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## **Review of Ziogas, I.; Bexley, E.M. (2022) Roman law and Latin literature**

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IOANNIS ZIOGAS and ERICA M. BEXLEY, *ROMAN LAW AND LATIN LITERATURE*.  
London: Bloomsbury Academic, 2022. Pp. ix + 308 pages. ISBN: 9781350276635. £95.00.

This highly timely publication, based on an eponymous conference organised by editors Ioannis Ziogas and Erica Bexley at Durham University in 2019, is positioned at a fascinating intersection between disciplines and scholarly approaches. As the title indicates, it is first and foremost a part of, and a response to, the wider ‘law and literature’ movement, which has in the past few decades sought to investigate the points of contact between the two fields and their respective conceptual frameworks, methodologies and discourses. However, as the editors argue in their introduction, law has long been ‘the dominant partner in this marriage’, with less emphasis being given to the literary side of the debate (2–3). In addition, Latin literature has been particularly neglected: within Classical studies, the law and literature approach has gained traction only relatively recently, while the legal humanities have largely overlooked literature from the Roman period (17–18). This volume seeks to contribute to filling these lacunae, and as such may be seen as complementary to similar developments within legal history, where scholarly approaches that connect Roman law to its wider societal contexts and highlight a broader range of legal experiences have steadily gained in attention.

The volume explores the points of contact between Roman law and Latin literature by highlighting four key themes. The editors’ introduction provides a valuable discussion of the volume’s position within the field, as well as two brief case studies on Cicero’s *Pro Caelio* and the works of Terence to illustrate the project’s underlying ideas. The first three chapters (Part I) deal with ‘Literature as Law’ – an interesting addition to the traditional distinction between ‘law *as* literature’, ‘law *in* literature’ and ‘law *and* literature’ within the legal humanities. Michèle Lowrie provides the theoretical underpinning for this category, arguing that stories held significant normative force in the Roman republican period, to the point that literature may be considered to have provided a “functional supplement” to the uncoded, and highly flexible, Roman constitution. This theme of literature’s semi-legal efficacy is taken up by Erica Bexley, who discusses the ways in which Seneca’s *Apocolocyntosis* functions as an alternative, literary trial of a *princeps* who had placed himself above the law. Another take on the subject is provided by Thomas Biggs, who provides a theoretically dense analysis of the use of the concept of *iustitium* (suspension of legal matters) in Lucan’s *Bellum Civile*, arguing that the text creates a similar zone of exemption within itself that allows readers the option to critically engage with imperial power. While not all readers will be equally convinced by the ‘literature as law’ approach, and may question whether the normative force

of law and literature may indeed be seen as being on a similar level, this section of the volume is sure to invite valuable discussion about the interaction and potential overlap between various kinds of normative frameworks (legal, literary, religious, etc.) in the Roman world.

Subsequent portions of the book move towards other ways in which legal and literary subject matters can intersect. Part II is focussed on ‘Literature and the Legal Tradition’, and is focussed on texts that in one way or the other deal with topics of legal exegesis and expertise. Jan Felix Gaertner uses Terence’s comedic depictions of legal experts to shed light on Roman perceptions of the legal profession, while John Dugan focusses on the theme of textual interpretation (and overinterpretation) in the legal context of the *causa Curiana*, which deals with a disputed will. Matthijs Wibier’s contribution, which completes this section, discusses the literary afterlife of Marcus Antistius Labeo, with a particular focus on the jurists’ reputation for great learning and his disagreements with Augustus. In Part III, the volume zooms in on a more specific area of the law, and offers four papers that deal with ‘Literature and Property Law’ – starting with Nora Goldschmidt’s contribution, which revisits Michel Foucault’s author function and uses the emergence of Roman literature to question its presupposed connection to modern authorship rights. This is followed by a chapter by Thomas McGinn, who investigates the relationship between the legal status of goods found on the seashore in Plautus’ *Rudens* and Roman legal practice. The final two contributions in this section both deal with the use of legal language, with John Oksanish discussing the use of terminology related to legal ownership to discuss intellectual mastery of the civic *artes* in the works of Cicero, Quintilian and Vitruvius, while Erik Gunderson focusses on the subversive metaphorical use of ownership- and debt-related terminology in Seneca’s *Epistulae Morales*, which points the reader towards deeper philosophical ideas. Finally, Part IV, titled ‘Literature and Justice’, contains perhaps the most widely diverging chapters. Stella Alekou investigates the weaving contest between Arachne and Minerva in Ovid’s *Metamorphoses*, and argues that the passage provides a critique of legal injustice by presenting the contest in a trial-like setting. The final chapter, authored by Nandini Pandey, is closely connected to the still growing debate about representation and accessibility within Classical studies as a field, and compares Roman and American ‘constitutions’, with a particular focus on equality and social justice.

The various papers in this volume, then, cover wide range of subject and approaches, and furthermore show a degree of careful consideration of each other’s ideas (in the form of cross-referencing) that is not always present in edited volumes, highlighting both the fruitfulness of the conference on which the project is based and the care taken by the editors.

While there remains (almost inevitably) room for additions, this is only likely to serve as a springboard for future discussion. It is notable, for instance, that Roman historiography does not form the main subject of any of the contributions, with Livy appearing only in Lowrie's chapter on the legal force of Roman literature, and only Wibier's analysis of Labeo's literary afterlife devoting more than cursory attention to authors like Tacitus, Suetonius, and Cassius Dio – particularly striking given the comparative frequency with which Roman comedy and the works of Seneca make an appearance. Ultimately, however, the volume certainly succeeds in illustrating the richness of its subject matter, and while not every methodological or thematic approach may resonate equally well with every reader, it is here that the volume finds its greatest value. It more than makes good on its stated goal of showing the manifold applications of 'law and literature' in a Roman context, and encouraging scholars to take a closer look at the many fascinating ways in which Roman law and Latin literature interact. It is to be hoped that this valuable project will be an inspiration to many, and that the law and literature approach will in the future take its place among the aforementioned similar developments in Roman law and Roman history, allowing for a broader perspective on legal thinking in the Roman world, as well as further collaboration between Romanists, Latinists and Roman historians.

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