Carmichael’s study gives everyone some idea, at least, of what a remarkable man Daube was. His Collected Studies in Roman Law and the Collected Works which Carmichael is editing mean that scholars no longer have any excuse for ignoring his work and so denying themselves the sheer pleasure of reading what he wrote.

Edinburgh

Alan Rodger


Robert Feenstra is one of the greatest specialists of the *ius commune*, but unfortunately he has never written a big book about it. However, to compensate for this, there are many excellent articles of his and a sample of them can be found in the Collected Studies Series of Variorum, more in particular in the volumes *Le droit savant au moyen âge et sa vulgarisation* (1986, nr. 236 in the series) and *Legal scholarship and doctrines of private law, 13th–18th centuries* (1996, nr. 556). To these a third volume has now been added, containing articles written between 1995 and 2001, though they concern themes which were already present in Feenstra’s earlier work. In fact, the first article *Revendication de meubles et ‘Lösungsrecht’ de tiers acquéreurs (droit romain, droit wisigothique, droit coutumier médiéval en Espagne et dans le Midi de la France)*, has its roots in a book Feenstra published in 1949. Like this article, the ones following it deal with property law: *Dominium utile est chimera: nouvelles réflexions sur le concept de propriété dans le droit savant* (à propos d’un ouvrage récent, Les origines du dominium d’après Grotius et notamment dans son Mare liberum; Expropriation et dominium eminens chez Grotius,* though they also show Feenstra’s fascination with ‘his hero’ Grotius, whose work about tort law is the subject of three other articles reprinted in this book: *Réparation du dommage et prix de la douleur chez les auteurs du droit savant, du droit naturel et du droit romano-hollandais; Grotius’ doctrine of liability for negligence: its origin and its influence in Civil Law countries until modern codifications; Die Quasi-Delikte bei Hugo Grotius; die Lehre in seinen juristischen Hauptwerken und eine Akte aus dem in DJB II, 17, 20 erwähnten Prozess von Stettiner Kaufleuten gegen die Generalstaaten (1609–17). Thus the first part of this volume is not so much about doctrine as the title indicates, but rather about the doctrines of property law or of Grotius, and preferably both together, though there is one article which, at first, does not seem to belong with the others: *Foundations in continental law since the 12th century: the legal person concept and trust-like devices*, but even in this article Grotius surfaces, though this time in the company of many others who made the *ius commune*. In fact, this article is such a good example of Feenstra’s talent for studying the *ius commune* that a reader can only wonder how wonderful a whole book by Feenstra about all its legal institutions and not just foundations, would have been. Feenstra’s strength is his detailed analysis of the sources as he shows in the second part of this book with an article about a fourteenth century jurist, whom he saves from obscurity: *Geoffroy de Salagny (1316–1374) et son commentaire sur l’Infortiat: un chapitre peu connu de l’histoire de l’École de droit d’Orléans*, but most of all with four articles about texts vulgarising learned law in the Late Middle Ages and Early Modern Period: *La genèse du ‘Modus legendi abbreviaturas in utroque iure’: éditions incunables et manuscrits; La diffusion du ‘Modus legendi abbreviaturas in utroque iure’: éditions des XVIe et XVIIe siècles; Deux traités notariaux du XVe siècle: l’Ars notariatus anonyme et le Doctrinale florum artis notarie d’Étienne Marcillet: une orientation bibliographique; Le Margarita legum ou Compendium ad omnés materias iuris civilis inuentandas faussement attribué à Oldrade (= Aldracus). As the annexes to two of these articles show Feenstra is without
equal as far as the earliest printed books about law are concerned. An added bonus of this book is that the reader can find at the end indices of the old authors and sources which are quoted and addenda to the articles. The latter show that even at his age Feenstra is still constantly striving for making his publications better. Keeping in mind that the youngest article published here dates from 2001, this makes the reader hope that this third volume of Feenstra’s in the Collected Studies Series will soon be joined by a fourth.

Ghent

D. Heirbaut