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"L'applicazione del diritto romano nelle provincie orientali dell' impero dopo la Costituzione Antoniniana", Angelo Segré, "Riv. ital. per le Scienze giuridiche", vol. II, 1948 : [recenzja]

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how the Roman citizenship lets intact the former status of the new citizens. The evolution which derives from this fact did not consist in the provincialization of Roman Law but in the romanization of provincial Law.

F. de VISSCHER, *La dualité des droits de cité dans le monde romain d'après une nouvelle interprétation de l'Edit III d'Auguste, découvert à Cyrène* (*Acad. royale de Belgique. Bull. de la Classe des Lettres et des Sc. mor. et pol.* 5e Série, tome XXXIII, 1947, 1—3, p. 50—59).

In this essay the author examines ll. 5—8 of the third edict of Augustus discovered in Cyrene which seems to procure a decisive argument in favour of the duplicity of citizenship of the inhabitants of provinces invested with Roman citizenship in the first years of the principate. He translates namely the passage as follows: *Si les habitants de la province de Cyrénaïque ont été gratifiés du droit de cité, j'ordonne qu'ils n'en seront pas moins tenus, à leur tour* (*ou pour leur part*), *de s'acquitter des liturgies envers la communauté des Hellènes.* If this new translation is exact, we have here a precise and formal attestation of their double citizenship for the new citizens of the province (Roman and local one).

ANGELO SEGRÉ, *L'applicazione del diritto romano nelle provincie orientali dell' impero dopo la Costituzione Antoniniana* (*Riv. ital. per le Scienze giuridiche* vol. II 1948 p. 419—428).

This article contains chaotic, mostly unintelligible polemics against the theories put forward by Arangio-Ruiz (cf. *Journ. of Jur. Pap.* III 152 ff.) and Lewald (cf. *Journ. of Jur. Pap.* l. c.). By the way, we find there assertions like that p. 420: *nei miei studi sulla C.A. ho sustenuto che coll'editto di Caracalla tutti i provinciali peregrini ebbero senza eccezioni la cittadinanza romana, ma che essi conservarono il proprio statuto personale, status civitatis o politeuma per cui rimansero ancora Alessandrini, Egiziani, Siri etc.* and again p. 424: *In una stessa provincia possono esistere politeumata diversi anche dopo la C.A. Così in Egitto dopo la C.A. i singoli provinciali restano Alessandrini, Antinoiti, Egiziani. Il doppio politeuma ha scarsi riflessi nel diritto romano.* Πολιτεύματα of the Egyptians? Πολιτεύματα of the *dediticii*? (see Wenger, *Atti del IV Congr. int.* p. 177/8). I can but repeat what I wrote in my *Law* II 25 note 43: "It is my scholarly duty to warn the papyrologists against using Angelo Segrés work because of its elemen-

tary errors, striking inaccuracies and misleading interpretations as I showed in my criticism of his *Essay on the Nature of Real Property in the Classical World* in *Journal of Juristic Papyrology* I 134 ff. I may add that Bell also points repeatedly to Segrés confusing presentation (J. E. A. XXVIII 39) misconceptions (l. c. 42) and misunderstandings (J. E. A. XXX 72, 73)". The same holds of Arangio-Ruiz, *L'application du droit romain en Egypte après la Constitution antoninienne* p. 88 who quoting Mr. Segrés statements says: *En continuant dans notre langue maternelle j'oserais dire que ‚chi ci capisce è bravo'* and stresses that his *conjectures... sont tout a fait absurdes.*

L. WENGER, *Neue Diskussionen zum Problem „Reichsrecht und Volksrecht"* (*Revue intern. d. droits de l'Antiquité* 1949 p. 521—550).

In this brilliant essay the author examines the question *a*) whether after the C.A. the Roman Law became the only Law applicable to the new citizens in the sense that the local Laws especially Hellenistic Laws survived illegally, or *b*) whether they survived legally to such an extent that they could exist besides the imperial Roman Law. After a thorough examination of the double citizenship on the basis of the inscription of Rhosos, the edict of Augustus concerning Cyrene and the C.A., the author advances a conciliatory opinion namely that the former local Laws survived after the C. A. as particular, customary Law.

E. SCHÖNBAUER, *Das Römische Recht nach 212 in ausschliesslicher Geltung?* (S. A. aus dem *Anz. d. phil.-hist. Kl. d. öst. Akad. d. Wiss.* Jhg. 1949 No. 17).

The author opposes the theory that the C.A. created an uniformous state and an uniformous Law. He maintains the opinion already expressed by him in his former works that the emperor, while granting the Roman citizenship to the majority of his subjects recognized positively that the Neo-Romans (with the exception of the *dediticii*) had to remain members of their hitherto existing civic unions. He recognized too that the C.A. did not suppress the hitherto valid systems of private Law of the Greek citizens. Neither did it suppress the legal maxims of the Law applicable to those subjects of the Empire who were not members of the civic unions. The author opposes in this the theory of Arangio-Ruiz (cf. *Journ. of Jur. Pap.* II p. 152) and tries to refute one by one