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"Tabulae Pompeianae Sulpiciorum.
Edizione critica dell'archivio puteolano
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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.

81, and the Emperor died soon afterward, on September 13, 81.² Bagnall writes: "The third year of Titus was 81 (1/2); as Titus is dead, the date must be after 81" (p. 21). However, Titus' third year lasted only from June 24, 81, to September 13, 81, and not until the year 82, and that date is the proper *post quem* for 984A. Bagnall notes that there is a reference to the 9th year in the declaration AR 30.3.367; he construes "the 9th year" as the ninth year of Domitian's rule, when a census was indeed taken. And yet we do not know if this is in fact a reference to Domitian, and in my opinion the only certain fact is the *post quem* of the papyrus, while the exact date of its writing remains an open question. In one of the declarations we read of a *proxenos* of a *boule*, which shows that we are dealing with the inhabitants of a city rather than of a nome metropolis (pp. 23 ff., 48 ff.), since no Egyptian metropolis had a council until the time of Septimius Severus' visit in A.D. 200 Bruce W. Frier presents a demographic study of the census register (applying the same method as in *Demography of Roman Egypt*); with a strong conviction (which is not all that well-grounded, if we remember what Bagnall has said about the provenance of the papyrus 984A), he asserts that the census covered the households of 256 inhabitants of *Ptolemais* (p. 89). Frier emphasizes that unlike in the cities of Middle Egypt, the mortality rate in "Ptolemais" was much higher, "at least among females" (p. 112). If I understand him correctly, this was so either because the declarations were collected in a poor district of the city, or else because "Ptolemais" was "a rustic backwater" (p. 112) in comparison with the opulent metropoleis of Middle Egypt (although cf. Bagnall, p. 25).

The book deserves a warm reception, and not only among papyrologists, but also among historians of the economy and demography of the Roman Empire, whom it supplies with new source material. The reliable analyses and generally convincing overall conclusions are its strength.

[Jan Prostko-Prostyński]

Giuseppe CAMODECA, *Tabulae Pompeianae Sulpiciorum. Edizione critica dell'archivio puteolano dei Sulpicii (Vetera. Ricerche di storia epigrafia ed antichità 12)*. Edizioni Quasar, Roma 1999, ISBN 88 7140 145 X. Tomo I (edizione), Tomo II (fotografie e apografi), 685 pp. + pianta di Puteoli antica nel tomo II.

Our knowledge about legal practice in Ancient Rome is mostly based on data furnished by the papyri. However the situations described therein do not necessarily show us the way Roman law was applied in provinces other than Egypt. Only rarely do we have any information about legal practice outside Egypt. The available sources, chiefly epigraphic and as scarce as they can possibly be (confront V. Arangio-Ruiz, *Fontes Iuris Romani Anteiustiniani*, III: *Negotia*, Florentiae 1969, *passim*; R. Pintaudi & P. J. Sijpesteijn, *Tavolette lignee e cerate da varie collezioni*, Firenze 1989, *passim*), have often been transmitted to our times thanks to some extraordinary circumstances. This is the case of the so

² D. KIENAST, *Römische Kaisertabelle. Grundzüge einer römischen Kaiserchronologie*, 2nd ed., Darmstadt, 1996, p. 111.

called "wax" tablets (*tabulae ceratae*) found in Pompeii and Herculaneum — their preservation due to the fatal eruption of Vesuvius in 79 AD. One of the most important finds of such tablets in recent years was the discovery of the so called *Tabellae Pompeianae Sulpiciorum*. The place of their survival, a suburban villa of unidentified function, was discovered in 1959 during construction works of the Naples-Salerno highway, more or less six hundred metres from Pompeii's *Porta Stabiana*. They have been preserved in a different way from the carbonised tablets from Pompeii and Herculaneum, published over a century ago by K. Zangermeister (*CIL* IV, 1898, p. 277 ff.). In the case of *TPSulp.*, it was the boiling swamp created during the eruption that covered and preserved the relics. The book by G. Camodeca reviewed in the present paper, being the conclusion of many years of research of the subject by this scholar (cf. bibliography at p. 16, ft. 18), brings the reader the long-awaited final edition of this important epigraphic relic (*nota bene*: the classification of the tablets as epigraphic, and not for instance papyrological material, is purely conventional). Not only does Camodeca change completely the less than satisfactory readings of the first editors (cf. pp. 15-16), but also supplies various, very detailed indices and photographs paired with the *apographa* of each tablet. The author has also rearranged the material *ratione materiae*, providing the tablets with new numbers and *siglum* (*TPSulp.*).

The book starts with a broad introduction to the subject (pp. 1-40). The author describes the unusual circumstances and extraordinary character of the find, as well as its later misfortune. The haste during the excavations gravely influenced the preservation of the tablets; not only did their state rapidly deteriorate (from an almost perfect state of conservation at the time of their excavation — the archaeological reports inform us that they looked as if somebody had just left them — to almost illegible and unrecognisable condition) but also they were not documented properly (cf. pp. 16-20).

