

*Alan Watson: Law Making in the Later Roman Republic.* Oxford, Clarendon Press 1974. XII, 211 p. £ 5.25.

In his four previous volumes on the substantive law during the last two centuries of the Roman Republic, Prof. Watson has concentrated on the substance of the real law (The Law of Obligations, 1965; The Law of Property, 1965; The Law of Persons, 1967; The Law of Succession, 1971). The present book is a more historical and a more general interpretation about how, where, and by whom the private law was shaped and reshaped. The author also gives us a systematic picture of the sources of the law and the case law.

Watson takes as his starting points the following generally approved views: *leges* were authoritative in theory and in practice; *edicta* were all-powerful in practice but in theory could not change the law; *senatusconsulta* had a profound influence on the conduct of magistrates; jurists and their writings had no official standing.

The results of the study are as follows: The political assemblies (*comitia centuriata* and *concilium plebis*) had a limited and minimal influence on the development of the private law. *Senatusconsulta* cannot be considered the element which shaped the law during the Republic. During the late Republic there were only a few *leges* affecting the private law, but in contrast to this there were a great number of *edicta*, which was the most important factor in improving the law. In this respect the author stands in opposition to Schulz. Watson emphasizes the importance of the urban praetor. Though the Jurists mostly remain in the background there can be no doubt that it was they who really were responsible for the new court remedies and for the Edict itself. The Jurists in this period, as in later times too, showed how they themselves interpreted the law and how they felt the law should be interpreted. Watson illustrates the position of the XII Tables through the sentences of Cicero. The author emphasizes that by the end of the Republic the importance of the XII Tables in the totality of the private law was much reduced. The principles of the private law were now gathered from the Edicts. Gradually the Jurists began to interpret the XII Tables with more freedom. According to Watson the attitude towards the XII Tables was very complex.

Quintus Mucius Scaevola's book "*Ius civile*" has been given an extra chapter which also includes an analysis of its structure.

In Watson's opinion Greek influence on the development of the Roman law was inconsiderable during the late Republic.

A short note on the wrapper of the book promises the reader many conclusions which may appear radical, but are in fact based firmly on the textual evidence and supported by full argument. — With his new book Prof. Watson has strengthened his standing as a recognized authority in his field of study. *Päivi Setälä*

**Atti del convegno internazionale sul tema: I diritti locali nelle province romane con particolare riguardo alle condizioni giuridiche del suolo.** Accademia nazionale dei Lincei. Problemi attuali di scienza e di cultura, quaderno 194. Roma 1974. 382 p.

This volume is one of those – still regrettably few – congress reports the publishing of which has certainly been justified. The theme of the congress was relatively limited and the scholars invited obviously had their heart in the matter. Thus the reader of this volume gets a good general view of the present stage of research in this particular field. It is surely not the fault of these scholars if the view is somewhat bleak. The extant sources are simply not only deficient but often contradictory as well. Indeed, nearly all of the participants seem to admit that their results are more or less hypothetical.

As the standard of all the contributions is high, perhaps it should be mentioned that besides the articles which fall under the common title there are also papers which deal with the *ius Italicum* and the privileges of the Roman soldiers in the provinces. The special problems of Asia, Africa, Bithynia, the Danube provinces, Gallia, Hispania, and Sicily have been discussed in separate articles. As the name of the volume implies most of the papers are exclusively concerned with the empire, but the Republican period in Gallia and in and around Carthago has also been commented on in a couple of articles.

One looks forward to more congress volumes of this type and scholarly quality – the many printing errors in multilingual publications are perhaps unavoidable – but preferably on more fruitful themes.

*Eeva Ruoff-Väänänen*

**Neue Forschungen in Pompeji und den anderen vom Vesuvausbruch 79 nChr. verschütteten Städten.** Herausgegeben von *Bernhard Andreae* und *Helmut Kyrieleis*. Verlag Aurel Bongers Recklinghausen 1975. 340 p., 270 ill., 1 map. DM 104.—.

This magnificent volume, financially supported by the Landesregierung of Nordrhein-Westfalen and by the Krupp corporation, contains papers read at the international colloquy on Pompeian studies held at the Villa Hügel, Essen, in 1973. Editors of classical publications, struggling with rising costs and diminishing funds, may envy Herren Andreae and Kyrieleis, who have been spared the usual painful obligations of cutting down articles and cutting out illustrations.

Photographs are indeed an integral part of the volume. The colour pictures of the recently excavated Villa Romana di Oplontis, Torre Annunziata, Nos. 2–36, are especially valuable.

The great majority of the contributions are dedicated to art history and to architecture. The paper of Prof. Alfonso de Franciscis, Naples, on the Villa di Oplontis referred to above, is naturally of special interest. A neglected but very interesting aspect has been taken up by Prof. James E. Packer, Illinois, "Middle and Lower Class Housing in Pompeii and Herculaneum". He comes to a conclusion that may be a surprise to many accustomed to the idea of sharp class divisions in ancient society, "Thus our brief survey of popular residences in both Pompeii and Herculaneum suggests that members of the lower classes of both towns lived in surprising comfort."