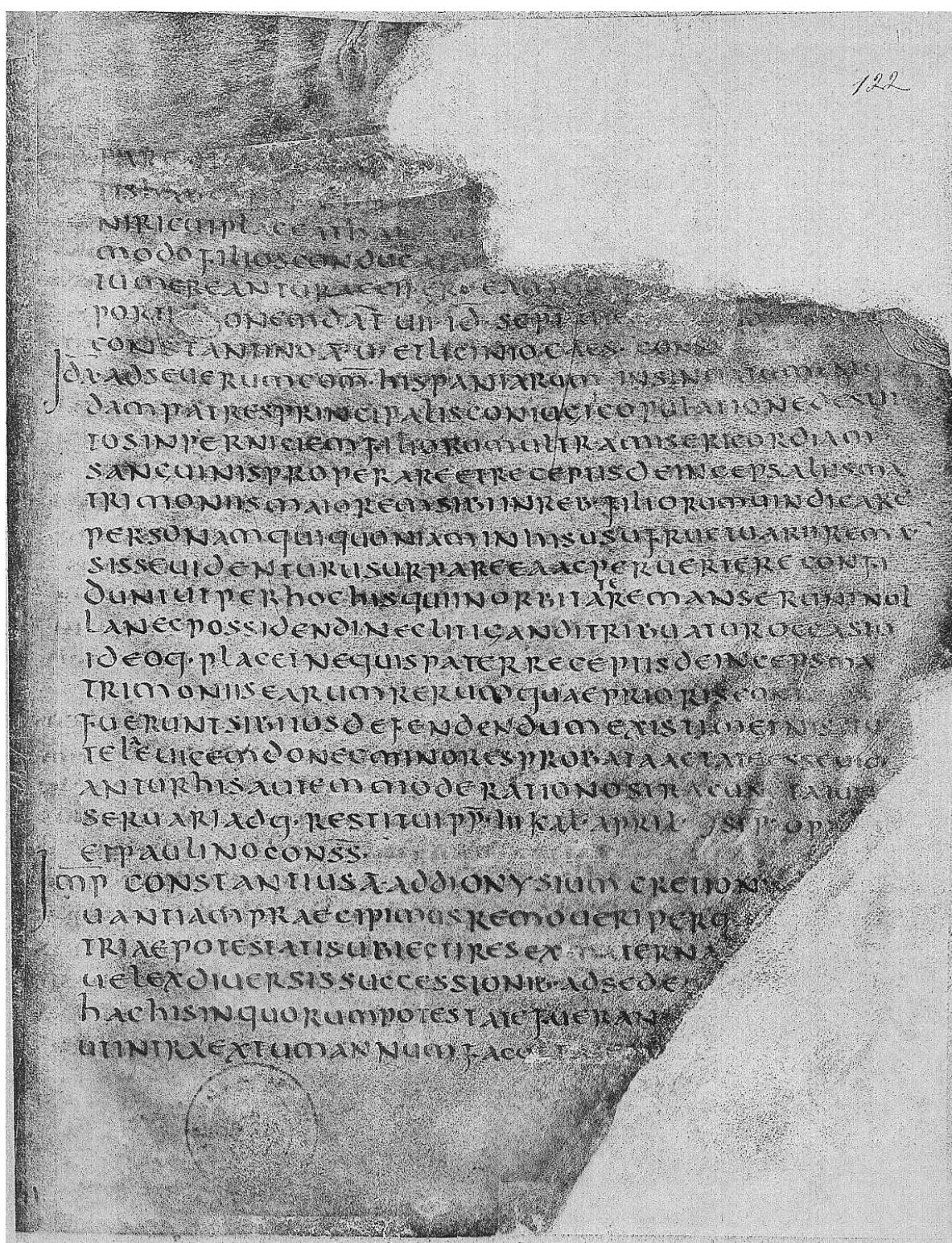
Edition of scholia: A. J. B. Sirks, *Summaria Antiqua Codicis Theodosiani. Réédition, avec les gloses publiées dans Codicis Theodosiani fragmenta Taurinensia (ed. P. Krüger)*, Amsterdam, 1996.