There is a number of interesting features characterising the archive. Firstly, most of the tablets were executed in Puteoli and connected with the town. Secondly, at the moment of explosion they were already "waste paper" (the documents cover the period from 26 AD till 61 AD, with most of them being completed between the fourth and sixth decades of the first century). Thirdly, nearly all of them directly or indirectly concern Cai Sulpicii. On pages 20-25 one can find a tentative reconstruction of the Cai Sulpicii's family history. Three members of this *familia* of well-off freedmen appear in almost all of the preserved documents. Camodeca sustains his opinion — expressed a couple of years ago (contrary to Andreau) that the protagonists of the archive were professional bankers. What follows is a short sketch of the onomastics in the archive. One of the most important parts of the *Introduzione*, however, is the study on the diplomatics of the documents, carried out as diptychs and triptychs (pp. 31-37). As the author rightly points out, its understanding is key to the reconstruction of the texts. On this occasion Camodeca describes the Campanian practice of the execution of the documents and its relation to the provisions of *Senatusconsultum Neronianum "de falsariis"*, as well as other known wax tablets from Pompeii, Herculaneum, Roşia Abrudului (ancient Alburnus Maior), Egypt and bronze *diploma militaria*.

The introduction finishes with a couple of linguistic remarks concerning the use of "I" *longa*, *apices* and the letters introduced by Claudius and punctuation.

The second part of the book is a critical edition of the documents proper (*TPSulp.* 1-127 + *TPSulp. Append.* 1-9). It is subdivided into sections, each dealing with a different

type of document. Each section is introduced by an explanation of the nature of documents contained therein, dealing especially with the legal issues. This material constitutes a very important source not only for the history of Roman law and legal practice (the tablets do not merely confirm features of many legal "institutions" known from other sources; they also give a lot of interesting information about their practical application — as they often show divergences between practice and legal theory as we learn at *Cai Institutiones* or through any other "dogmatic" sources). The data that could be found therein and deduced can serve for economic, social history and "plain" history research (as for example: emendations to *fasti consulares* of the period based on the documents dating formulae, cf. indices I — Consules and II — *Datazioni consolari*, pp. 243-249) as well as linguistic studies (the famous *chirographa* of Caius Novius Eunus [TPSulp. 51, 52, 67 and 68] written in "vulgar" Latin).

One becomes instantly aware of the fact that the Sulpicii archive presents a most important data source for the history of Roman contractual law. Whilst reading the tablets one can try reconstructing the mechanisms of contracting of an obligation, the principle of consent as a basis of a contract on one hand and the parties' struggle to have their claims possibly well secured on the other. Both trends are clearly visible in the TPSulp. 27: *conventio finiendae controversiae*. This very complex document shows how the parties strive to find the best possible way to secure the reached settlement of claims in the reality of *nemo alteri stipulari potest* and non-existence of contractual liberty. The same could be said of TPSulp. 48-49: two *mandata*. Another example of the "practical legal reasoning" is the *mutuum cum stipulatione* (TPSulp. 50-59). It documents a hybrid contract (Kaser's *kombiniertes Vertrag*), something that does not exist in Gaius' scholarly works. Is the *mutuum* really novated by the *stipulatio*, or perhaps one seeks as many grounds to claim his credit as possible (practice well known from present-day contracts, wherein the inexperienced parties tend to incorporate as many provisions as possible, even though they are superfluous)? Divergences from the legal theory, however, are not so surprising: one has to remember of a number of classical texts of different jurists (Ulpian D. 12.1.15 and D. 12.1.11 pr. and Julian-Africanus D. 17.1.34 pr.) that show how the purely real character of *mutuum* ceased existing (cf. also M. Zabłocka, "Realny character *mutuum* w rzymskim prawie klasycznym" [The Real Character of *Mutuum* in Classical Roman Law], *Czasopismo prawno-historyczne* 31.2 [1979] 1-30, *résumé* and F. Schulz, *Classical Roman law*, Oxford 1956, 507; 509-510). What we have in the Tables from Murécine could be interpreted as the beginning of this process. Worth noticing is the case of interest, although not mentioned in any of the documents, it could not possibly have been left aside (the bankers had to earn money on something!). Its securing, probably breaking the rule of *centesimae usurae* is another interesting example of the "practical legal reasoning". Another issue demanding attention and perhaps requiring further development of the scientific discussion are the documents interpreted by Camodeca as *nomina arcaria* (TPSulp. 60-65).

One can only dream that "il commento storico, giuridico, antiquario", had not been "voluntamente ridotto all'essenziale (...)". (cf. p. 7). Of course the author's reason for such a decision is completely understandable and it conforms to the general standards of the text editions. Although the book is addressed to a wide spectrum of specialists, it could have been beneficial to the general reader if it had provided for more information about legal issues. Repeating the author's observations from earlier works (as in *L'Ar-*

chivio Puteolano dei Sulpicii I, Napoli 1992) could have broadened the informative function of this superb book. It is also a pity that the author has not translated the published texts; the translation, being the first step in document interpretation, could provide for better understanding. There is one thing for which the *publisher* should be blamed: the totally impractical and tiring Harvard system of reference citing. The author of the book (and his works) provide ample proof of the senselessness of such a convention (cf. pp. 237-238: Camodeca 1982, Camodeca 1983-84, Camodeca 1985-86, Camodeca 1986a, Camodeca 1986b, Camodeca 1987, Camodeca 1988-89, Camodeca 1991, Camodeca 1992, Camodeca 1993a, Camodeca 1993b, Camodeca 1993c, Camodeca 1994a, Camodeca 1994b, Camodeca 1995a, Camodeca 1995b, Camodeca 1996 — I do not think that even an apt reader could read this book without using all his fingers as bookmarks! And, at the end of the day, it saves almost nothing of paper space and even less of work [in the age of the word processor!]).

[Jakub Urbanik]