

# Index

**Quaderni camerti di studi romanistici**  
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# Abstracts

a cura di Paola Santini

Flavio Argirò, «Il deposito nella *Collatio*» (p. 435-437)

Review article of Francesco Maria Lucrezi, *Il deposito in diritto ebraico e romano. Studi sulla Collatio VIII* (Torino, Giappichelli, 2017) p. viii, 93. – The volume of Francesco Lucrezi regards the *Collatio legum divinarum et romanarum*, specifically chapter X. It is dedicated to the institut of deposit. The research analyses the roman and hebraic sources cited herein and has generally a criminal content. The study suggests some links between the dating and the scope of this misterious work.

Parole chiave: *Collatio*, deposit, *furtum*.  
*Collatio*, deposito, *furtum*.

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Luigi Antonello Armando, «Machiavelli e il mito degli Etruschi» (p. 439-456)

The a. formulates the hypothesis that the ancient Italic valour invoked in the last chapter of *The Prince* isn't that of the Romans, but of the Etruscans. He bears out this hypothesis through the reading of the first five chapters of the second part of *The Discourses* and highlights its consequences with respect to the interpretation of Machiavelli's thought and to the recognition of its actuality.

Parole chiave: Italic valour, Romans-Etruscans, equality, beginning of the world, end of the world.  
Valore italico, Romani-Etruschi, uguaglianza, inizio del mondo, fine del mondo.

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Marco Auciello, «Da Nicosia a Nicosia. Questioni vecchie e nuove sulle dittature cd. *imminuto iure*» (p. 51-68)

Review article of Stefania Fusco, '*Oriens de nocte silentio*': *alcune riflessioni sulla dittatura 'imminuto iure'*, (Ortacesus, Sandhi, 2018) p. 173. – The a. discusses the recent monograph by Stefania Fusco, focusing on the proposed revaluation of the hypotesis advanced by Giovanni Nicosia

in a famous paper – published in 1987 – about the (in)existence of a separate category represented by the so-called *dictatores imminuto iure*.

Parole chiave: Dictatorship, *dictator optima lege*, *dictator imminuto iure*.  
Dittatura, *dictator optima lege*, *dictator imminuto iure*.

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Raffaele Basile, «*Res communes omnium*. Disciplina giuridica e profili (a-)sistematici» (p. 307-322)

Review article of Domenico Dursi, *Res communes omnium. Dalle necessità economiche alla disciplina giuridica*, «Pubblicazioni del Dipartimento di Scienze Giuridiche. Università degli Studi di Roma 'La Sapienza', 113» (Napoli, Jovene, 2017) p. xvi, 153. – The essay retraces analytically the reconstructive iter of the monograph and proposes a critical reading that privileges the two essential aims pursued by the a. The first is to prove how the 'official' isolation of the *res communes omnium* performed by Marcian (D. 1.8.2 pr.-1) may be considered as a development of a line of thought begun by Celsus and completed by Ulpian. The second is to identify an economic *ratio* – aimed at satisfying the enjoyment of natural resources – preceding the process of classification.

Parole chiave: *Res communes omnium*, *mare, litus maris*, fishing, building, jurisprudence pre-Severian, Severian jurisprudence.  
*Res communes omnium, mare, litus maris*, pesca, costruzioni, giurisprudenza pre-severiana, giurisprudenza severiana.

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Okko Behrends, «Rolf Knütel (23.12.1939-25.9.2019)» (p. 547-554)

Obituary of the late German authoritative romanist and civil lawyer in a larger view, which considers also the problems of translating ancient legal sources and the role of Roman law today.

Parole chiave: Roman law, Roman law scholarship, Rolf Knütel.  
Römisches Recht, Geschichte der romanistischen Wissenschaft, Rolf Knütel.

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André-J. Boyé, «Sur le principat d'Auguste» (p. 127-131)

Thanks to Luigi Labruna's scientific curiosity, *Index* offers this 'Arangian trouvaille', on the Augustan principate originally published in *L'Egypte judiciaire* (1935) p. 329. André-J. Boyé (1893-1967) taught Ro-

man law, as well as for twenty-seven years in Egypt, also in Bordeaux and Paris.

Parole chiave: Roman law, Augustus, Vincenzo Arangio-Ruiz.  
Droit romain, Augustus, Vincenzo Arangio-Ruiz.

