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"Das Römische Recht nach 212 in ausschliesslicher Geltung?", E. Schönbauer, "Anz. d. phil.-hist. Kl. d. öst. Akad. d. Wiss.", 1949, no 17 : [recenzja]

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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

the arguments produced by the latter on the basis of papyrological literature and papyrological sources.

E. SCHÖNBAUER, *Die Doppelbürgerschaft im römischen Reiche und ihre Wirkung auf die Rechtsentwicklung* (S. A. aus. d. *Anz. d. phil.-hist. Kl. d. öst. Akad. d. Wiss.* Jhg. 1949 No. 17).

The author maintains the opinion expressed in his essay published already in 1929 under the title *Studien zum Personalitätsprinzip im antiken Recht.* The opinion was expressed on the occasion of the study of the five imperial edicts referring to Cyrene. He states that a Greek bestowed with Roman citizenship remained notwithstandingly a member of his nation and continued to live under his native Law. According to this there was a category of persons living in the provinces who at the time were citizens of their native *civitates* (πόλεις) and bestowed with Roman citizenship. This category of persons lived only in some respect under the *ius civile Romanorum*, but in all other respects under the Law of their native city. Ten years after the publication of this essay he tried to investigate the legal consequences of double citizenship in the Roman Empire on the basis of the well known inscription of Rhosos. In this dissertation he traces the evolution of the institution of citizenship and also the situation in Egypt. In connection with that he deals with the question which Law was to be applied by the *praeses provinciae* in law-suits between new citizens. He concludes that in cases where there were not cogent prescriptions the proconsul or prefect of Egypt was empowered to apply local Law. Difficulties could not arise in cases where there was a cogent provincial Law, for example: prescriptions on the βιβλιοθήκη ἐγκτήσεων, on ὑποθήκη with ἀνανέωσις, on ὑπαλλάγματα. In such cases the Roman were, according to the edict, bound by the same prescriptions as the Greeks.

JEANNE et GEORGE ROUX, *Un décret du Politeuma des Juifs de Berenike en Cyrénaique au musée lapidaire de Carpentras.* (*Revue des Etudes grecques* tome XLII (1949) p. 281—296).

The authors publish in this article two inscriptions: the first one from 25 B.C. contains a decree issued by the Jewish πολίτευμα in honour of *Marcus Titius Sexti filius*; the other one from 27 B.C. a decree issued by the same πολίτευμα in honour of *Decimus Valerius Dionysius Gai filius.* As the authors point out was Decimus Valerius a Jew because he was subject to liturgies in his community