

Cezary Kunderewicz

"Pourquoi n'y eut-il pas de grandes codifications hellénistiques", Cl. Préaux, "Revue Intern. des Droits de l'Antiquité", t. 5, 1958 : [recenzja]

The Journal of Juristic Papyrology 14, 195

1962

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.

The law of obligation (till now unpublished) shall appear in the vol. 7 of the *operae*. This reedition of the *Storia* does not deviate from its 4th edition revised by the author. The editors (G. Bonfante, G. Crifò) have corrected only the errata and have revised and unified the foot notes. In the last pages of the second volume G. Crifò gives a bibliography of the most important works published in recent years on the history of Roman law.

The papyrologist in particular will be interested in an appendix (vol. 2, pp. 195—208) devoted to the papyri. [H.K.]

Lucio Bove, *Canone. Diritto romano. (estratto dal Novissimo Digesto italiano 1958 pp. 845—846).*

The author deals with the etymology and origin of the term *canon* to establish next its legal meaning. In the sources of the Roman law this term may signify a *regula* and a *praestatio*. In this second meaning the word „canon” appears in both the civil and the public law: *canon frumentarius* means e.g. the corn due by the individual provinces to the capital of the Roman Empire. As a *praestatio* the *κανών* appears also in the papyri (see L. Wenger, *Canon in den römischen Rechtsquellen und in den Papyri*, Wien 1941; A. Steinwenter, *ZSS Kan. Abt. 75 (1958) 10 f.*). [H.K.]

Cl. Préaux, *Pourquoi n'y eut-il pas de grandes codifications hellénistiques (Revue Intern. des Droits de l'Antiquité t. 5 (1958) pp. 365—387).*

The characteristic fact, that there was no great legislator among the kings of the Hellenistic epoch, nor any important endeavour recorded towards codification, is explained by the following reasons. The search for the best legislation diverted the Hellenistic kings from attempting to codify the laws. The want of a rational justification, which is one of the stimulants of codification, grew less and less imperative in the Hellenistic epoch. In that period the peoples cling still to the living and diverse legacies of their past. The Hellenistic kings lacked the revolutionary temperament allied with the disposition for the rational coordination and systematization which are the characteristic features of great legislators. [C.K.]