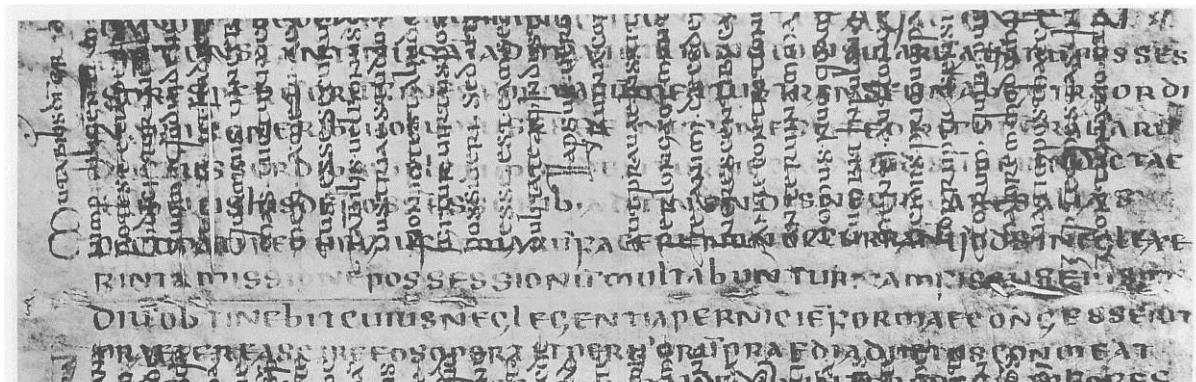
Paris, Bibliothèque Nationale, ms. lat. 9643 = Mommsen 1905, ms. R, pp. xlii-xliv = CLA V
591 (uncial, Gaul, prob. Lyon, saec. VI) = Coma Fort 2014, pp. 57-66.

Facsimile edition: H. A. Omont, *Code Théodosien. Livres VI.-VIII. Reproduction réduite du manuscrit en onciale, latin 9643, de la Bibliothèque Nationale*, Paris, 1909.

