

Świderek, Anna

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[recenzja]

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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, gromadzącej zawartość polskich czasopism humanistycznych i społecznych.

Tekst jest udostępniony do wykorzystania w ramach dozwolonego użytku.

which deals with the following questions: 1. the legal status of a burial garden founded by a woman named Pomponia Mousa; 2. the role of *καρπιστής*, a certain U. Rufus, which brings an action; 3. the judgement passed in the same lawsuit; 4. the legal situation of the actual possessor of the garden, a certain Manius Mummeius Rufus. Mr de Visscher finds here strong influences of the local law and comes to the conclusion that some difficulties in the legal interpretation of this inscription from the point of view of classical Roman law can be explained by the predominance of the local law. [C.K.]

Herbert C. Youtie, *The Textual Criticism of Documentary Papyri*, University of London, Institute of Classical Studies, Bulletin Supplement No. 6, 1958 70 pp., with preface by E. G. Turner.

In his three lectures which were delivered in May 1958 at the University of London the Author examines the problem that till now has not been approached from the theoretical point of view, namely he has concentrated on the textual criticism of papyrus documents. Thus he has introduced the reader into his own workshop which is the workshop of the master-papyrologist, editor and critic. Reading those pages an experienced papyrologist will better understand his own work and will be able to avoid the avoidable errors, a beginner will see more clearly the difficulties which are before him and will find in this book invaluable guidance, a non-specialist on the other hand will read those lectures as a strange and absorbing thriller in which the Author, like quoted by him Agatha Christie's hero, Monsieur Hercule Poirot, shows us how to find the truth by using the „little grey cells“.

The first lecture deals with the question what the specialists do when they read a papyrus, what are their specific difficulties and what are the requirements which they must meet to be equal to their task. In working on the papyri as in ordinary reading the effective reading requires in the first place a good knowledge of the language and familiarity with the script used to convey the language. The best chance of success has the attempt to read rapid writing by fixing the writer's intention from line to line. This linguistic trinity — script, language, meaning — is fixed irremovably at the very centre of a papyrologist' activity. The visual and mental energy available to the reader of papyri does not always suffice

for the job to be done. Almost always something will be left for others to complete or to emend. The editions of papyrus texts are constantly being revised and corrected. The process of reading a papyrus is thus a progressive one to which many hands contribute over many years. The most common causes of errors which can be avoided are lack of attention, lack of thought, lack of historical, paleographical or linguistic information.

The second lecture shows us, if we may quote the Author, „the editor sitting in judgement on his papyrus”. The responsibilities of a transcriber are very heavy indeed. It is not the papyrus, but his transcription which becomes the source material for historical and linguistic research.

The criticism of published texts is not a new enterprise. It has already a long and famous history and it had its great master in the person of Professor Wilcken of Berlin, but till now a good theoretical introduction to these problems has been lacking. Thus the more invaluable is for us the present study of Professor Youtie. He introduces his readers to the methods of the textual criticism of published papyrus documents in analysing the moments which awaken the attention of the critic, the role of the original text itself in the criticism and the possibility of the text emendation when the original has been lost.

In the third lecture he studies various editor's errors upon the example of those abstracted by himself from about 250 published texts, both papyri and ostraca. The Author has submitted all errors to palaeographic analysis wherever this has been possible to do. The result is a most interesting but really shocking list of alphabetic equivalences, given as Appendix on p. 69. The alphabet as a whole has given rise to 371 equivalences. And to these may be added the 39 instances in which entire groups of letters have been replaced by other groups. Most of these errors have derived from the editor's failure to arrive at the writer's meaning. The level of accuracy in transcription could be raised considerably if the editor were fully aware that he increases the chances of correctly transliterating and interpreting a cursive script when he makes the writer's meaning or intention the principal object of investigation.

The critic must be also very cautious in evaluating editorial signs. He should not forget that with their help the editor provides a picture of the text as it looks to him, but not as it is in objective reality. If the editor is wrong, the editorial signs are also misleading.

All three lectures are illustrated freely by many splendid examples of the Author's critical skill in convincingly demonstrating to his readers the principle quoted by him at the end of his study, formerly formulated by C. Roberts: how the papyrologist can bring into play simultaneously the three resources at his disposal—experience, logic and papyrus. [A.Š.]

Fontes iuris romani antiqui, edidit Carolus Georgius Bruns, septimum edidit Otto Gradenwitz. Unveränderter Nachdruck 1958. Scientia Antiquariat Aalen. DM 45.—

Fontes iuris Romani antipui is a collection of the most important monuments of the pre-Justinian law. For over eighty years it has been one of the main instruments in the study of every specialist and scholar of the Roman law. The *editio princeps* by C.G. Bruns went into six editions; the last one was published in 1909 by O. Gradenwitz. The new reedition of the collection in the same shape which it had fifty years ago does not satisfy the requirements of modern scholarship. In the collection there are missing a number of very important sources which are of primary significance for the knowledge of the pre-Justinian law, as; the Syro-Roman law-book, the *Constitutio Antoniniana*, Gnomon of Idios Logos, Gaius from Oxyrhynchus, the *tabula Hebana*, the *tabulae Herculanenses*, the Apokrimata, the *fragmentum Leidense Pauli sententiarum*, only to mention the most important sources partly incorporated in the Italian collection *FIRA*², edited in the years 1940—1943.

In spite of these essential deficiencies the reimpression issued by Scientia Antiquariat in Aalen, to which we owe also the third edition of the *Edictum perpetuum* of Lenel, will be received by scholars with gratitude. Till the publication of a new collection that will satisfy the requirements of the present state of scholarship, the *Fontes* will remain the unmatched aid in the contemporary research studies of Roman law. [H.K.]

Ernst Schönbauer, *Die neugefundenen Reskripte des Septimius Severus. P. Col. 123* (*Anzeiger der phil. hist. Klasse d. Osterreichischen Ak. d. Wissenschaften* 1957 No. 12 pp. 165—197).

In the beginning the author discusses the new reading proposed by Schiller and Joutie and then analyses the legal content of the apokrimata 1—6 and 9—13 to understanding of which he