Baumann’s study on the decurions, members of the town council, presented in 2012–2013 as Dissertation in the Law Faculty of the University of Trier, is divided in 7 Parts: an introduction, the call to the function of *decurio*, rights and duties of decurions, status-privileges of decurions, leaving the decurionate, restrictions imposed on decurions, the decline of the decurional order, and conclusions. The parts differ considerably in size, due to the subject: Parts 3 and 5 are large, Parts 1, 4 and 7 very small. As the title indicates, the term ‘Freiheit’, liberty, is the focus. Baumann points out that the usual trichotomy of freeborn, freedman and slave are not sufficient to describe the postclassical situation in the Roman empire. There were groups which could neither be called free nor slave, like the members of the so called professional corporations. Liberty means that a person is free in his private law acts. But we see that many were nonetheless restricted in their private law freedom, and one group were the decurions, later also called curials. It is this restriction which he wants to investigate.

In order to do this Bauman has to do some preliminary work. In Part One he defines the position of the council of the decurions in the administration of towns. People were chosen into the council, whereby they had to comply with the requirement of sufficient assets, because they were expected to perform public duties (*munera*) which might imply costs they had to carry themselves. Then Baumann discusses the terminology of *decurio* and *curialis* (p. 7–14). He concludes that *curialis*, which appears later, was from the beginning synonym with *decurio*. In my opinion it would have been sensible to link this phenomenon with another question, namely that of the sons of decurions, a question which Baumann treats of later on under the subject of heredity of the
decurionate (p. 26–32), and with the question of the *origo* (p. 35). It is true as Baumann states that at all times people from the plebs were eligible, both when the decurions were still chosen by popular vote and when cooptation was the rule. He cites D. 50,2,2,2, where definitions are given who may be considered as the son of a decurion and who not, but interprets these criteria as important for the privileges in criminal procedure (p. 28 note 78). As I have set out elsewhere¹, we should interpret these rules precisely the other way around, namely as a way of restricting the admission to the decurionate. Already in the first century AD the admission to the Roman senate had been replaced by cooptation and preference was for the sons of senators. The same happened with the councils of the towns, but a little later, during the second century. This explains also the appearance of sons on the inscription of Canusium. Later on this preference turns against the decurions: the preference (which Baumann recognises) becomes a duty, sons of decurions are first in line to be called for the decurionate, plebeians would follow. In my opinion the use of the term *curialis* finds here its origin: to comprise both those who were already decurion and those who enjoyed decurional status on the ground of their descendence. It was the same with the sons of senators since the first century AD: they enjoyed the privileges as sons of senators.

Baumann speaks of liability for the duty on basis of birth and, correctly, rejects the idea that the decurionate as such was hereditary. His interpretation of *origo* could have been more refined. For him it is the descent from a citizen of a town. But why should a son of a decurion have been obliged to the decurionate? Baumann does not analyse this. In my opinion it is a consequence of the original statute of towns, according to which their citizens were eligible to municipal functions but also obliged to public duties. Once the Roman empire turned into a centrally administered state under Trajan and subsequent emperors (we see with them the emergence of an imperial salaried bureaucracy), any original autonomy of the towns, if existing, would have been reduced to an administrative autonomy under supervision of the provincial governor, and rights and duties would have been reduced to this as well. This implies that it is not as son of a decurion that somebody is called for the decurionate, but as son of a citizen of a town, because he has the same *origo* as his father, by that he is citizen of the town of his father, and consequently he is liable for duties of this town but also eligible for its honours². One of these is the decurionate