

PREAMBLE.
OF THE INSTITUTES OR ELEMENTS OF OUR LORD THE MOST HOLY EMPEROR
JUSTINIAN.

IN THE NAME OF OUR LORD JESUS CHRIST.

The Emperor Cæsar, Flavius, Justinianus, Alemannicus, Gothicus, Francicus, Germanicus, Anticus, Alanicus, Vandalicus, Africanus, Pious, Happy, Renowned, Victor and Triumpher, ever Augustus, to the Youth desirous of learning the laws.

It is expedient that the Imperial Majesty not only be distinguished by arms, but also be protected by laws, so that government may be justly administered in time of both war and peace, and the Roman Sovereign not only may emerge victorious from battle with the enemy, but also by legitimate measures may defeat the evil designs of wicked men and appear as strict in the administration of justice as triumphant over conquered foes.

(1) This twofold task We have now accomplished, by means of the greatest attention and care, and with the assistance of God. For barbarous nations, subjected to Our authority, acknowledge Our warlike exploits, and Africa, as well as other numerous provinces after so long a period of time have submitted to the Roman domination, and have again become a portion of Our Empire by means of Our conquests through the aid of Celestial Power, and all peoples in fact, are now governed by laws either promulgated or compiled by Us.

(2) After having brought into perfect harmony the Imperial Constitutions hitherto involved in confusion, We have directed Our attention to the immense volumes of ancient jurisprudence, and have finally accomplished this most difficult task, proceeding, as it were, through the depths of the ocean, and aided by the favor of heaven.

(3) This having been concluded through the Grace of God, We summoned the illustrious Tribonian, Master and former Quæstor of Our Sacred Palace, along with Theophilus and Dorotheus, eminent men and professors, (whose skill, familiarity with the laws, and fidelity in obeying Our orders We have proved on many occasions) and especially directed them to draw up Institutes by Our authority, and with Our advice, that you may be able to learn the first principles of the law, not from ancient fables, but acquire them from the Imperial Splendor; so that your ears as well as your minds may absorb nothing that is useless or incorrect, but whatever is in accordance with reason in all things. And while, in former times, it was scarcely possible for those who preceded you to read the Imperial Constitutions in the course of four years, you may, now, from the very beginning, proceed to do so; being found worthy of such honor and happiness that both the beginning and the end of your instruction in the laws issue from the mouth of your Sovereign.

(4) Therefore, after the completion of the fifty books of the Digest or Pandects, in which all the ancient law has been collected, and which We have caused to be compiled by the said distinguished personage Tribonian and other eminent and most illustrious men, We have ordered these Institutes to be divided into the following four books, that they may constitute the first elements of the entire science of jurisprudence.

(5) In them a brief explanation has been made both of the principles which formerly obtained, as well as of those which, after having been obscured by disuse, have been illuminated once more by Imperial restoration.

(6) These Institutes collected from all those of the ancients and especially from the Commentaries of Our Gaius, embracing not only what is contained in his Institutes but also those of his work relating to daily transactions and compiled from those of many others, the three learned men aforesaid submitted to Us, and, after having read and examined them, We have accorded to them the full authority of Our Constitutions.

(7) Accept, therefore, with the greatest ardor and alacrity, these Our laws, and prove yourselves so well informed in them that, when your course of law has been completed, the fairest hope may inspire you of being competent to govern Our dominions in whatever parts of the same the administration may be entrusted to you.

Given at Constantinople, on the eleventh day of the *Kalends* of December, during the third Consulship of Our Lord Justinian, ever Augustus.