

# Taubenschlag, Rafał

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"The Legal Papyrus from 'Auja el-Hafir",  
J. Rabinowitz, "The Israel Exploration  
Society", vol. XVII, 1953, 3-4 : [recenzja]

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The Journal of Juristic Papyrology 7-8, 385

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1953-1954

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](http://bazhum.muzhp.pl), gromadzącej zawartość polskich czasopism humanistycznych i społecznych.

Tekst jest udostępniony do wykorzystania w ramach dozwolonego użytku.

The text of the Solonic laws is not yet authenticated by means of a direct transcription from the Greek original, but it is reprinted *verbatim* from the copy of a work used by Gaius in which because of the manuscript tradition the Greek text seriously departed from the original. The author of the work used by Gaius had before his eyes a Hellenistic text of the Solonic laws, which (without the parts of the laws not connected with the discussed matter) was suitable for the explanation of *the actio finium regundorum*. This should be proved by an extensive analysis of the Pap. Halensis.

J. Rabinovitz, *The Legal Papyrus from 'Auja el-Hafir* (reprint from the Israel Exploration Society, vol. XVII, 3—4, 1953).

This papyrus published by M. Schwaabé, does not represent a manumission-document but one releasing a boy who had been delivered by his father as a pledge of a loan. The essential formula in the document under discussion is contained in l.8, in which the boy is granted "authority over himself". This formula contains legal Aramaism. The occurrence of an Aramaic legal term in the formula which seems to be Greek in origin is striking. However as had already been noted by Koschaker, the Greek formula closely resembles one found in a Babylonian document from the times of the first dynasty. A formula in all respects similar to that of the Babylonian document occurs in Mishna, Gittin IX, 9.

The "freedom of movement" granted to the boy, a feature which is common to this document and to many of the Delphic inscriptions also has close parallels in ancient Semitic sources. The legal terminology of release from the marital tie is similar to that of release from *paramone*. It may well be that the origin of the legal institutions of *paramone* is to be sought in Babylonia. The expression "to stand before someone" used in the Babylonian documents, occurs a number of times in the Bible in the sense of serving, "waiting upon", and is strongly reminiscent of the Greek παραμένειν, the primary meaning of which is "stay beside" or "near, stand by".

#### OBLIGATIONS

J. Pirenne, *Les contrats de vente de soi-même en Égypte à l'époque saïte* (Académie royale de Belgique, Bull. de la Classe des Lettres et des Sciences Morales et Politiques, 5<sup>e</sup> série, tome XXXIV, 1948).