

# Taubenschlag, Rafał

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"Encyclopedic Dictionary of Roman Law", Adolf Berger, "Transactions of the American Philosophical Society", vol. 43, 1953, part 2 : [recenzja]

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## GENERALITIES

Karl Preisendanz, *Papyruskunde* (Sep. aus Handbuch der Bibliothekswissenschaft, Erster Band, Schrift und Buch, 1950).

Preisendanz makes a survey of papyrology, divided in two parts: I. The history and conclusive results; II. Practical papyrology. The dissertation is a new edition of the author's well known work.

Raphael Taubenschlag, *Introduction to the Law of the Papyri* (AHDO + RIDA I, 279—376).

Henri Henne, *La papyrologie et les études juridiques* (Conférences faites à l'Institut de Droit Romain de l'Université de Paris, VI).

In this brilliant lecture given at the University of Paris the author demonstrates what great importance has the juristic papyrology for the Romanists and not-Romanists as e. g. for the historians of the comparative law. The author discusses the latest handbooks of papyrology, dictionaries, periodicals and the most important texts discovered in Egypt, then he passes to a critical survey of the articles dealing with the *Constitutio Antoniniana* (of Heichelheim's and Schubart's articles in particular) and concludes by giving a new reconstruction of the line 6—7 of C.A.

Iza Biezuńska-Malowitz. *Survey of Polish Studies in Ancient History* (1949—1952). (Vestnik Drevnej Istorii, 1953, I, 124—131).

In this report pp. 127—8 and 130 are devoted to papyrology. The author presents a detailed survey of papyrological literature which had been published in Poland during the years 1949—1952.

Die Papyri als Zeugen antiker Kultur, hg. vom Generaldirektor der ehemals staatlichen Museen zu Berlin, 1949 (Akademie — Verlag, 1949).  
not seen.

Adolf Berger, *Encyclopedic Dictionary of Roman Law* (Transactions of the American Philosophical Society, New Series — volume 43, part 2 1953).

This Dictionary has several purposes: to explain technical Roman legal terms, to translate and elucidate those Latin words which have a specific connotation when used in a juristic context or in connection with a legal institution or question, and to provide a brief picture of Roman legal institutions and sources as a sort of a first introduction to them.

The objectives of the work, not the juristic character of available Latin writings, therefore, determined the inclusion or exclusion of any single word or phrase. Since the Dictionary is not intended to be a complete Latin-English dictionary for all words which occur in the writings of the Roman jurists or in the various codifications of Roman law, the reader must consult a general Latin-English lexicon for ordinary words that have no specific meaning in law of juristic language. In this respect as in others, the present work differs fundamentally from Heumann's *Handlexikon zu den Quellen des römischen Rechts* (in the excellent edition by Emil Seckel, 1907). On the other hand, numerous entries concern words and phrases which occur only in nonjuristic sources, literary writings or inscriptions, but which must, nevertheless, receive attention if the Dictionary is truly to survey all fields of the vast province of Roman law; private, criminal, public, administrative, sacral, and military law, taxation, etc. Many entries, furthermore, deal with Latin terms of medieval or modern coinage, unknown to the ancient Romans, but now widely accepted in the Romanistic literature.

All the more important entries are encyclopedic as well as lexicographical. That is to say, an attempt has been made in each case to depict as succinctly as possible, the historical development of the legal institution or term it defines, the use of certain words in the language of the jurists or the imperial chancery, and particular attention has been given to important substantial changes from early law to classical law and again in the reforms of Justinian.

Considerable attention has been given to the sources themselves. A large number of entries are devoted to them, ranging in time from the archaic regal ordinances (the *leges regiae*) to Justinian's codification, and, in more limited measure, to post-Justinian Byzantine and medieval writings and collections of laws. Basic definitions, legal rules of fundamental importance, and characteristic utterances of the jurists are given in literal translations within quotation marks, followed by a citation of the pertinent source. Titles of the Institutes, Digest and Justinian's Code or Novels

that deal *ex professo* with a specific topic are noted at the end of the entry. Substantial interpolations by which classical institutions and terms were eliminated as well as the more reliable linguistic criteria have been taken into consideration.

The extensive bibliographical apparatus is divided into two distinct parts. The first part contains general bibliography in twenty chapters namely: I. Textbooks, manuals and general presentations of Roman Law. History of sources. II. Roman private law. A. Law of persons (family, marriage, guardianship, slavery, corporations). B. Law of things (ownership, possession, real securities). C. Law of obligations. D. Law of succession. E. Civil procedure. III. Roman criminal law and procedure. IV. Roman public law (constitution, administration, international relations). V. Miscellany (economy, public finances, social conditions, labor, industry, numismatics). VI. Legislative activity and legal policy of the emperors. VII. Problems connected with the development of Roman Law. Foreign influences. VIII. Christianity and Roman Law. IX. Roman Law and modern legal systems (including Byzantine and medieval law). X. Roman Law and the Anglo-American world. XI. Roman Law and legal education (ancient legal history, methods of instruction, the so-called „crisis” of Roman law study XII. Sources (editions, textual criticism, juristic language). XIII. Interpolations in Justinian's legislative work. XIV. Roman Law in non-juristic sources. XV. Latin inscriptions. XVI. Papyri (general presentations of the law of Greco-Roman Egypt, comprehensive bibliographical surveys, introductory manuals) XVII. Collections of source material for teaching purposes. XVIII. Collective works A. Studies in honor of scholars. B. Studies published on particular occasions (congresses, anniversaries). C. Collected works of individual scholars. XIX. Encyclopedias, dictionaries, vocabularies. XX. Bibliographies. The second part is the specialized section, scattered through the Dictionary among the individual entries.

The Dictionary — monumental as it is — will be of highest use for the papyrologists, who will find there much information about problems concerning Roman provincial law.

Giuseppe Ignazio Luzzatto, *Epigrafia giuridica greca e romana* III, 1939 — 1949 (Studia et documenta historiae et iuris XVII Supplementum, 1951).