

Roman Legal Tradition

GUIDELINES FOR CONTRIBUTORS

30 September 2010

I. IN GENERAL

These guidelines are mainly for the use of contributors submitting their final copy. Those who are submitting a manuscript for consideration may find them useful as well. They are under regular review and contributors should consult the most current version.

We recognize that guidelines like these must often give way to the needs of readers in particular instances, particularly with regard to citations. We ask contributors to be attentive to instances where the reader will benefit from a departure from what we recommend.

The accuracy of the cited authorities is the contributor's responsibility, and we ask contributors to be especially careful in this regard.

Please use the current edition of *A Uniform System of Citation* only for the citation of cases and the abbreviation of journal titles.

II. MANUSCRIPTS

- A. Manuscripts should be prepared in a commonly recognized word-processing package, double-spaced throughout, with ample margins, "ragged right," and with notes at the base of each page. Paragraphs should be indicated by indentation. Do not hyphenate words at the end of a line.
- B. Twelve-point type should be used. Non-Roman scripts and texts requiring diacritics should use a Unicode font. Text to appear in italics should be underlined. Small capitals and boldface are not to be used in citation forms. If it is necessary to use them for other purposes, they should be indicated by "<ssc>" and "<esc>" for start and end of small capitals and "<sbd>" and "<ebd>" for start and end of boldface.
- C. The contributor's name should be footnoted (*) with the contributor's current academic or other post.
- D. Final copy should be submitted both electronically and in hard copy, together with any drawings or diagrams.

III. STYLE

- A. We ask contributors to keep in mind that the readership includes many non-native speakers of English, and that therefore colloquialism and highly idiomatic turns of phrase should be avoided.
- B. The journal follows the spelling and punctuation of American English. Quotations that are not set off and indented should open and close with double quotation marks (NB not *guillemets* or subscript quotation marks), with any shorter quotations

therein indicated by single quotation marks. Quotation marks and footnote numbers should appear outside the punctuation.

- C. All quotations of any reasonable length should be set off and indented. Where this is done, neither quotation marks nor italics should be used. Quotations of any reasonable length from foreign sources, if given in the original language, should be given in English as well, either alongside, or in a footnote. This is not necessary for Latin texts that are unproblematic and easily available, e.g., Justinian's *Institutes*.
- D. Words and phrases in languages other than English should be italicized, except where they appear in quotation marks. For quotations in Latin not included in block paragraphs, italics are to be preferred over quotations marks.
- E. Favor Arabic numerals for cardinal numbers over 100. Favor Arabic numerals for ordinal numbers over 21.
- F. Use BC or BCE, AD or CE, ad lib.
- G. Avoid beginning a sentence with an abbreviation, an Arabic numeral, or an italicized word.
- H. In quoting Latin, avoid *j* but distinguish *u* from *v*, even where the source does not.
- I. Do not italicize signals ("see," "cf.") or common Latin expressions ("per se," "vice versa").
- J. As a general rule, the names of ancient authors and works should not be abbreviated when they appear in the body of the text.

IV. CITATION OF PRIMARY SOURCES

- A. As a general matter, primary sources should be cited according to the conventions commonly observed by those who work with them.
- B. For the citation of cases from any jurisdiction, contributors should follow the current edition of *A Uniform System of Citation*.
- C. Classical authors and works should be abbreviated according to the *Oxford Classical Dictionary*, 4th edition.
- D. Abbreviate parts of the *Corpus Iuris Canonici* thus: D.1 c.1, C.1 q.1 c.1 (for Gratian), X, VI, Clem., etc. (for decretals).
- E. Abbreviate parts of the *Corpus Iuris Civilis* thus: J, D, C, N. Abbreviate Gaius' *Institutes*: G. In citing fragments of the *Digest*, include the author and work. In citing imperial constitutions, include emperors and years ad lib.

V. CITATION OF SECONDARY SOURCES

A. Presentation in General

1. Books are cited:

J. P. Dawson, The Oracles of the Law (Ann Arbor 1968), 104.

2. Journal articles are cited:

E. Schrage, "The Judge's Liability for Professional Mistakes," J. Legal Hist., 17 (1996), 112.

3. When first cited, the source should be given in full form. Subsequent references may be shortened thus:

Bellomo (note 23), 4.

Bellomo, Common Legal Past (note 23), 4.

[where more than one source by the cited author appears in the referenced note]

Id.

[where the cited source and location precisely match those of the previous note, or the reference immediately preceding in the same note]

Id., 4.

[where the source alone precisely matches that of the previous note, or the reference immediately preceding in the same note]

B. Presentation of particular works

1. Specific volume

G. Camodeca, L'archivio puteolano dei Sulpicii, 1 (Naples 1992).

2. Specific volume and edition

C. Bruns and O. Gradenwitz, Fontes Iuris Romani Antiqui, 2, 7th ed. (Tübingen 1909).

3. Chapter in an edited work

O. Behrends, "Ius und ius civile," in D. Liebs, ed., Symptica Franz Wieacker (Göttingen 1970), 5.

4. Book in a series

H. Coing, ed., Mittelalter, 1100-1500: die gelehrten Rechte und die Gesetzgebung [Handbuch der Quellen und

Literatur der neueren europäischen
Privatrechtsgeschichte, 1] (Munich 1973).

