The Journal of Juristic Papyrology vol. XLVI (2016)

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Marzena Wojtczak

Legal aspects of dispute resolution in Late Antiquity. The case of P. Mich. XIII 659 ...

Abstract: The arbitration and settlement of claims in the Roman law have been the subject of multiple analyses. Recent years have witnessed a particular interest in the practical application of these institutions in Late Antiquity. At first sight, legal papyri may seem confusing and give the impression that they present solutions distant from the standard ones known from the compilations of the law. When one ventures to take a closer look, however, at the complex web of legal concepts and terms, one can notice the context in which the agreement is situated as well as the relations connecting both sides of the dispute. The present article offers a legal analysis of P. Mich. XIII 659, published in 1977, which concerns a dispute settled by means of mesiteia (i.e. mediation/arbitration). A plausible reconstruction of events is provided, which allows insight into the numerous correlations between the institutions as well as regulations known from the law on the one hand, and the legal practice as demonstrated by the papyri on the other. Finally, a short, polemical commentary is offered concerning the popularity of arbitration/mediation in Late Antiquity, a phenomenon frequently noted in literature.

Keywords: papyri, legal practice, Roman law, dispute resolution, arbitration/mediation, Late Antiquity, *P. Mich.* XIII 659, guarantee sales, Egypt.