

Taubenschlag, Rafał

"Hochverrat und Landesverrat im griechischen Recht", E. Berneker, "Eos", 48, 1956, 1 : [recenzja]

The Journal of Juristic Papyrology 11-12, 330-331

1957-1958

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called Dumayr in Syria, of an inscription containing the minutes of a hearing before the Emperor Caracalla serves only as the latest reminder that our sources for the rhetorical influence on Roman law are not all to be found in the Digest.

M. Mantica, *Arbitration in Ancient Egypt* (*The Arbitration Journal, A Quarterly of the American Arbitration Association* XII, No. 3 [1957] 155—163).

In this article the author shows that the Egyptians frequently practised arbitration. Pages 160 ff. are dedicated to the arbitration in the Hellenistic, Roman and Byzantine periods, giving some examples of such proceedings in Oxy. XVI 1880 (427 A.D.) and Mon. 7 (583 A.D.). Other examples concern Coptic papyri from the second half of the VIII century A.D. (cf. W. E. Crum and G. Steindorf, *Koptische Rechtsurkunden aus Djeme* 835 ff.; A. A. Schiller, *Legal Transactions of the Family of Georgios and Abessa of Djeme in Upper Egypt in the Eighth Century A.D.*, a typed J.D. dissertation, University of California 1926 and idem, *A Family Archive from Djeme, Studi Arangio-Ruiz* IV [1952] 327 ff.). The author makes also use of the papyrological literature cf. my *Law*² 402 ff. and the excellent dissertation by J. Modrzejewski, *JJP* 6 (1952) 239 ff.

J. M. Kelly, *Princeps iudex, Eine Untersuchung zur Entwicklung und zu den Grundlagen der kaiserlichen Gerichtsbarkeit* (Forschungen zum römischen Recht, 9 Abh., 1957).

In this dissertation the author examines the evolution of the civil and penal jurisdiction of the Emperor. It is a pity that the author makes, on principle, no use of the papyri: see on *cognitio Caesariana* in the papyri — my *Law*² 550 ff., where also the law-suit before Caracalla in Syria (215 A.D.), the only law-suit mentioned by the author (p. 99), is quoted.

PENAL LAW

E. Berneker, *Hochverrat und Landesverrat im griechischen Recht* (*Symbolae R. Taubenschlag dedicatae = Eos* 48, 1 [1956] 105-137).

In this study, devoted to the delict of high treason in the Greek law, we find very interesting remarks on this delict in the Ptole-

maic law. The author points out that Ptolemaic law identified the state with the royalty and regarded crimes against the state as crimes against the sovereign (cf. my *Law*² 473). The Ptolemaic law did not know the notions: προδοσία and κατάλυσις τοῦ δήμου, so highly developed in the law of Athens.

F. Serrao, *Il frammento Leidense di Paolo. Problemi di diritto criminale romano* (Università di Roma, Pubblicazioni dell'Istituto di Diritto romano e dei diritti dell'Oriente mediterraneo XXXIII, 1956) 142 pp.

Besides the *Apokrimata* of Septimius Severus published by Westermann and by Schiller, and besides the 4th and 5th series of the Herculaneum tablets published by Pugliese-Carratelli and Arangio-Ruiz, the Leiden fragments of *Sententiae Pauli* in the last two years have enriched the knowledge of Roman law.

The excellent monograph of Serrao, devoted to this fragment, consists of 6 paragraphs: § 1. treats of the prohibition of decreeing honours to the governors and their suite by the provincial legislative bodies; § 2. settles the prohibitions to the senators of receiving by themselves public offices and carrying on maritime business; § 3. manages the "accusatio ex lege Fabia" and the "actio de lege reptundarum"; § 4. examines the prohibition given to the provincial officers of taking office the same year when they came back from Rome; § 5. negotiates the execution of sentences pronounced in a process *ex lege repetundarum*; § 6. discusses the criminal prosecution and the *actio* against one guilty of retundae.

The author makes also use of the papyri (cf. index p. 142).

M. Th. Lenger, *Le fragment de loi ptolémaïque P. Petrie III, 26* (*Bodl. Ms. Gr. class. d. 27 [P]*) (*Studi in on. U. E. Paoli*, 459-467).

The study contains a new edition of this papyrus with a commentary concerning all questions about the damage caused by cattle on the ground of another owner. The law established the responsibility of the cattle-owner under the reservation that the damage and interests ought to be fixed by the court.

E. J. Bickerman, *Two Legal Interpretations of the Suptuagint* (*RIDA* 3 sér. III [1956] 81-104).