In memoriam Nicolaas van der Wal, 1925–2015

On April 17th, 2015, Nicolaas van der Wal peacefully died, just short of celebrating his 90th birthday. For the ‘Groningen School of Legal Byzantinists’ his death means the loss of the last of its founding fathers.1

Nico (as he was called for short) van der Wal’s career was to a certain extent the result of chance. Blessed with an excellent set of brains, he could in principle have chosen from a variety of possibilities. That he became a lawyer was just one of these quirks of fate. Not coming from a wealthy background, going to university meant that he was dependent on obtaining a scholarship. There was no doubt of his intellectual ability: he had passed the exams of ‘Gymnasium-β’ in his native city of Leeuwarden with flying colours, and was awarded a scholarship that enabled him to study in Groningen. His first choice was chemistry, but when that proved to be not of his liking, he had to choose a curriculum that could be completed within the remaining years of that scholarship. The best option therefore seemed to be law. Among the students of his year he did not stand out by his enthusiasm or brilliance, until his worried father asked Professor H.J. Scheltema, recently appointed to the chair of Roman law, to intervene. This was the beginning of a path that would lead to Van der Wal’s becoming a leading scholar of late Roman and Byzantine law. Scheltema recognized the extraordinary intellectual gifts of the young and seemingly reluctant student, who effortlessly completed the remaining part of the law curriculum and was chosen by Scheltema to help him, together with the Hellenist Douwe Holwerda, with the edition of the Basilica cum scholiis, a project on

which Scheltema had recently embarked. Although formally a lawyer with a
science background, Van der Wal had a familiarity with Greek and Latin that
surpassed the level of many a classicist and was eminently suitable for the task.
The result is well known, and if his part in the preparation of the 17 volumes of
the edition were his only achievement, the result would have been ample
grounds for satisfaction. There is much more.

Van der Wal obtained his doctorate with a thesis on *Les commentaires grecs
du Code Justinien* (1953). It must have been at the same time an excellent way
to master the details of the job at hand. The text of the Basilica and the major
part of their scholia consist of sixth-century summaries and translations of
commentaries on the Justinianic legislation. Indeed, Scheltema’s interest in
the Basilica was driven mainly by his awareness of the value of Byzantine
sources for criticism of Justinian’s texts. The work of preparing an edition of
the Basilica could not fail to produce a deeper insight in the nature of these
sources, and Van der Wal’s thesis testifies to the case of the Codex Justinianus,
for which it is still quoted.

After his thesis, Van der Wal undertook the composition of a much-needed
tool for handling the Justinian *Novellae Constitutiones*. The Novels have been
preserved in their original full text and were never formally promulgated in a
more concise version after the model of the Codex, although Justinian origi-
nally seems to have planned to do so. Few people have the patience to analyse
the long Greek texts, many of them dealing with various subjects in the same
constitution and with the same subject in more than one constitution. Van der
Wal had the extraordinarily analytical brain and retentive memory that made
him so eminently suitable for compiling a systematic repertory, a *Manuale No-
vellarum*, which went through two editions (1964 and 1998). In his own view,
this was his most valuable work. We would beg respectfully to differ: there is
much of equal merit.

Together with the first undersigned, Van der Wal wrote the *Historiae iuris
was the first modern history of the Byzantine legal sources to take on board
the secular as well as the canonical, and for many still their first port of call.
Together with the second undersigned, Van der Wal produced an edition of the
*Collectio Tripartita* (1994), a Byzantine summarizing version of the texts of Jus-
tinian’s legislation that pertained to religious and ecclesiastical affairs. Togeth-
er with Roos Meijering and the two authors of the present *In memoriam*, he
signed for the critical edition of *Theophili Antecessoris Paraphrasis Institution-
um* (2010), the only antecessorial text preserved in direct transmission.

Long-standing readers of the *Tijdschrift voor Rechtsgeschiedenis* will sooner
or later have come across van der Wal as the author of papers and reviews. ‘La