

Ph.D. PROPOSAL TO CENTRAL EUROPEAN UNIVERSITY

Justinian's Conniving Bankers Guild Lobbying and the Imperial Bureaucracy in 6th-Century Byzantium

A recently published commentary to Justinian's Novels repeatedly praises the emperor for his "responsiveness to business interests". Careful students of the legal evidence, however, may question whether the emperor (or rather, his administration) was perhaps *too* responsive to such interests, especially banking ones. The Novels provide numerous examples of accommodations to banks and other business interests, in the form of the guilds in which they were organized in the 6th-century. But those same examples provide reasons to suspect that the accommodations were the result of lobbying by special-interest business groups to the detriment of others. To what extent did Justinian's reputed "responsiveness" privilege narrow business interests over other, more broadly-based or longer established interest groups? And what were the means by which business interests wrung concessions from the imperial bureaucracy?

This intersection of guild-based lobbying efforts with the imperial bureaucracy is a hitherto unexplored corner of the already relatively understudied economic history of the 6th century. The proposed dissertation would address this intersection through examination of the legal evidence against the social, economic and political history of the period. It is hoped that the dissertation would contribute to two separate strands of historiography: first, the economic history of the 6th century and, secondly, that of corruption in the later Roman empire. A specific instance of lobbying by the bankers' guilds is currently being addressed in the context of my draft M.A. thesis. The proposed doctoral dissertation would expand the scope of coverage in terms of instances studied, guilds covered and methodology applied.

Despite the efforts of Angeliki Laiou and others in *The Economic History of Byzantium: From the Seventh Through the Fifteenth Century*, the economic history of the 6th century remains relatively unexplored or, perhaps more precisely, undertheorized. The period's economic history has remained relatively untouched by the disputes between "primitivists" and "modernists" that have dominated the historiography of antiquity since Moses Finley first published *The Ancient Economy*.⁴ Nor has the historiography of 6th-century guilds witnessed the bitter disputes that have occupied traditionalist and revisionist historians of medieval craft guilds in recent years. There are to be sure some exceptions but these are of limited scope and applicability. For example, a recent contribution by Peter Sarris focuses exclusively on evidence from Egypt, which was characterized by unique circumstances and institutions throughout antiquity, including the 6th century. Accordingly, it is hoped that the dissertation would fill a demonstrable gap in the economic historiography.

Equally importantly, the proposed approach of focusing on the interaction of guilds and bureaucracy would extend existing historiography on corruption in Late Antiquity. This field has recently been revolutionized by Christopher Kelly's argument that "corruption" was a rational late-antique governance strategy for circumventing sclerotic networks of patronage and privilege. His book, however, focuses rather more on the late antique fee-for-service and tipping culture as seen from the perspective of government officials; the incentives and strategies of those seeking a particular bureaucratic action are less explored. It is hoped that the dissertation can therefore make a contribution to this line of scholarship by examining the role of guilds in seeking such action via lobbying.

My proposed methodological approach is that of the so-called New Institutional Economics (NIE), which is the most widely published methodology within economic history over the past two decades. It has been usefully applied in the study of both the antique economy and the medieval and early modern periods, but not yet to the study of late antiquity and early Byzantium. In applying NIE, however, I would hope to avoid the trap of anachronism into which some of its leading practitioners have fallen, namely in projecting a presumed objective of "efficiency" back on to historical institutions that were not framed with that end in mind. Recent work on the (entirely different) guilds of the High Middle Ages, for example, has demonstrated the limitations of using efficiency as a tool for institutional analysis, suggesting that a range of other factors—such as culture or distributional conflicts—require consideration in any institutional analysis. It is expected that the use of NIE to analyze imperial legislation in terms of distributional conflicts between organized interest groups will shed light on the operation of Byzantine guilds and the imperial bureaucracy in particular and on the economic history of the period in general.

The primary sources for my proposed topic are mainly legal, in the form of the *Corpus Juris Civilis* published by the 19th century German editors working under Mommsen. The materials are readily available both online and in printed form, and there is no need to reexamine the manuscripts; secondary sources are readily available in the libraries of Vienna. The primary sources for my topic center mainly around the Codex of Justinian and, especially, the Novels. In comparison with the other parts of the *Corpus Juris Civilis* (the Codex, the Digest¹⁵ and the Institutes), the Novels have been relatively neglected by modern scholarship, owing to a widespread assumption that because they are "post-classical" they must necessarily be inferior. But it is precisely what a Romanist would decry as a lack of doctrinal purity that makes the Novels such a rich source for reconstructing the economic history of the period. The problems addressed in them are not the speculations of the jurisconsult's study, but rather real-world governance issues to which the emperor felt compelled to respond.

Analysis of the legal sources would be supplemented by trawls of the works of the classicizing historians, mainly Procopius, but also taking into account the later Agathias. To a lesser extent, relevant

extracts from John Malalas and (in translation) Ps.-Joshua the Stylite and the Chronicle of Zuqnin would also be consulted. These literary sources have been surveyed in the course of preparing my M.A. thesis. The doctoral dissertation will allow me to address them in greater detail and, if space permits, to consider the Egyptian evidence, as well.

CEU would make an excellent place to pursue the proposed plan of research. In addition to the excellent library resources available for the 6th century in both Budapest and Vienna, the Medieval Studies department of CEU is rich in the relevant expertise. In view of his scholarship on the 6th century, it is hoped that Professor Volker Menze would agree to serve as *Doktorvater*. In addition, because the proposed dissertation would rely to some extent on comparative techniques using the merchant and craft guilds of the High Middle Ages, I would hope to consult with Professors Katalin Szende and Balázs Nagy on those topics.

I acknowledge that my application presents a different proposition from those you might be accustomed to receiving from other, more youthful applicants, and that a decidedly optimistic set of assumptions is required to envisage a scholarly career of three decades to come. Still, I would like to think that my combination of legal training, analytic ability, language proficiency and intellectual curiosity, together with the work ethic that a long legal career has given me, would enable me to make a unique contribution to Medieval Studies at CEU and to produce future scholarship in legal, economic and social history that others could not.

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