Digital online version: <http://gallica.bnf.fr/ark:/12148/btv1b10303686s>

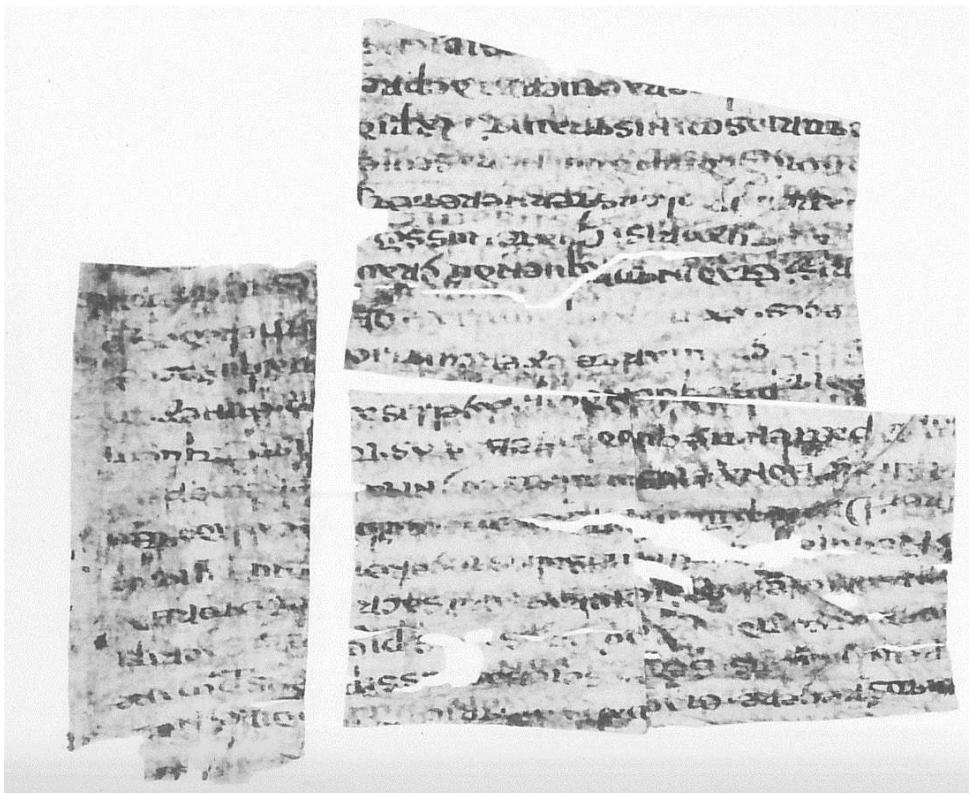


Roma, Biblioteca Apostolica Vaticana, ms. Vat. lat. 5766, foll. 23-45 + 46-48 + Torino,
Biblioteca Nazionale Universitaria, s. n., 3 foll. = Mommsen 1905, ms. W, p. lviii = CLA I 46
+ CLA IV **46, p. 11 (b-uncial, prob. Gaul, saec. VII) = Coma Fort 2014, pp. 93-99.