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Pierangelo Buongiorno, «*Precianus*. Davvero un giurista?» (p. 265-276)

The paper aims to investigate the historicity and possible identity of the *Precianus iureconsultus* mentioned in Cic. *fam.* 7.8.2, also in connection with the *hereditas Preciana* mentioned in other letters of Cicero. The a. concludes that no jurist named *Precianus* has existed but that *Precianus* was an adjective used by Cicero to conceal the identity of a character that remains unknown at present.

Parole chiave: C. Trebatius Testa, M. Tullius Cicero, Roman jurisprudence, prosopography.  
C. Trebatius Testa, M. Tullius Cicero, giurisprudenza romana, prosopografia.

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Luigi Capogrossi Colognesi, «Questioni decemvirali e tradizioni sulle XII Tavole» (p. 235-248)

Review article of Donatella Monteverdi, *La questione decemvirale. Itinerari e risultati di una complessa vicenda storiografica*, «Università degli Studi Magna Graecia di Catanzaro. Collana del Dipartimento di Giurisprudenza, Economia e Sociologia, 54» (Milano, Wolters Kluwer-Cedam, 2019) p. xxviii, 526. – In this paper the a. proposes the review of D. Monteverdi's new book. In particular the a. discusses the first two parts of the book in which Monteverdi is giving us a very comprehensive ed analytic history of the early developments of the researches of the XV and XVI century scholars. Their principal aim was the reconstruction of the original text of the XII Tables, but, in their developments, they had to examine many othewr problems: first of all the social and political struggles which have been at the origin of this legislation. In the last part of the paper the a. discusses in particular the part of the book concerning the great developments of these studies in XVIII century, with Gravina and Vico, and during the historicist Renaissance of German scholarship of XIX century.

Parole chiave: XII Tables, *palingenesia*, struggle of orders, G.B. Vico, G.B. Gravina, B.G. Niebuhr.  
XII Tavole, *palingenesia*, lotta tra gli ordini, G.B. Vico, G.B. Gravina, B.G. Niebuhr.

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Loredana Cappelletti «Postille istituzionali al decreto *SEG.* 59, 1100 da Alesa, Sicilia» (p. 249-264)

The bronze decree in honor of Nemenios Daphnis from the ancient city Alesa (Tusa, prov. Messina) was issued, in the first half of the 1<sup>st</sup> cent. BC, by *alia* and *boula* of a *koinon* of priests of Apollo, with the approval of 825 voters. According to the a. the *koinon* could be identified with an association of priests and devotees of Apollo belonging to several Sicilian communities close together; the sanctuary of Apollo in Alesa may have been the main seat of the *koinon*, the place of its plenary meetings and of administrative activities. The document demonstrates above all the political-institutional autonomy of the *koinon* towards the civic bodies (*synkletos*, *senatus*, *alia*?) of Alesa and constitutes another case of survival and continuity of local institutions within the framework of the Roman province of Sicily.

Parole chiave: Greek institutions, *provincia Sicilia*, religious associations.  
Istituzioni greche, *provincia Sicilia*, associazioni religiose.

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Piero Antonio Carnemolla, «Giorgio La Pira romanista: il periodo giovanile (1922-1938)» (p. 467-478)

The a. wonders why La Pira undertook legal studies. The essay analyses La Pira's studies and research during his years of university education and his very first times of teaching, in the context of his deep Christian faith. Special emphasis has been dedicated to the first paper of La Pira (*Il Principio di Autorità*), as well as to the famous inaugural address titled *La genesi del sistema nella giurisprudenza romana I. Problemi generali* and finally to La Pira's 1938 monograph on Sextus Pedius. The article describes the profile of this Roman jurist as an autobiographical reference that enlightens the approach of Pira with respect to questions of Roman law and to theological questions.

Parole chiave: La Pira, Sextus Pedius, Roman juridical system, educational function of Roman law.  
La Pira, Sesto Pedio, sistema giuridico romano, funzione educativa del diritto romano.

