

# Taubenschlag, Rafał

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"Das hethittische Recht in seiner Stellung zwischen Osten und Westen", V. Korošec, "Süd-Ost-Forschungen", Bd. XV, 1956 : [recenzja]

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C. B. Welles, *Michael I. Rostovtzeff (Architects and Craftsmen in History — Festschrift f. Abbot Payson Usher, 55—73).*

C. B. Welles, *Bibliography — M. Rostovtzeff (Historia V, 3 [Sept. 1956] 358—381).*

P. Bureth, *Bibliographie de Paul Collart (1878—1946) (Chron. d'Égypte XXXI No. 61 [1956] 152—173).*

F. Dölger, *Bibliographische Notizen und Mitteilungen (Byz. Ztschr. 50 [1957] 204—306).*

The "Zeitschrift" gives on p. 301 ff. a bibliography of papyrological juristic literature concerning the Byzantine period.

H. Braunert, *Zum gegenwärtigen Stand der juristischen Papyrusforschung (Die Griechischen Urkunden) — (Ztschr. f. vgl. Rw. 60 [1957] 117—183).*

In this article the author gives an excellent survey of the papyri published in the last ten years. Noteworthy is the collection of laws and ordinances in the Ptolemaic, and the imperial constitutions in the Roman period. The discussion of the single papyri is preceded by interesting remarks on the archives containing larger bodies of documents.

J. Simon, *Bibliographie copte 9 (Orientalia 26 [1957] 117—139).*

The author gives here a bibliography of papyrological editions and monographs (pp. 127—8). He quotes the papyri published by Crawford, Gerstinger, Musurillo and the *SB* (Kießling) as well as the monographs by Steinwenter, Till, Taubenschlag; finally the surveys by Gundel, Klotz, Montevecchi.

V. Korošec, *Das hethittische Recht in seiner Stellung zwischen Osten und Westen* (repr. from *Süd—Ost—Forschungen* Bd. XV 1956).

In this interesting study the author puts the question whether the Sumerian, Babylonian, Assyrian and Hittite legal systems

approached in their development the Greek and Roman laws. He thinks that it would be useful, in this respect, to examine the law of Hetta as an instance of the most occidental influence upon eastern states. Consequently he discusses the Hittite codification and the institutions of the state of Hetta. Of a great value are the final bibliographical notes on pp. 37—40.

R. Taubenschlag, *Keilschriftrecht im Rechte der Papyri der römischen und byzantinischen Zeit (Akten des VIII. intern. Kongresses f. Papyrologie, Mitteil. aus der Papyrussammlung der öst. Nationalbibliothek [P.E.R.] V. Folge, Wien 1956, 129—137).*

This lecture is based on my article published in *JJP* 7/8 (1956) 164—185 and that in *Studi in on. U. E. Paoli*, 683 ff. I added a new analogy between the Greco-Roman prescriptions in *Fuad.* 30 (cf. my *Law*<sup>2</sup> 254) and the provisions of the Code Hammurabi § H (cf. Driver-Miles, *Bab. Laws*, 170 ff.).

E. Seidl, *Vom Erbrecht der alten Ägypter (Zeitschrift der Deutschen Morgenländischen Gesellschaft, 107 — H. 2 [Sonderheft] N. F. Bd. 32, August 1957).*

This essay concerns the ancient Egyptian law, but it will also interest the papyrologists. Noteworthy are specially the remarks on the funeral and the acquisition of the estate, the observation that the exheredation does not need an ἀποκέρυξις, and the remarks on the adoption by last will and testament.

E. Seidl, *Ägyptische Rechtsgeschichte der Saiten- und Perserzeit (Ägyptol. Forschungen begr. von A. Scharff, Heft 20; Verlag J. J. Augustin, Glückstadt—Hamburg—New York 1956) 78 pp.*

This masterful manual is composed of 5 chapters: chapt. I: the sources; chapt. II: the principles of public law; chapt. III: the organization of the courts and the procedure; chapt. IV: the private law and chapt. V: general problems of the history of law.

The chapter IV is the most valuable for papyrologists. It contains very interesting statements on the law of persons (slavery, *patria potestas*, *materna potestas*, corporate bodies), on the law of