

— see now the sizeable and important volume edited by G. Volpe and M. Turchiano (*Paesaggi e insediamenti rurali in Italia meridionale fra tardoantico e altomedioevo* (2005)).

Chs 2 and 3 investigate the period between the fifth century and the Lombard invasion of Campania. The Gothic invasion and the dissolving connections with North Africa and its trade after A.D. 439 pushed Campania into a sizeable economical slump; excavations show signs of abandonment of public building and spaces in towns with little investment even in private space; only Naples shows an ability to persist coherently. Despite this crisis of the fifth century, there are indications that Campania maintained grain production and produced a small surplus (90). During the thirty years of the Ostrogothic king Theodoric's reign (after A.D. 490), Campania shows no sign of economic revival. In Campania, as in Sicily, Gothic presence was limited to strategically significant places like Cumae and Naples. The restoration and reorganization of fiscal taxation during Theodoric's reign removed economic resources from the towns and inhibited urban and trade development (95). Perhaps surprisingly, little changed after the Byzantine conquest since stagnation in economic trends is documented in excavations. As a result, the Lombards seem to have met limited military resistance when invading Campania and at the beginning of the seventh century the Byzantines retained control only over the coastal band, which was fortified with hilltop settlements. S. only touches on the theme of Byzantine and Lombard regional urban evolution, although he views Naples at the end of sixth century as no longer truly a town in terms of social order and economic production (144–51). In ch. 4 S. briefly analyses Campania's sub-regions (155–247) offering specific case-studies, notably Terracina, Sorrento, Nocera and Abellinum. In his conclusion S. stresses the lack of data, in particular on rural settlements, that makes it a difficult task to draw conclusions both in towns and country.

The volumes perhaps do not progress us far: for each, a still limited set of data prevents detailed reconstruction, but each serves to prompt new discussion and to ask more questions of the data available and the themes on show. Sicily remains with much potential: the island's growing economy, production and trade in the fourth century meant that this was a place where the Senatorial and Church élite invested, even if not on the same scale of investment as in North Africa; after the Vandal invasion of Africa, however, Sicily became dominant for Rome for grain supply, and charting changes in ownership and control of the landscape in this and the sixth century is important. In contrast, Campania appears already in decay in the fourth century and shows no changing fortunes even in the fifth and sixth centuries, with instead a shrinkage of economic, urban, and even rural activity. The Church seems to be playing different roles here, but we are not yet able to follow this through. The input of landscape and urban archaeology in southern Italy is growing and no doubt within a decade we will have a much clearer picture of South Italy and Sicily in Late Antiquity.

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C. CORBO, *PAUPERTAS: LA LEGISLAZIONE TARDOANTICA (IV–V SEC. D.C.)*. Naples: Satura Editrice, 2006. Pp. viii + 240. ISBN 978-8-87607-026-6. €20.00.

In this detailed study of Constantinian and post-Constantinian legislation putatively dealing with the responsibilities of the Church and its officers to offer sustenance and aid to the disadvantaged, Corbo sets about beginning to redress an imbalance in the existing scholarship. While there is no shortage of works focused upon the place of the poor in the ideological and material worlds of the late Roman world, and exploring the developing Christian discourses surrounding their role in the newly Christian or Christianizing communities of the period, the legal sources concerned with aid for the poor have received comparatively little attention (2). C.'s aim is not so much to identify the poor of the legislation, or to detail the mechanisms by means of which they were to be sustained — indeed, she acknowledges that the vocabulary of poverty is slippery and vague, and the practicalities of poor-relief almost entirely absent from the texts (4; 9). Rather, it is to emphasize the role of the poor, and the rhetoric and ideology of aid to the poor, in public, political discourse. That is, she is interested in outlining the nexus between exemptions and privileges conceded by emperors to churches and their clergies; the acknowledgement by the latter of a special responsibility for the poor; and the resulting or concomitant changes in relations between Church and State (3–4; 6).