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Consuelo Carrasco García, «'Public trust'/'Commons': ¿'Palingenesias' de una categoría jurídica romana?» (p. 283-306)

On the occasion of the participation at the LXXIII Session de la Société Internationale Fernand De Visscher pour l'Histoire des Droits de l'Antiquité (Edinburg 2019), the a. analyzes the legal category of *res communes omnium*: in which measure it existed in Roman law, which goods

were included therein, and which were the characteristics by which they could be distinguished from public goods. From there the a. takes a tour along different moments in legal history in which this category has been used for the most diverse purposes: a. Baldus de Ubaldis. *Res communes omnium* and independence of Venice (14<sup>th</sup> century); b. Vitoria, Vázquez de Menchaca and Grotius. *Res communes omnium* and freedom of the seas (16<sup>th</sup> and 17<sup>th</sup> centuries); c. Martin versus Waddell. *Res communes omnium* and «Public trust doctrine» (19<sup>th</sup>); d. Atmosphere, radio space and extra-atmospheric space (20<sup>th</sup> century).

Parole chiave: *Res communes omnium*, *res publicae*, public trust, atmosphere.

*Res communes omnium*, *res publicae*, public trust, atmósfera.

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Cosimo Cascione, «*Civis* al femminile» (p. 117-126)

Review article of Leo Peppe, '*Civis Romana*'. *Forme giuridiche e modelli sociali dell'appartenenza e dell'identità femminili in Roma antica*, «Colección Leda, 8» (Lecce, Edizioni Grifo, 2016) p. 510. – On the position of women, as citizens, in Roman public law.

Parole chiave: Women, Roman law, citizenship.

Donne, diritto romano, cittadinanza.

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Cosimo Cascione, «Manualistiche tribolazioni» (p. 153-156)

Review article of Gisella Bassanelli Sommariva, *Costituzione e Diritto nella storia di Roma sive Principi di diritto privato romano. Introduzione metodologica agli studi giuridici* (Torino, Giappichelli, 2019) p. xiv, 445. – Critical reading of a sloppy handbook, not to be placed in the hands of students.

Parole chiave: Roman law, handbook, Roman law scholarship.

Diritto romano, manuale, scienza romanistica.

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Cosimo Cascione, «Vendita e permuta, poesia e diritto. Riflessioni a margine di una controversia di scuola» (p. 423-434)

Some new thoughts on a classical topic: the role of Homeric quotations in the famous scholastic dispute on *emptio venditio* and *permutatio*, in connection with the Roman use of poetry as trial evidence.

Parole chiave: *Emptio venditio*, *permutatio*, *Homerus*, trial evidence.

*Emptio venditio*, *permutatio*, *Homerus*, trial evidence.

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Alessandro Corbino, «Enzo Giuffrè. Gentiluomo sempre» (p. 555-561)

Memories on a Neapolitan gentleman and Roman law professor.

Parole chiave: Roman law, Roman law scholarship, Vincenzo Giuffrè.  
Diritto romano, tradizione romanistica, Vincenzo Giuffrè.

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M. Floriana Cursi, «Dalla prassi alla *regula*: la storia della *perpetuatio obligationis*» (p. 419-422)

Review article of Gregor Albers, *Perpetuatio obligationis. Leistungspflicht trotz Unmöglichkeit im klassischen Recht*, «Forschungen zum Römischen Recht, 61» (Köln, Böhlau, 2019) p. xvi, 419. – The book under review is about the formation of the *regula* of *perpetuatio obligationis*. The a. studies the cases dealt with by the Roman jurisprudence and reconstructs the development of the institution by placing the opinions of the jurists – from the *veteres* up to the Severian *regula* – in a historical perspective.

Parole chiave: *Perpetuatio obligationis*, *veteres*, *regula*.

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Raffaele D'Alessio, «Cinque lettere e quattro telegrammi di La Pira: 'diritto romano vivente'» (p. 457-466)

Review article of *Diritto romano vivente. «Caro Catalano ...» 1967-1975. Cinque lettere e quattro telegrammi di Giorgio La Pira*, a cura di Rosa Anna Assunta Alabiso, Lavinia Rosa (Firenze, Fondazione Giorgio La Pira, 2017) p. xix, 19. – A review article on the correspondence between Giorgio La Pira and Pierangelo Catalano during the years 1967-1975, collected and preserved by Rosanna Alabiso. The a. focuses on the research perspective advanced in some letters and telegrams sent by La Pira to Catalano, in addition to the text of a speech made by La Pira at the meeting of the Associazione di Studi Sociali Latinoamericani in Rome, on 28-30 November 1974. The paper analyses the conception of 'living Roman law' in the context of the dialogue between La Pira and Catalano concerning the 'negative power' and the providential plan of 'grace' and 'civilization'.