5. Both author and editor

Adam Smith, Lectures on Jurisprudence, ed. R. L. Meek, et al. (Oxford 1978), 7.

6. Multi-author work, no editor

Studi in memoria di Guido Donatuti, 1 (Milan 1973).

7. Both author and translator

F. Wieacker, A History of Private Law in Europe, trans. T. Weir (Oxford 1995).

8. Subsequent edition translated

W. Kunkel, An Introduction to Roman Legal and Constitutional History, 2nd ed. trans. J. M. Kelly (Oxford 1973).

9. Subsequent edition edited

James Muirhead, Historical Introduction to the Private Law of Rome, 2nd ed. H. Goudy (London 1899).

C. Details

1. Names of authors or editors.

- a) For authors or editors of works published in 1900 and after, give the last name and full initials, as given in the work.

J. A. Ankum, J. E. Spruit, F. B. J. Wubbe, ed., Satura Roberto Feenstra (Fribourg 1985).

- b) For authors of works published before 1900, give the full name, if it appears on the title page.

James Muirhead, Historical Introduction to the Private Law of Rome, 2nd ed. H. Goudy (London 1899).

- c) If the work is published under the author's proper name but that author is better known under a Latin name, the latter may be given in square brackets,

Hugo de Groot [Hugo Grotius], Inleidinge tot de Hollandsche Rechts-Geleerdheid, ed. F. Dovring, et al. (Leiden 1952).

- d) and vice versa.

Hugo Donellus [Hugues Doneau], Commentaria in codicem Justiniani (Leiden 1587).

- e) Where there are two authors or editors, give both names. Where there are more than two, all the names may be cited, or the first name only, followed by “et al.,” as the contributor wishes.

O. F. Robinson, T. D. Fergus, and W. M. Gordon, European Legal History, 3rd ed. (London 2000).

or

O. F. Robinson, et al., European Legal History, 3rd ed. (London 2000).

2. Titles

- a) Titles should be presented as they appear in the original, preserving any italics, except that
- i titles in English should be capitalized according to English convention;
 - ii titles in German should be capitalized according to German convention (i.e., first word and nouns capitalized);
 - iii titles in a Romance language should be capitalized according to the convention in those languages (i.e., first word and proper nouns capitalized); and
 - iv accented characters should be restored where the original has omitted them, except that accents should not be restored to capitals in French titles where the original has opted to omit them.
- b) Subtitles may be included as the contributor wishes.
- c) If the contributor wishes, a title in any language likely to be unfamiliar to the readership may be translated into English and given in square brackets.

W. Schorer, Aantekeningen over de Inleidinge tot de Hollandsche Rechts-Geleerdheid van Hugo de Groot [Notes on the Introduction to Dutch Jurisprudence of Hugo Grotius], 2nd ed. (Middelburg 1797), 110–12.

- d) Long titles in older works may be shortened.

Iacobi Cuiacii operum omnium Epitome . . . ex schedis Bernardi Autumnii (Paris 1615).

- e) Medieval and early modern commentary on the basic texts of the learned law may be cited as follows,

Baldus ad C.1.1.1 v^o cunctos populos (Turin 1563), fol. 10va.

without any reference to the title of the source.

3. Place of publication

- a) Give a book's city of publication in English. E.g., Leiden, Naples, Munich, rather than Lugdunum Batavorum, Napoli, München.
- b) For publications in the United States, omit the state, unless the city of publication might be confused with its European namesake.

M. H. Hoeflich, *Roman and Civil Law and the Development of Anglo-American Jurisprudence in the Nineteenth Century* (Athens, GA 1997), 59-60.

4. Publisher

Omit the book's publisher, unless you believe the information would be helpful.

5. Page numbers

- a) Use inclusive page numbers, instead of "f.," "ff.," "et seq.," "et seqq."
- b) Omit "p." or "pp." before the page number(s). However, in citing an early printed book, the contributor may wish to use 'pag.' to indicate that the book is paginated and not foliated.
- c) If the source is cited by column, paragraph, section, or folio, indicate that fact with "col.," "para.," "§," "fol."

6. Journal Titles

- a) In general, the titles of journals may be abbreviated according to the recommendations of the current edition of *A Uniform System of Citation*. The contributor should depart from those recommendations whenever a particular journal, familiar to the readership, is commonly abbreviated in a different way.
- b) The following familiar journals are abbreviated thus:

American Journal of Legal History *AJLH*

Bullettino dell'Istituto di Diritto Romano, terza sèrie *BIDR* (3rd)

Law and History Review *LHR*

Revue Internationale des Droits de l'Antiquité, troisième sèrie *RIDA* (3rd)

Roman Legal Tradition *RLT*

Studia et Documenta Historiae et Iuris *SDHI*

*Tijdschrift voor
Rechtsgeschiedenis*

TRG

*Zeitschrift der Savigny-Stiftung
für Rechtsgeschichte,
romanistische Abteilung,
kanonistische Abteilung,
germanistische Abteilung*

*ZSS (RA), (KA),
(GA)*