Destroyed by fire on 26 January 1904.



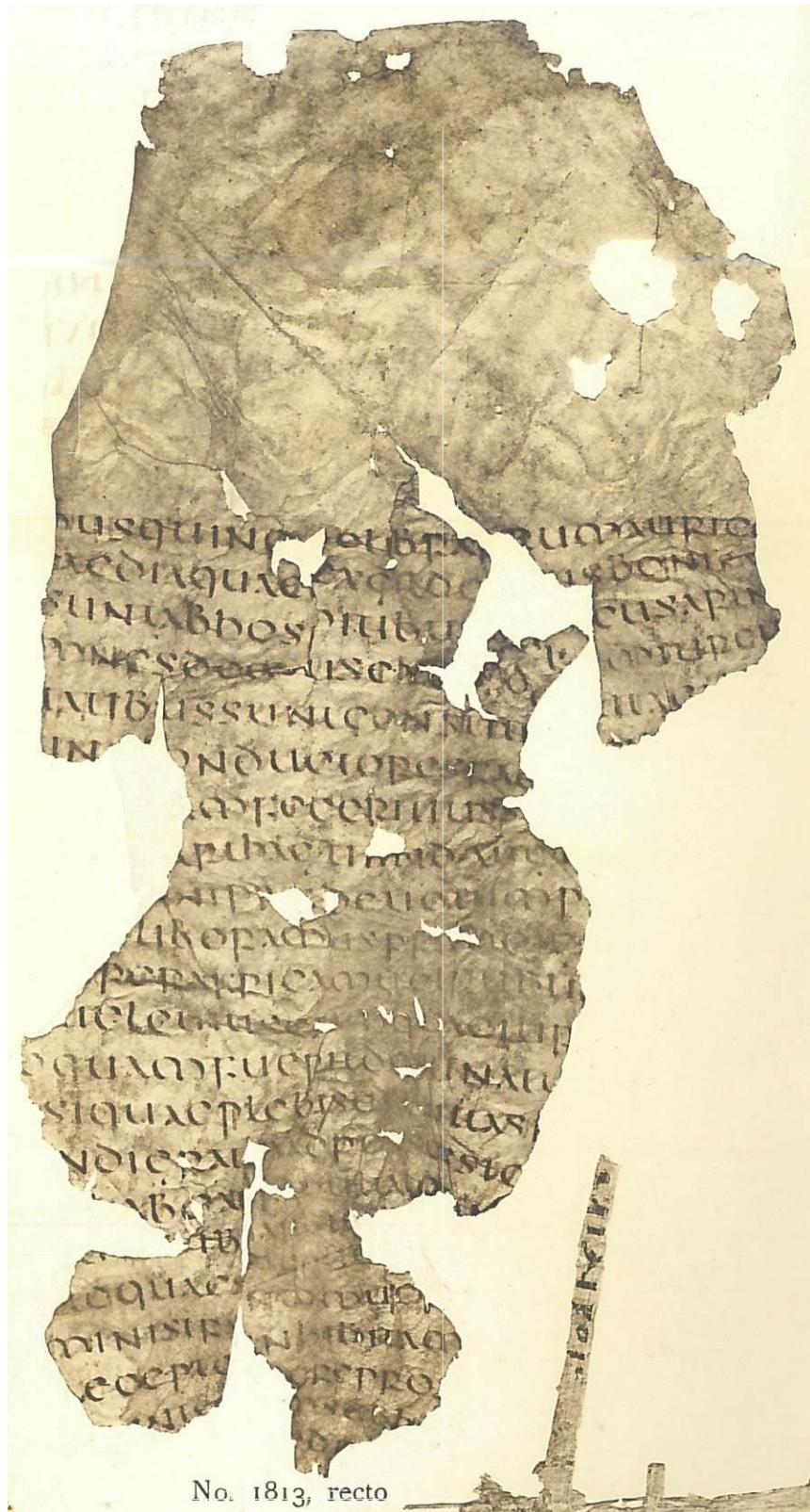
Zürich, Staatsarchiv, C VI 3 = CLA VII 1016 (uncial, Gaul or Italy, saec. V-VI) and Roma,
Biblioteca dell'Accademia dei Lincei e Corsiniana, fondo corsiniano 48 C 6 = CLA Add
**1016 (Gaul or Italy) = Coma Fort 2014, pp. 91-93.