Parole chiave: La Pira, 'living Roman law', providential view of history.  
La Pira, 'diritto romano vivente', visione provvidenziale della storia.

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Francesco Fasolino, «L'evasione dalla custodia preventiva a Roma» (p. 157-202)

In the Roman legal system, any attempt to escape from preventive custody or other precautionary measures was severely repressed, regardless of the possible innocence of the accused, as is the case today in Italy and in many other European countries. In a context of general indeterminacy of the border between *coercitio* and *iurisdictio*, in which often neither the criminal cases nor the related penalties were strictly defined, the jurists played a role tended to be limited to the reorganization of an elusive and chaotic matter, seeking, as far as possible, to limit the arbitrariness that was recorded in the practice of the courts, also through the use of interpretative *rationes* based on the criteria of *humanitas* and *benignitas*. This led to a real gradation of the penalties applied to the escaped prisoner and his custodians, in evident correlation with the analogous and wider process found in the context of *cognitio extra ordinem*, which led to the creation of a graduated system of penalties in which specific weight was attributed to the concrete circumstances of the crime. In order to resolve concrete problems, therefore, jurisprudence exercised a function of orientation towards the judges and imperial officials, mediating between the practices followed in the various areas of the empire and the general principles and imperial legislation: with specific reference to the discipline of evasion, the jurists contributed to outline a system more articulated, in which the escape from prison was punished with the severity required by the concrete methods of escape and because of the actual degree of guilt of the fugitives and their guardians.

Parole chiave: Escape from prison, Roman jurists, *cognitio extra ordinem*.  
Evasione, giurisprudenza romana, *cognitio extra ordinem*.

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Alberto Filippi, «La reforma intelectual y moral de Brasil: derechos y hegemonía política» (p. 501-522)

Questo discorso, in occasione del decimo anniversario del Seminario Internazionale per i Diritti Umani nell'Università Federale di Paraiba, affronta la complessa crisi politico-istituzionale brasiliana, sin dall'impeachment alla presidentessa Rousseff, al sostanziale ritorno, dopo moltissimi anni, del ceto militare al potere con l'avvento del Capitano paracadutista, Jair Bolsonaro, alla presidenza. Reiterate, molteplici violazioni della Costituzione e dei diritti fondamentali hanno costituito un processo 'destituente' superabile, secondo l'a., facendo ricorso alla metafora che Gramsci aveva mutuato da Renan, soltanto con una profonda 'Riforma intellettuale e morale', capace di generare una cultura politica, una egemonia culturale, in grado di dare vita ad una nuova fase costituente nella

lotta per la democrazia antifascista nell'Italia di allora e nel Brasile odierno. Lotta per i diritti umani che risale, nel caso dell'America Latina, al magistero di Bartolomé de las Casas e ai diversi protagonisti della 'tradizione Lascasiana' in difesa della cultura giuridico-politica delle comunità e delle persone maggiormente vulnerabili. Tradizione le cui diverse componenti si può dire che culminano nelle conclusioni del Sinodo per la Amazzonia recentemente indetto da papa Francesco e riguardante le popolazioni dei nove paesi il cui immenso centro è appunto il Brasile: 'Documento finale del Sinodo: esortazione apostolica postsinodale' (febbraio 2020), su temi che sviluppano la lettera enciclica di Francesco, *Laudato Si. Sulla cura della casa comune* (2015).

Parole chiave: Brasile, costituzione, 'tradizione Lascasiana'.  
Brasil, constitución, 'tradicón Lascasiana'.

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Giovanni Finazzi, «D. 41.2.6.1 (Ulp. 70 *ad ed.*) e l'occupazione clandestina dei beni immobili incustoditi nella riflessione dei *prudentes I*» (p. 323-374)

As we learn from D. 41.2.6.1, Labeo thought that, if the *possessor* of a real estate went to the market and, while he was coming back, the real estate was occupied by another person, the trespasser seemed to possess clandestinely and the one who came back didn't lose the possession until he was rejected. Since the jurist, as we read in D. 41.6.3.5, didn't admit the joint possession, in fact he believed that the trespasser had just the naked possession till he fended off the *possessor* or maybe also till this later gave up to get back in the real estate. According to other views, the trespasser immediately acquired the possession of the real estate, which at the same time was lost by the previous *possessor*. Later, established the doctrine of the possession retained by intention, Labeo's opinion about the retention of possession despite the occupation was generalized also for longer occupations. Nevertheless, since it was controversial whether the joint possession was permissible, the nature of the relationship between the trespasser and the real estate was disputed: while some jurists saw it as possession, Paul believed that the trespasser was a naked *possessor* till the previous *possessor* lost the possession.

