comment in depth on historical developments is lost. The single exception concerns trials for religious deviance: Liebs treats the trial of Jesus; the condemnation of Christians after the Great Fire under Nero; the letters from the governor Pliny to the Emperor Trajan regarding trials of Christians in northern Asia Minor circa 110 CE; and two inquiries into heresy in the Christian empire. A variety of problems intervene, however, not least huge changes in context: the difference between governors or the emperor himself as judge; the coming-to-be of the institutionalized church, with its own interest in, and institutions for, the enforcement of orthodoxy. What is more, it is not at all clear that a trial was conducted under Nero, nor is Liebs in any better position than the ancients to say why Christianity was criminalized. In consequence, the rules of evidence—many major questions of procedure—were radically underdetermined. The ability of Liebs to draw firm conclusions, of the sort he favors, is thus reduced.

Perhaps as a result of these gaps in our knowledge, and the apparent discontinuities in justification for the assorted trials of religious figures, Liebs himself declines to announce religion as a theme. On some very formal level, this is prudent, but his silence on this matter surprises. He could have exchanged two of the trials of Christians for ones concerning deviant pagans and Jews, and much profit might have been realized from the more capacious perspective. There survive from antiquity spectacular fictional narratives of trials of Jews: little could illustrate the importance of the trial as a site for contesting governmental legitimacy and religious truth as the widespread use of trials in fiction.

Liebs has done superb technical work as a biographical historian, cataloguing legal practitioners, and as a historian of legal literature. None of that work exists in English. It speaks to this moment in academic publishing that the work of his chosen for translation is a misguided popular one. The trials under study raise fascinating issues of forensics and epistemology, procedure, gender, and rights, but none of these topics is treated in a way that could sustain discussion with students or comparative inquiry by a legal scholar.

Clifford Ando
University of Chicago

Aldo Schiavone, translated by Jeremy Carden and Antony Shugaar, *The Invention of Law in the West*, Cambridge, MA: Harvard University Press, 2012. Pp. 624. $49.95 (ISBN 978-0-674-04733-4).
doi:10.1017/S0738248012000788

This is a translation of Schiavone's *Ius. L'inventione del diritto in Occidente*, first published by Einaudi in 2005. It is immediately striking that the translated

title omits the leading Latin word *Ius*. Perhaps the publisher was fearful that the use of a non-English term in the title would put off English readers, as it presumably did not put off Italian ones. It is nevertheless unfortunate as, notoriously, the English word *Law* is both somewhat more general and more specific than the Italian *diritto* or the Latin *ius.* The term is more general, insofar as "law" covers a field of legal notions, encompassing both determinative law, statute (*legge, lex*) and legal principle (*diritto, ius)*. It is also more specific, inasmuch as *diritto* and *ius* express a measure of rightfulness, as in modern "human rights," absent from the basic meaning of "law." In brief, Schiavone's argument is that the Romans created a unique notion of law, which permeates modern political assumptions about the role and function of law and the state. It is no part of his claim that the West has an exclusive claim to have invented all law, as the English title might lead one unwarily to conclude. The claim is, rather, that the Western, Roman, conception of law, *ius*, whether actually superior to others, is in any case functionally operative in modern Western political and legal thought.

Perhaps, however, it is unfair to blame all on the publisher, as conceptual and linguistic clarity in this area can be difficult to achieve. In an important critique of the study of ancient legal systems (473, n. 29), Schiavone takes legal historians to task for having confused the nature of the legal experience in Ancient Greece, Mesopotamia, Egypt, and Israel with that of Rome by using "law" indifferently to describe each (the word appearing in scare quotes in his text). I have been unable to confirm whether in his original Schiavone used the term *diritto* here for "law," as seems likely, but whereas his criticism might apply to the use of *diritto*, it is far from clear that it rightly applies to "law," the broad meaning of which seems to encompass whatever differences there might quite properly be between these various legal experiences.

The bulk of the book contains a rich and detailed examination of the development of the concept of law in Rome over time, from its emergence at the time of the Twelve Tables in the fifth century BCE to the consolidation and alterations introduced in the compilation of Justinian in the sixth century CE. It is, in effect, an inner history of the Roman conception of law, *ius*, formal and yet practical, in vital tension with the use of force to regulate society. It follows in a distinguished European tradition that encompasses Savigny and Mommsen, Koschaker and Wieacker and is a worthy successor of these, very different, nineteenth and twentieth century accounts of the significance of Roman law for our time. Like these earlier writers, Schiavone is the product of a modern European assimilation of Roman law whose roots lie as far back as at least the twelfth century. Because of the distinctive path taken by the English common law in that very century, English, and, therefore, modern North American legal and political thought is rather distanced from this Roman background. In presenting an English version of his text Schiavone is, however, committed to the view that the Roman law is and remains a

pervasive force in contemporary Western politics: English, American, and European.

One can accept, and even be convinced by, this premise and still be concerned that the acceptance of the demonstration of its truth presents considerable problems to those unfamiliar with the Roman and medieval European background. The richness of the argument is supported by a densely detailed survey of the relevant literature. It will be read for profit by those primarily interested in the legal history of Roman law, but deserves to be more widely read by those who interests lie more in the fields of human rights and the spread of Western forms of democracy.

The translation, granted the difficulties glanced at, is extremely well done and amply justifies the time and effort referred to in the author's preface to this version. It is, however, odd to find the Roman jurist Alfenus, uniformly so referred to in English Romanist literature (and as *Alfeno* in the Italian), masquerading as Alphenus, a spelling, however, encountered in contemporary North American use. It is less disturbing to find *Irnerio* for the medieval *Irnerius*, an indication perhaps of the chronological limitations of advice sought.

Andrew Lewis
UCL

Liat Kozma, *Policing Egyptian Women: Sex, Law and Medicine in Khedival Egypt*, Syracuse, NY: Syracuse University Press, 2011. Pp. 174. $29.95 (ISBN 978-0-815-63281-8).
doi:10.1017/S073824801200079X

In this succinct, engaging account of urban life among the lower classes in mid-nineteenth century Egypt, Liat Kozma promises and delivers two things. The first is the recovery of the voices of poor, socially marginalized women. The second is a new way of understanding the Egyptian state. Kozma uses the police station, the examination room, and the courtroom to portray the state not as "a coherent entity that masterminds and implements a set of reforms," but rather as "multiple interactions between institutions and individual litigants" (3 and xvii). To fulfill both promises, Kozma focuses on formal police procedures and forensic examinations. Using police and court records, she illustrates how investigations into women's behavior became commonplace in khedival Egypt. By charting women's interactions with the emerging state's medical and legal bodies, Kozma succeeds in illustrating that the examination room and the courtroom were arenas in which subaltern Egyptian women empowered themselves. At the same time, she suggests that women's legal