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Eberhard RUSCHENBUSCH (†), *Solon: Das Gesetzeswerk – Fragmente. Übersetzung und Kommentar*, Herausgegeben von Klaus Bringmann, Stuttgart, Steiner. 2010. 168 S. (*Historia Einzelschriften*, 215.)

In 1966, E. Ruschenbusch published the book *Σόλωνος νόμοι: Die Fragmente des solonischen Gesetzeswerkes mit einer Text- und Überlieferungsgeschichte* (*Historia Einzelschriften* ix). This highly useful volume (reprinted in 1983) derived from a previous dissertation and was a rather austere publication, comprising a relatively long introduction of 61 pages, which analyzed the nature and transmission of the ancient *kyrbeis* and *axones*, in which Solon's laws were inscribed, using this preliminary study as the basis for discussing the authenticity of the fragments. Ruschenbusch needed roughly the same number of pages to present the *testimonia* and especially the Greek and Latin text of the fragments, mostly with a concise *apparatus criticus*, but adding no translation into a modern language or commentary. Although being a relatively small volume, it significantly improved on the previous study of C. Soudhaus, *De Solonis Legibus* (Jena: Nevenhahn, 1909), and provided much more information than that of K. Freeman, *The Work and Life of Solon* (Cardiff: U. of Wales P., 1926, 112-48), thus attracting widespread attention from the scholarly community. Despite some criticism concerning Ruschenbusch's methodology and his categorization of the laws, it is a fact that his edition would become a reference work for everybody dealing with Solon's legislation. By comparison, the slightly later published volume of A. Martina, *Solon: Testimonia Veterum* (Roma: Edizioni dell'Ateneo, 1968) would not receive the same universal recognition.

Nearly 40 years after his original publication, death caught Ruschenbusch when he was working on a German translation and commentary of the Solonian fragments—a task that he left unfinished and for the most part only handwritten. It was Klaus Bringmann, a Frankfurt colleague of his, who finally prepared the manuscript for publication, thus fulfilling Ruschenbusch's wishes concerning that task. This posthumous book, published in the same *Historia Einzelschriften* series, is less complete than the volume of 1966, even if it comprises the German translation and a commentary of the most important fragments. In fact, apart from the “Vorwort des Herausgebers” and some brief initial remarks, it has no introductory study and does not include the text of the *testimonia* (1-33) and of those fragments (94-152) considered “Unbrauchbares, Zweifelhafes, Falsches” in the original edition. This means that Ruschenbusch

gave priority to the fragments that he considered genuine —an option that is certainly reasonable, although it also clearly suggests that he was not very receptive to the idea of revising his previous categorization of the laws, by taking into consideration the significant scholarly production of the past decades in what concerns Solon's laws and the very contentious topic of their authenticity.

This impression is confirmed by the relative scarcity of works mentioned in the three pages of "Literaturverzeichnis", along with the fact that the large majority of them were published more than twenty years ago. As a consequence, the commentary depends mainly on Ruschenbusch's earlier works, especially on the studies assembled in his *Kleine Schriften zur griechischen Rechtsgeschichte* (Philippika x. Wiesbaden: Harrassowitz, 2005). This approach is of course legitimate, although the natural result is that not much novelty can be expected from this procedure. At the same time, Ruschenbusch tends to avoid a comprehensive discussion of diverging opinions, either by simply ignoring the relevant contributions or by dismissing them with elusive and sometimes disparaging expressions such as "sorgfältig, aber im Endergebnis irrig" (p. 24) or "im athenischen Recht völlig inkompetent ist" (p. 28), without providing sufficient argumentation to sustain this sort of severe criticism.

A novelty and also a positive feature of the 2010 volume is that it collects some new fragments pertinent to Solon's regulations (frs. 1c-d, 21a-d, 38h-k, 47a, and 59a). But awkwardly enough, it is hard to harmonize the more didactic purposes of this book with the decision of not printing the original text of some of those passages, let alone a translation, on the assumption that they "bringen nichts Neues" (p. 24 on frs. 1c-d; cf. also the observations on frs. 38h-k). If this were the case, it should be enough to mention those passages in the commentary, instead of presenting them as new fragments. More importantly, in what concerns fr. 38k (Plut. *De Soll. Anim.* 965 E) the text printed as a 'new' fragment has no obvious relevance to the discussion. The pertinent passage occurs, in fact, a little bit earlier in the same context (*ibid.*, 965 D): *πάλαι γὰρ ὁ Σόλωνος ἐκλέλοιπε νόμος, τοὺς ἐν στάσει μηδετέρῳ μέρει προσγενομένους κολάζων* ('Solon's law has long fallen into disuse which punished those who in strife gave support to neither side'). The reference provided to fr. 38k seems therefore to be simply a mistake and should be corrected in a future republication of the volume.

Throughout the book, the Greek and Latin texts are usually carefully written, even if some typographical errors can be detected (e.g. p. 104 νόθῳ δὲ μὴ εἶναι ἀγχιστεῖαν instead of νόθῳ δὲ μὴ εἶναι ἀγχιστεῖαν). As far as we can tell, the German translation is generally correct and reliable, although some problems can be detected even by a non-German speaker —a case in point is fr. 91, where part of the Greek is not translated, even if this may be explained by a simple involuntary word cut during the proofreading process (see also fr. 82 on the correspondence between the Greek text and its transliteration in Latin characters).

Despite these critical remarks, it is undeniable that K. Bringmann made

an important contribution in preparing the posthumous publication of this volume, which will be particularly useful for those who can read the German but do not understand the ancient Greek and Latin. For scholars interested in ancient Greek law, the commentaries added to the fragments are of special interest, although those more closely acquainted with Ruschenbusch's work should not expect much novelty here. At the same time, it remains a fact that the scholarship produced during the past two decades makes a strong case at least for a partial revision of some of Ruschenbusch's judgments, paving the way to the recognition of new genuine laws or at least to the identification of the 'Solonian kernel' that lies behind them—to use the expression of Adele Scafuro in her stimulating study 'Identifying Solonian Laws', in J. H. Blok & A. P. M. H. Lardinois (edd.), *Solon of Athens: New Historical and Philological Approaches* (*Mnemosyne* Supp. cclxxii. Leiden: Brill, 2006), 175–96. We hope that some fresh input to this debate may be given by the forthcoming volume of D. F. Leão & P. J. Rhodes, *The Laws of Solon. A New Edition with Introduction, Translation and Commentary* (I. B. Tauris).

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