Parole chiave: Clandestine occupation, clandestine possession, detention, real estate.  
Occupazione clandestina, possesso clandestino, detenzione, beni immobili.

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Roberto Fiori, «*Spolia opima* e trionfo» (p. 1-50)

The ceremonies of the *spolia opima* and triumph are closely linked, and share a partially common history. The study of the sources suggests various stages of development: (i) during the first royal age (8<sup>th</sup>-7<sup>th</sup> century BC), they were part of the same ceremony, segmented into three stages corresponding to the deities of the pre-Capitoline triad; (ii) in the second royal age (7<sup>th</sup>-6<sup>th</sup> century BC), the rise to power of the Etruscan king brought about the unification of the ceremony into the rite of triumphus, and the abandonment of the *spolia opima*; (iii) during the early republican age (5<sup>th</sup>-3<sup>rd</sup> century BC) both the pre-Etruscan forms of the triumph (*ovatio*) and the *spolia opima* were recovered – the rules of the latter being reconstructed by the priests in the text called *lex Numae*; (iv) in the second republican age (3<sup>rd</sup>-1<sup>st</sup> century BC), the rules for bestowing the triumph changed, while those relating to the *spolia opima* probably remained the same, as the ceremony was abandoned until its theoretical recovery by Caesar and Augustus, to which the interpretations of the *lex Numae* by Varro and (perhaps) Labeo were probably connected.

Parole chiave: *Spolia opima*, *ovatio*, *triumphus*, *imperium auspiciumque*.

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Annarosa Gallo, «Quaranta vite. Una caleidoscopica raffigurazione di Roma repubblicana» (p. 105-116)

Review article of Federico Santangelo, *Roma repubblicana. Una storia in quaranta vite*, «Frecce, 281» (Roma, Carocci, 2019) p. 439. – The paper aims to discuss a recent book of Federico Santangelo concerning a gallery of biographical cameos; these trace the internal arc of the republican history of Rome, highlighting the intertwining of personal experiences and collective events, against the background of a *civitas* in continuous and constant evolution.

Parole chiave: *Res publica*, biographies, Roman senate, *civitas*.  
*Res publica*, biografie, senato romano, *civitas*.

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Luigi Garofalo, «L'abigeato: da furto a crimine autonomo» (p. 230-234)

Review article of Luciano Minieri, '*Abactum animal*'. *Sulla repressione dell'abigeato in diritto romano*, «Università degli Studi della Campania Luigi Vanvitelli. Dipartimento di Giurisprudenza. Monografie, 6» (Napoli, Edizioni Scientifiche Italiane, 2018) p. viii, 162. – During the course of the principate, cattle-rustling ceases to be a particular case of theft and changes into an autonomous crime, prosecuted through the pro-

cedures of *cognitio extra ordinem*. The contribution investigates the way this passage has been carried out.

Parole chiave: *abigeatus, crimen, cognitio extra ordinem*.

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Patrizia Giunti, «Firenze, 2 febbraio 1934. Perché il diritto romano» (p. 479-496)

Various recent questions concerning the status of current Romanistic discipline, and, in more specific terms, the suitability of teaching Roman law in the context of legal studies, lead the a. to focus on the crisis of 'lukewarmness' that La Pira attributed to the historiographic temperament of his time. La Pira used to blame the arid focus on details, which deprived a wider vision of the overall system. The a. investigates the cultural background of La Pira's perspective and analyses the relationship with the different point of view of Betti.

Parole chiave: La Pira, crisis of 'lukewarmness', juridical system, educational function of Roman law.

La Pira, crisi di 'tiepidezza', sistema giuridico, funzione educativa del diritto romano.

