

Ius Romanum.

Beiträge zu Methode und Geschichte des römischen Rechts

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Empell, Hans-Michael

In causis vero dissentiamus

Exegese eines folgenreichen Julian-Fragments (D. 41, 1, 36). Zugleich ein Plädoyer gegen die Lehre von der solutio als causa

Volume 8
2020. X, 346 pages.

ISBN 9783161593581
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Hans-Michael Empell examines the classical Roman jurist Julian's text from the second century A.D. relating to the conditions of an effective transfer of ownership. The author's fresh interpretation results in a better understanding of the famous antinomy between Julian and Ulpian.

Methodenfragen der Romanistik im Wandel

Paul Koschakers Vermächtnis 80 Jahre nach seiner Krisenschrift

Herausgegeben von Tommaso Beggio und Aleksander Grebieniow

Volume 7
2020. XIV, 236 pages.

ISBN 9783161592751
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This book offers an overview of the methodological debate that took place in Roman law scholarship at the beginning of the twentieth century. It pays particular attention to the up-dating that was proposed by Paul Koschaker in his »Krisenschrift« in 1938. Koschaker's concern regarded whether Roman law was still practicable in terms of legal dogmatics, or if it was merely a product of history and part of Europe's cultural heritage. The question has never gone away and remains at the heart of the methodological discussion of Roman law scholarship. Indeed, the current crisis of the European project and the emergence of new doctrinal pleas underline its topicality and demonstrate its enormous flexibility over the centuries in different socio-economic environments.

Survey of contents

Christian Baldus: Vorwort – Tommaso Beggio/Aleksander Grebieniow: Einleitung – Tommaso Beggio: Tra Rechtsdogmatik e vergleichende Rechtsgeschichte. Questioni di metodo e studio del diritto romano nell'opera di Paul Koschaker – Marko Petrak: Ius europaeum or ius oecumenicum? Koschaker, Schmitt and D'Ors on Roman Law and the Renewal of Legal Scholarship in the Postwar Context – Filippo Bonin: La romanistica italiana dinanzi alla crisi tedesca. La Aktualisierung degli studi di diritto romano e il patto Betti-Koschaker – Tomasz Giaro: Legal Historians and the Eastern Border of Europe – Aleksander Grebieniow: Römisches Recht als Vergleichsfaktor: Ignacy Koschembahr-Łyskowski (1864–1945) und die Methodenfrage – Philipp Bosch: Seminar- und Diskussionsbericht

Stepan, Sebastian

Scaevola noster

Schulgut in den 'libri disputationum' des Claudius Tryphoninus?

Volume 6
2018. XV, 273 pages.

ISBN 9783161556609
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ISBN 9783161562518
eBook PDF 69,00 €

Law arises when jurists interact. Sebastian Stepan develops a method to examine how Roman law unfolds in relationships of masters and pupils and applies it to selected texts by Q. Cervidius Scaevola and his student Claudius Tryphoninus.

Gradenwitz, Riccobono und die Entwicklung der Interpolationenkritik / Gradenwitz, Riccobono e gli sviluppi della critica interpolazionistica

Methodentransfer unter europäischen Juristen im späten 19. Jahrhundert / Circolazione di modelli e metodi fra giuristi europei nel tardo Ottocento

Hrsg. v. Martin Avenarius, Christian Baldus, Francesca Lamberti u. Mario Varvaro



Volume 5
2018. VIII, 331 pages.

ISBN 9783161559020
sewn paper 104,00 €

ISBN 9783161561931
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The study of interpolations in Roman legal texts, which was particularly prevalent at the end of the nineteenth and beginning of the twentieth century, has attracted renewed interest among scholars of Roman law. This volume deals with historical interpolation research as an object of European scholarly transfer.

Survey of contents

Martin Avenarius/Christian Baldus/Francesca Lamberti/Mario Varvaro: Einleitung – Martin Avenarius/Christian Baldus/Francesca Lamberti/Mario Varvaro: Introduzione – Salvatore Marino/Pierangelo Buongiorno: Intersezioni vs. Interpolationen. La »Nostrifizierung« di Otto Gradenwitz tra Heidelberg e Berlino – Mario Varvaro: Circolazione e sviluppo di un modello metodologico. La critica testuale delle fonti giuridiche romane fra Otto Gradenwitz e Salvatore Riccobono – Stefano Barbatì: Nota minima sulle interpolazioni delle costituzioni imperiali nel pensiero di Gradenwitz – Tommaso Beggio: La Interpolationenforschung agli occhi di Paul Koschaker. La critica a Gradenwitz e alla cosiddetta neuhumanistische Richtung e lo sguardo rivolto all'esempio di Salvatore Riccobono – Stephan Meder/Christoph-Eric Mecke: Otto Gradenwitz' Berliner Familienrechtsvorlesung von 1892 nach einer Mitschrift von Salvatore Riccobono im Kontext von Spätpandektistik und Familienrechtspolitik am Vorabend des BGB – Francesca Lamberti: La storiografia italiana sulla familia tra tardo Ottocento e inizi Novecento. Antropologia, evolucionismo e primi influssi delle teorie interpolazionistiche – Iole Fagnoli: Poche ombre sugli entusiasmi coevi. Letture critiche della teoria interpolazionistica di Otto Gradenwitz tra Germania e Italia – Maria Teresa González-Palenzuela Gallego: Die Rezeption von Gradenwitz' und Riccobonos Interpolationentheorien in der spanischen Romanistik – Lorena Atzeri: Reazioni all'interpolazionismo tra Cambridge e Oxford nella prima metà del Novecento – Martin Avenarius: Methodenwandel und Wissenschaftstransfer in der Interpolationenforschung. Neue Quellen und wissenschaftsgeschichtliche Forschungsperspektiven

Wegmann Stockebrand, Adolfo

Obligatio re contracta

Ein Beitrag zur sogenannten Kategorie der Realverträge im römischen Recht

Volume 4
2017. XIII, 329 pages.

ISBN 9783161544941
sewn paper 69,00 €

The general view that Roman law's category of *obligatio re contracta* - orreal contract in today's terms - consists of the elements of credits, loans, deposits and bonds is a false retrospective construct. Roman law actually recognised only one reason for setting up such an *obligatio re contracta*: the credit.

Groten, Andreas

corpus und universitas

Römisches Körperschafts- und Gesellschaftsrecht: zwischen griechischer Philosophie und römischer Politik

Volume 3
2015. XV, 477 pages.

ISBN 9783161533167
sewn paper 94,00 €

Roman society knew a wide variety of public and private corporations. The author traces the development of the legal nature of these corporate entities and the relationship between the entities and their members in Roman law. Special attention is given to the impact of changes in legal thought as well as in the political and economic environment.

Lösch, Susanne

Die coniunctio in testamentarischen Verfügungen des klassischen römischen Rechts

Volume 2
2014. XI, 157 pages.

ISBN 9783161526893
sewn paper 54,00 €

Susanne Lösch studies the conditions in classical Roman law under which a connection between individual heirs or beneficiaries which was established by the testator by means of a testamentary designation was called *coniunctio*, and she examines the legal consequences this involved.



Seelentag, Anna Margarete

Ius pontificium cum iure civili coniunctum

Das Recht der Arrogation in klassischer Zeit

Volume 1
2014. XIX, 444 pages.

ISBN 9783161528705
sewn paper 89,00 €

Anna Margarete Seelentag traces the development of *adrogatio* as one of the oldest institutions of Roman law in classical times based on the main idea that it was especially influenced by the interaction between *ius pontificium* and *ius civile*. As a further aspect of this development, she shows the increasing integration of *adrogatio* into private law.