Edition of Fragmenta Turicensia: A. Dold, « Ein neuentdecktes Bruchstück des *Codex Theodosianus* unter Texten von Gregors d. Gr. *Moralia in Job*. Ein Studie zur Handschriften-, bzw. Palimpsestbestimmungskunde », *Zentralblatt für Bibliothekswesen* 58, 1941, 169-176.
Edition of Fragmenta Corsiniana: A. Petrucci, G. Braga, M. Caravalle, « Frammenti Corsiniani del *Codex Theodosianus* (sec. VI in.) e dei *Moralia in Job* di Gregorio Magno (sec. VIII¹) (Notizia preliminare) », *Rendiconti dell'Accademia dei Lincei* ser. 8, vol. 29, fasc. 7-12, 1974, 587-603.



London, British Library, Papyrus inv. 2485 = *P.Oxy.* 1813 = CLA II 211 (uncial,
Constantinople, saec. V-VI) = Coma Fort 2014, pp. 56-57.

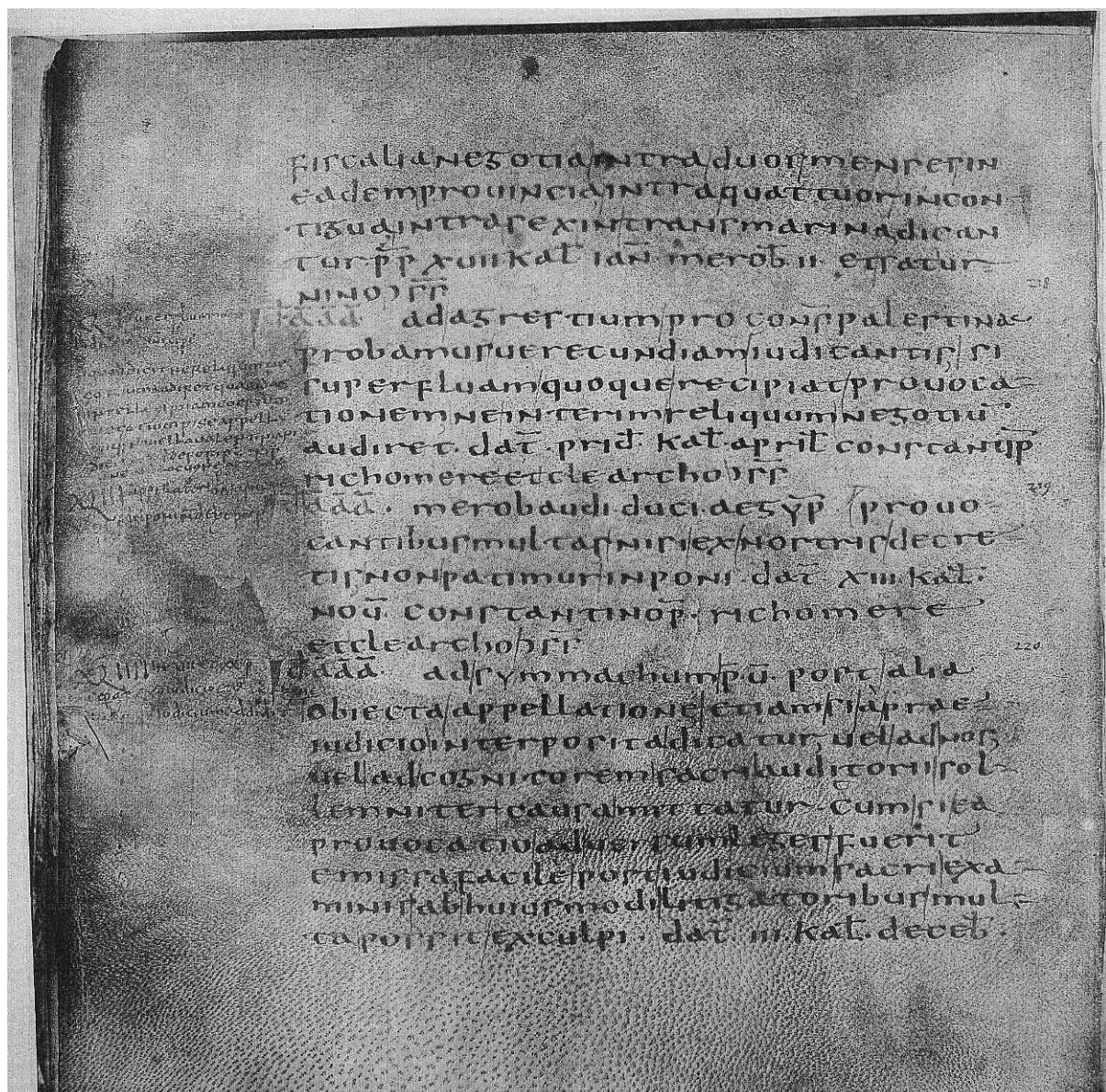
Edition: B. P. Grenfell & A. S. Hunt, *The Oxyrhynchus Papyri*, part XV, London, 1922, n°
1813 (pp. 214-216).



Half-Uncial Manuscripts

Roma, Biblioteca Apostolica Vaticana, ms. Reg. lat. 886 = Mommsen 1905, ms. V, pp. xliv-lvii = CLA I 110 (half uncial, Gaul, prob. Lyon, saec. VI) = Coma Fort 2014, pp. 66-91.
Edition of scholia: A. J. B. Sirks, *Summaria Antiqua Codicis Theodosiani. Réédition, avec les gloses publiées dans Codicis Theodosiani fragmenta Taurinensia (ed. P. Krüger)*, Amsterdam, 1996.

Digital online version: https://digi.vatlib.it/view/MSS_Reg.lat.886



Halberstadt, Domschatz, Inv. Nr 465-466 = Mommsen 1905, Halberstadiensis, pp. lvii-lviii = CLA VIII 1212 (half uncial, N. Italy, saec. V²) + CLA Add. II, p. 306 = Coma Fort 2014, pp. 55-56.

Edition: A. Dold, « Die Halberstädter Palimpsestblätter mit Bruchstücken aus dem Codex Theodosianus, dem Codex Justinianus und dem Herbarium Pseudoapulei », *Zentralblatt für Bibliothekswesen* 43, 1926, 301-317.



And (although a partial copy of an amplified Breviary), nota bene:

Milano, Biblioteca Ambrosiana, fondo manoscritti, ms. C 29 Pars inferior, foll. 141r-156v = Mommsen 1905, ms A, pp. lxxxiii, lxxxvii, cxxxiii. Described by Atzeri 2008, pp. 41-64; Coma Fort 2014, pp. 228-238 (Caroline minuscule, S. France/N. Italy, saec. XII²).

Contribution of the manuscripts to Mommsen's edition (Salway 2012, 30)

GS tit. I II III IIII V VI VII VIII VIII X XI XII XIII XIII XV XVI
----A----
-----R-----
-----T-----
-----V-----
-----W-----
- Haberstadt -
-----Breviarium-----