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Ella Hermon, «La culture juridique romaine de gestion résiliente du risque d'inondation» (p. 375-418)

Whereas modern research on the 'resilience' component of the concept of flood risk management identifies resilient capabilities without establishing a research methodology, Roman jurists institute a typology of river phenomena by gradually constructing two different scenarios according to the crisis model, which are antagonistic in their consequences for risk management: *inundatio-alvei mutatio* and from the differentiation of alluvial phenomena in the viewpoint of integrated water management. Land Surveyors (*gromatici*) reflect the same principles in *agri-law* by taking anticipatory and forward-looking measures on the perspective of dialogue between decision-makers and stakeholders of the management of real land rights and their water resources (agrarian controversies). The result is a holistic model of resilient flood risk management built by analogy on the elements of land vulnerability to this risk, including involvement of institutional structures and individual and collective initiatives. This framework could structure the examination of ancient experiments attested by ancient sources in order to identify methodological venues in the search for the component 'resilience' of the concept of flood risk manage-

ment, potentially useful for current flood management as well for advancing modern epistemology in the research area related to this risk.

Parole chiave: *Inondatio, gromatici*, Roman law.  
*Inondatio, gromatici*, droit romain.

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Łukasz Jan Korporowicz, Joanna Kulawiak-Cyrankowska, «Ireneusz Jakubowski (1952-2020)» (p. 569-570)

This obituary commemorates former member of the Department of Roman Law, University of Łódź, Dr. Ireneusz Jakubowski. The authors summarized the milestone of his academic career, as well as the key subjects of his research mainly the history of Roman law in Poland in 18<sup>th</sup> and 19<sup>th</sup> centuries. Additionally, it has been noted that Jakubowski was also a professional opera singer who performed for many years in the Grand Theatre of Łódź as well as in the Musical Theatre in Łódź. Jakubowski died suddenly on 30 March 2020.

Parole chiave: Roman law, Roman law scholarship in Poland, Ireneusz Jakubowski.  
Diritto romano, tradizione romanistica in Polonia, Ireneusz Jakubowski.

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Luigi Labruna, «Matteo Marrone, maestro vero e amico sincero» (p. 534-536)

Remembering a Sicilian professor of Roman law, who distinguished himself for personal and academic style, as well as for science.

Parole chiave: Roman law, Roman law scholarship, Matteo Marrone.  
Diritto romano, tradizione romanistica, Matteo Marrone.

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Luigi Labruna, «Quel ‘mitico’ diritto romano ...» (p. 280-282)

Review article of *Storia mitica del diritto romano*, a cura di Aglaia McClintock, «Antropologia del mondo antico. Collana del Centro di antropologia del mondo antico dell'Università di Siena, 13» (Bologna, il Mulino, 2020) p. 240. – Some remarks on mythological foundations of Roman institutions.

Parole chiave: Roman law, myth, anthropology.  
Diritto romano, mito, antropologia.

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Orazio Licandro, «Ellenismo e tradizionalismo in Giuliano, un imperatore tra innovazione e continuità» (p. 132-152)

Review article of Arnaldo Marcone, *Giuliano*, «Profili, 82» (Roma, Salerno Editrice, 2019) p. 372. – The paper debates on the Arnaldo Marcone's ideas about the emperor Julian, and it offers a continuity line of the Roman imperial traditionalism from Augustus to Justinian.

Parole chiave: Julian, Augustus, Justinian, hellenism, Roman imperial traditionalism.

Giuliano, Augusto, Giustiniano, ellenismo, tradizionalismo romano.

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Alessandro Manni, «Sulla persecuzione *post mortem* dell'apostasia nel *Codex Theodosianus*» (p. 203-229)

As with *crimen maiestatis*, apostasy is punished even after death. CTh. 16.7.3 (383 AD) establishes a 5-year term for this *post mortem* repression, limit cancelled by CTh. 16.7.7 (426 AD), providing the never-ending prosecution of the apostasy. In *Codex Iustinianus* (C. 1.7.2 and 1.7.4) such term appears reinstated, but only in order to obtain the cancellation of the apostate's last will.

Parole chiave: Apostasy, *post mortem* criminal prosecution, testamentary capacity.

Apostasia, persecuzione *post mortem*, capacità testamentaria.