In short, C. argues that the legal sources reveal not only that Constantine and his successors accepted the claims of bishops and other members of the clergy to fulfill a fundamental role as defenders and patrons of the poor, but also that the emperors of the period actively encouraged

this role, by attempting to ensure that the Church possessed sufficient resources to back up those claims. Here, she recasts Brown's observation — that bishops self-consciously claimed the role of 'lover of the poor' in the period as a means of justifying the concessions granted to the Church — from the point-of-view of the State. She begins by exploring a pair of Constantinian laws (*CTh* 11.27.1–2) which, she argues, represent a qualitatively different attitude towards relief of the poor by comparison with aid programmes of the Republic and Early Empire. In particular, she emphasizes the addition of social-ethical and moral dimensions to established discourses of a political, or rhetorical nature (66–8).

C. turns next to elucidating the special status that the clergy came to enjoy in the period, as a result of a series of concessions offered to them by Constantine and his successors. She draws suggestive parallels between the status they enjoyed *vis-à-vis curiales* and provisions aimed at ensuring doctors were available to participate in programmes that seem to have been aimed at providing healthcare for the poor (108–9; 154). Finally, she examines the burgeoning influence of bishops in civic contexts, drawing particular attention to their increasing involvement in civil, legal, and administrative matters. She argues that emperors were complicit in this process, to the extent that they deliberately delegated certain responsibilities to the Church and its agents (157–8; 170). Bishops were expected to take the lead in ministering to the disadvantaged, and to act as intercessors between rich and poor, powerful and powerless in a society that was increasingly divided and hierarchical (177–8).

C.'s grasp of the technicalities of the legal and other sources is impressive, and throughout, she offers subtle and perceptive answers to problems of dating, addressee, and provenance of the legislation preserved in the Theodosian and Justinianic Codes. By focusing attention upon these texts, she extends the terms of the existing debate over the place of the poor in late antique communities, and prompts further questions about the extent of imperial interest and involvement in their fate. More work is needed, for example, on the mechanisms through which initiatives couched in idealized terms, and expressed using a rhetoric of moral obligation, might have been enacted in practice. Scholars will need to re-examine, too, the degree to which ideological dialogues between Church and State can be traced, and the extent of direct influence that individual bishops or Christian authors might be expected to have had over imperial policy. The texts collected and discussed by C. represent an ideal place to begin such endeavours.

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C. HUMFRESS, *ORTHODOXY AND THE COURTS IN LATE ANTIQUITY*. Oxford: Oxford University Press, 2007. Pp. xiv + 344. ISBN 978-0-19-820841-9. £65.00.

Caroline Humfress' *Orthodoxy and the Courts* makes it impossible to accept straightforward narratives of decline in legal practice and forensic argumentation in Late Antiquity. Advocacy was still flourishing and competitive, the codifications of imperial legislation in the fifth century did not signal an end to juristic creativity, there was no simple decline of rhetoric at the hands of legal studies, and the Church, rather than acting as a 'brain-drain', provided a new focus for legal and forensic practices. In making these arguments, H. insists that we must look at how ancient law functioned in practice in the courts and in specific cases. Once we move away from norms and ideas and turn instead to the application of legislation on the ground, H. shows, we can see how extensive interpretation of existing legislation was still the norm in Late Antiquity and could even lead to the creation of new laws. Forensic rhetoric is especially important to these processes and the way H. takes rhetoric seriously is one of the most useful aspects of her work.

After a general introduction in ch. 1, chs 2–4 explore the roles of the late antique judge, jurist and advocate in the legal system, including how they interacted with clients, courts, magistrates, and the emperor. Most importantly, H. shows how each of these figures contributed to the reinterpretation of existing laws through their forensic practice and on a case-by-case basis. H.'s discussion of the practices of advocates best exemplifies this; advocates could contest the original intent of a law, stretch the application of a law by interpreting it as relevant to a new context or situation, or reclassify an act so that it was no longer subject to a particular law. If these creative interpretations convinced the judge, they could then influence the outcome of future cases. It is harder for H. to prove her stronger argument that the forensic activity of judges, jurists and advocates actually led to the creation of new laws. However, her discussion of the role of jurists in putting together petitions to the emperor that then led to the issuing of an imperial ruling is suggestive.