

Taubenschlag, Rafał

"Europa und das römische Recht", P. Koschaker, München 1953 : [recenzja]

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Artykuł został zdigitalizowany i opracowany do udostępnienia w internecie przez Muzeum Historii Polski w ramach prac podejmowanych na rzecz zapewnienia otwartego, powszechnego i trwałego dostępu do polskiego dorobku naukowego i kulturalnego. Artykuł jest umieszczony w kolekcji cyfrowej bazhum.muzhp.pl, gromadzącej zawartość polskich czasopism humanistycznych i społecznych.

Tekst jest udostępniony do wykorzystania w ramach dozwolonego użytku.

(p. 452), on sale of slaves (p. 466), on *receptum argentarii* (p. 489), on contracts with hereditary provisions (p. 567), on testaments (p. 568), on testaments of the Hellenistic kings (p. 577), on opening of testaments (p. 578), on testamentary executors (p. 579), on *epistula divi Hadriani* (p. 584), on the Greek ἀποκλήρουξίς (p. 587), on *cretio* (p. 597), on *agnitio bonorum possessionis* (p. 604).

M. Kaser, *Das altrömische Ius. Studien zur Rechtsvorstellung und Rechtsgeschichte der Römer* (1949).

Although this excellent work deals with subjects being beyond the papyri it is worth notice also for the papyrologists since it takes the papyri into consideration (cf. p. 208₆, 262₅).

U. von Lübtow, *Das römische Volk, sein Staat und sein Recht* (1955).

In this excellent book p. 656 ff. dealing with the double citizenship are the most interesting for papyrologists. The author points out that the double citizenship existed also after the C.A. like the local law which did not persist to be applied. Noteworthy are also his remarks on the C.A. pp. 424, 513, 517, 520, 655, 664 ff. and its effects.

S. Eisenstadt, *Roman Law, History and Elements* (Tel-Aviv 1953).

This is for the first time a Hebrew history of Roman law, written in Hebrew and as such it must be wellcomed by the historians. The rich indexes give us an idea about its contents. As purely romanistic it falls out of our periodical. But pp. 73, 138 will interest papyrologists. It is a pity that the author did not give a chapter about the relation of Roman law to the Talmudic law.

P. Koschaker, *Europa und das römische Recht*² (München, Verlag C. H. Beck 1953).

In this famous work pp. 298 ff., 302 ff., 362 ff., are dedicated to the Egyptian and p. 303 to the papyri from Mesopotamia. The author points out the importance of Mitteis' work for the development of this branch of science.

Biondo Biondi, *Il diritto romano cristiano I—III* (1952—1954).

In this epoch-making work the papyri find also their consideration: BGU I 140, — II 163 (*humanitas* cf. my *Law*² 189₂₀); Cair.-Masp. I 67.097 — III, 42 (*ἀποκρήρυξις*, cf. *Law*² 138₂₄); Lips 43 — III, 387 (*episc. audientia*, cf. *Law*² 494); Lond. V 1711 — III, 185 (*donatio propter nuptias*, cf. *Law*² 192); P. Marini 80 — III, 90 and 394 — (oath); Mich. 508 — III, 77 (*l. Iulia et Pappia Poppaea*, cf. *Law*² 107); P. Nessana 14 — III, 168 (divorce, cf. *Law*² 123₇₆); Oxy. 129 — III, 177, 185 (*repudium*, cf. *Law*² 131); Oxy. 901 — II, 198 (*defensor civitatis*, cf. *Law*² 493); Oxy. 903 — III, 393 (*episc. audientia*, cf. *Law*² 494); Oxy. 907 — II, 237 (*materna potestas*, cf. *Law*² 154 ff.); Oxy. 1206 — III, 59 (adoption, cf. *Law*² 138); Flor. 93 — III, 187 (divorce, cf. *Law*² 124); PSI 767 — III, 228 (*moratorium* cf. *Law*² 536).

R. Taubenschlag, *Rzymskie prawo prywatne na tle praw antycznych* (*Roman Private Law in the Light of Ancient Laws*; in Polish, Warsaw 1955).

cf. J. Klíma, *Iura* VI 281 ff.; Kupiszewski, *Labeo* I, 3 p. 348 ff.

R. Taubenschlag, *Rzymskie prawo prywatne* (*Roman Private Law*; in Polish, Warsaw 1955).

R. Taubenschlag, *The Law of Greco-Roman Egypt in the Light of the Papyri 332 B.C. — 640 A.D.* Second edition, revised, and enlarged (Warsaw, Państwowe Wydawnictwo Naukowe 1955). cf. Amelotti, *SDHI* XXI (1955) 399 ff.

M. David — B. A. van Groningen, *Papyrological Primer*³ (Leyden, Brill 1952).

This excellent manual which appears now in its third edition does not differ much from the second one. The authors replaced only one text (No. 38) by a more interesting one, and added three private letters (Nos. 74, 78 and 83) and a short mathematical papyrus. The very valuable short introduction placed at the head of each text, remained as it was. I may add also that the new literature on the subject was also completed. As the former edition the new one will be of great use for the jurists and philologists.