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Francesco Milazzo, «Per Franco Salerno. Fotogrammi catanzaresi» (p. 527-531)

The story of a dear friendship interrupted by an early death. At the same time, an academic experience developed in the university environment of two significant Roman law schools and mainly played in Catanzaro, a then new but already lively University, more or less in the geographical middle between Naples and Catania, sites of the schools with their traditions, styles, masters, international relationships.

Parole chiave: Roman law scholarship, friendship, relationships between study centers.

Tradizione romanistica, amicizia, rapporti tra centri di studio.

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Giovanni Nicosia, «Gallo: ultimo incontro» (p. 533)

Description of the late meeting between the a. and professor Gallo, an unforgettable teacher of Roman law.

Parole chiave: Roman law, Roman law scholarship, Filippo Gallo.  
Diritto romano, tradizione romanistica, Filippo Gallo.

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Salvo Randazzo, «*Quaestus omnis patribus indecorus visus*. Dagli ‘interessi in conflitto’ al ‘conflitto di interessi’» (p. 86-103)

The research derives from the author’s report to an interdisciplinary conference on conflict of interest. The analysis starts from a general theory perspective to demonstrate the inadequacy of the legal terminology to identify the conflict of interest in a satisfactory manner. Then the a. examines the topic in Roman law, and particularly the possibility of finding these legal objectives in the *plebiscitum Claudianum*, dating from third century BC. This *plebiscitum*, erroneously linked to the *de repetundis* legislation, had the only purpose of prohibiting senators from carrying out maritime trade, an activity considered contrary to the decor of Roman senators. Therefore the a. concludes that the considered provision was completely different from the discipline of conflict of interest as it is considered in modern law.

Parole chiave: Conflict of interest, *lex Claudia*, senators, *leges de repetundis*.  
Conflitto di interesse, *lex Claudia*, senatori, *leges de repetundis*.

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Paola Santini, «La vendetta della cicogna» (p. 69-85)

The essay aims to reconstruct the juridical outlines of a strange event related to a candidate defeated in the elections to the praetorship not mentioned by T.R.S. Broughton in his fundamental work. According to Porph. *ad Horat. serm.* 2.2.50, in the last republican period, when the *luxus mensae* was used as tool of political promotion, a politician would have introduced the custom of cooking the meat of the stork babies obtaining a loud defeat that became the subject of *versus populares*.

Parole chiave: Elezioni magistratuali, *luxus mensae*, T.R.S. Broughton.  
Magistrates’ elections, *luxus mensae*, T.R.S. Broughton.

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Philipp Scheibelreiter, «Peter Pieler (14.12.1941-1.10.2018)» (p. 562-568)

Peter E. Pieler, professor for Roman law and Ancient legal history, died in 2018 at the age of 76. In this short epitaph Pieler, who was an important functionary at the University of Vienna, will be recognized as a great scholar, who worked on Byzantine, Roman and Ancient Greek Law.

Parole chiave: *Nomos georgikos*, *Collatio*, history of International law, Peter Pieler.

*Nomos georgikos*, *Collatio*, Völkerrechtsgeschichte, Peter Pieler.

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Giuseppe Valditara, «*Formula Muciana*» (p. 277-279)

In the light of the new archaeological findings referring to the fresco of the «*formula Muciana*», this paper highlights, on the one hand, the connections between the creation of the formulary trial and the claim of the plebeian democratic values, and, on the other hand, the role of the *gens Mucia* in such events.

Parole chiave: *Formula Muciana*, evolution of the civil process, democratization.

*Formula Muciana*, evoluzione del processo civile, democratizzazione.

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Laurens Winkel, «Hans Ankum (23 Juillet 1930-3 Juin 2019)» (p. 537-546)

Obituary of the Dutch professor of Roman Law in Amsterdam Hans Ankum, with a short description of his achievements and a supplementary bibliography of his works.

Parole chiave: Obituary, Hans Ankum, bibliography.

Necrologio, Hans Ankum, bibliografia.

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Witold Wołodkiewicz, «Una vita: confessioni di un nonagenario» (p. 523-526)

A short autobiography of the Polish romanist, for decades professor of Roman law in Warsaw, in occasion of his 90<sup>th</sup> birthday.

Parole chiave: Roman law, Roman law tradition, Roman law scholarship in Poland.

Diritto romano, tradizione romanistica, scuola romanistica in Polonia.

[a cura di PAOLA SANTINI]