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"Das römische Reichsrecht und der Gnomon des Idios Logos", S. Riccobono jr., Erlangen 1957 : [recenzja]

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- E. G^{en}zmer, *Zum Verh^{al}tnis von Rechtsgeschichte und Rechtsvergleichung* (*Archiv f. Rechts- u. Sozialphilosophie* XLI, 3 [1955] 326—347).

In this impressive and very interesting study the most valuable for a historian of law are the author's considerations about the comparative law in the ancient states. The philosophical speculations of Plato over the Ideal State rely upon the comparative study of the positive legislation of the poleis. The Politics of Aristotle investigates the state forms on the basis of the penetrating statements concerning the constitutions of particular city-states. The preserved fragment of Theophrastus concerning sale shows but a little of the comparative presentation of the Greek private law. Earlier still the Greeks began to practice comparison of law. The laws of Cherondas and Zeleukos, the Attic law on murder and others were totally or partly taken over by other Greek cities, because they were considered better than their own laws. The applied comparative law may be observed in the early times of the Roman Republic: the *ius gentium* has to some extent evolved from the applied comparative law.

- L. Gernet, *Droit et soci^{et}e dans la Gr^{ec}e ancienne* (Publications de l'Institut de Droit romain de l'Universit^e de Paris, 13; 1955) 243 pp.

This book contains a collection of studies published by the author in different periodicals. They concern following matters: Myths and legends; the designation of the murderer; the law of Gortyna; the diamartyria — the archaic procedure of the Athenian law; public arbitration in Athens; Solon's law on testaments; the aspects of the Athenian law of slavery; the commercial actions in the Athenian law; the right of purchase and the notion of contract in Greece; the contractual obligations in the Greek law.

Also the author makes use of the papyri which fact enhances the value of his book.

- S. Riccobono jr., *Das r^omische Reichsrecht und der Gnomon des Idios Logos* (*Gastvorlesung an der Universit^{at} Erlangen*) Erlangen 1957, 41 pp.

This interesting lecture consists of three chapters. The first chapter deals with the problem of *ius novum* in the imperial epoch of Rome, the second with the Gnomons in the light of the Roman political administration, and the third with the Gnomon and the problem of the reception of Roman law in Egypt. Examining this problem the author discusses the factors which generally supported this process. Among these factors the author reckons especially the Roman citizens, consisting of the Roman, veterans, colonists, merchants and the staff of the Roman provincial officials, who applied Roman law in their mutual relations.

J. Walter Jones, *The Law and Legal Theory of the Greeks* (1956).

This book approaches the law of the Greeks in its more general aspects as a necessary element in the make-up of the city. It discusses what the Greeks thought about the function of law and its relation and the order of nature; and how far their legal thought was influenced by the ideas of equality, solidarity, etc. There are chapters on the sanctity ascribed to the ancestral laws, and on the treatment of the law in the popular courts. Then such special topics as Greek associations, marriage, the family, contract, property, the mental factor in wrong-doing, are reviewed in turn, and the book ends with a sketch of the fortunes of Greek rules among the barbarians. The author makes also use of the papyri and the book will therefore interest also the papyrologists (cf. p. 134, 136, 164, 178, 202, 210, 211, 221 etc.).

E. Schönbauer, *Untersuchungen über die Rechtsentwicklung in der Kaiserzeit* (JJP 9—10 [1956] 15—96).

S. Riccobono Jr., *Profilo storico del diritto romano* (1955) 528 pp.

This excellent work, although dealing with the history of Roman law, will also be of interest for students of ancient law and papyrology. Noteworthy is especially the chapter concerning the position of the Roman law in the history of ancient laws (p. 10 ff.) and the rich literature quoted in the notes on pp. 4, 5.