

Nonetheless one would welcome from the same pen an equally thorough study of the gladiatorial arms and armour and their development, with the assistance, perhaps, of an expert in classical literature and epigraphy.

Paavo Castrén

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Gli arbitrati interstatali greci. Introduzione, edizione critica, traduzione, commento e indici. A cura di *Luigi Piccirilli*. Vol. I: Dalle origini al 338 a.C. Relazioni interstatali nel mondo antico, Fonti e studi (diretti da Giuseppe Nenci) 1. Edizioni Marlin, Pisa 1973. 349 p., XIV plates. Lit. 28000.

This collection is aimed at constituting a complete Corpus of texts, literary, epigraphical, and papyrological, relating to cases of interstatal (i.e. between sovereign states, princes or gods) arbitration or mediation in the ancient Greek world; mythical as well as historical, fictitious as well as real cases are included. The first volume contains 61 historical and 19 mythical arbitrations. — The full Greek text of each arbitration is given with a critical commentary, an Italian translation, an interpretation of the document, and with references to sources and studies. The Indices include a list of Greek and Latin legal terms appearing in the texts.

Tapio Helen

J. M. Kelly: Studies in the Civil Judicature of the Roman Republic. Clarendon Press: Oxford University Press 1976. 141 p. £ 5.75.

The aim of the author is to construct an organized picture of the Roman Republican civil judicature (more precisely in the time of Cicero) in such a way as to find a rationale for the co-existence of three separate judicatures or courts, widely different from each other in composition and sphere of competence. These are the collegiate courts of *centumviri* and *recuperatores*, and the single judge court of *unus iudex*. Mr. Kelly is not satisfied with the notion that the *unus iudex* was the "normal" civil judicature to whose sphere of authority, as a rule, the civil cases belonged, and to which the collegiate courts were mere accessories for special restricted areas. The period under consideration was one of transition in the history of civil procedure (from *legis actio* to the formulary procedure), but this does not offer an adequate explanation for the phenomenon. A more general explanation is to be sought among the conditions prevailing in Roman society at the end of Republican era. The writer advances the theory that it was the task of *unus iudex* to deal with the disputes that had their sources in the business world among those engaging in financial and commercial transactions. The distinction public/private constituted the boundary between the spheres of the collegiate courts (*centumviri* and *recuperatores*) on the one hand and that of the *unus iudex* on the other. The judicature of the *unus iudex* was a sort of system of arbitration put at the disposal of the business world by the Roman State; this sphere was regarded as private. According to this theory, the figure of *unus iudex* is intimately connected with the historical situation of the late Roman Republic, the era of the great *publicani* and their *societates*.

The field of the *centumviri* involved issues that concerned succession to family property on which (originally at least) the interest of many *gentes* was centered and which therefore required wide procedural publicity. The characteristic feature of *recuperatores* lay in their competence to execute as well as to pronounce judgements, they "must represent the Roman Republic's first move to assure the regular operation of the law against those who were impervious to disrepute or social pressure or the plaintiff's own efforts". — In the judicature of *unus iudex* the author isolates four "dimensions" which harmonize with his theory of the function of this court: 1) the proceedings