

- J. FOURNIER, *ENTRE TUTELLE ROMAINE ET AUTONOMIE CIVIQUE: L'ADMINISTRATION JUDICIAIRE DANS LES PROVINCES HELLÉNOPHONES DE L'EMPIRE ROMAIN*, 129 AV. J.-C.–235 AP. J.-C. (Bibliothèque des Écoles Françaises d'Athènes et de Rome 341). Athènes: Ecole Française d'Athènes, 2010. Pp. 693. ISBN 9782869582125. €70.00.

The study of interaction between Roman and local laws and judicial institutions in the Greek East is a rapidly developing field at the moment. New sources of the first rank have come to light within the past quarter-century, most notably the decrees from Claros in honour of Menippus and Polemaeus (*SEG* XXXIX.1243–4), the Customs Law of Asia (*SEG* XXXIX.1180), and the treaty between Julius Caesar and the Lycian League (*SEG* LV.1452), and the need for a new synthesis has become paramount. Important work in that direction is being done by Italian scholars, above all U. Laffi, and this reviewer has to declare an interest as he is also preparing a monograph on law in Roman Asia Minor.

Fournier's monograph, based on his 2007 *thèse de doctorat* supervised by O. Picard, follows in the best traditions of French epigraphic scholarship and is a major contribution to the subject. A paper announcing his key conclusions has been published separately ('Entre droit romain et droit grec: la pratique judiciaire dans les provinces hellénophones de l'empire romain', *RHDFE* 88 (2010), 165–87), but F.'s monograph abounds in acute detailed observations which will be found valuable even by those who disagree with some of his main arguments. A large number of epigraphic sources are quoted in full and discussed in detail, and his useful appendices on Cicero's letters of recommendation to governors of Asia and Achaea, litigation between Roman publicans and Greek communities, and the evidence for 'foreign judges' in the imperial period (to which add now *SEG* LIV.1103 from Mylasa) provide an excellent reference resource.

The limits which F. sets his enquiry require some comment. He constrains himself to procedural law — a sensible decision given the bias of our surviving sources and the scale of the enterprise, though in some cases it necessarily limits the scope of his analysis of the procedure. To provide a few examples: what exactly was the inheritance law at stake in a Nicaean case decided by Pliny the Younger (Plin., *Ep.* 10.83–4), whether the 'astynomic law' of Pergamum (*SEG* XIII.521) was still valid in Hadrian's reign, or what were the pre-annexation laws of the Cappadocians (Strabo 12.2.9) are not irrelevant to our understanding of jurisdictional matters. None of these texts is discussed by F. It should also be stressed that he comes to his topic from its Greek epigraphy, rather than Roman law side.

More importantly, F. assumes from the outset that 'from an institutional point of view there was no real discontinuity between the cities' of different Greek-speaking provinces outside Egypt (5), and that coverage can be safely extended to the end of the Severan age, as the *constitutio Antoniniana* was not a breaking point in the history of local laws under Rome. I am inclined to agree with him at least in part on the second count, and largely to disagree on the first, but my main criticism is methodological: these are not issues to be prejudged in such an enquiry and consequently there is a real danger of assuming more than is warranted by the fragmentary state of our evidence. In effect, however, F. concentrates on Achaea, Macedonia and the provinces of Western Asia Minor, for which he provides detailed regional studies, and his practice is commendably much more cautious than his initial declarations suggest.

F.'s work is organized on the institutional, rather than chronological, principle, which seems to me the least problematic way of dealing with the available material. The first part (15–256) covers the forms of provincial and then civic jurisdiction. The two chapters devoted to Roman provincial institutions do not bring much that is new; an excellent reconstruction of the assize circuit of Achaea (88–98) stands out. By contrast, the section dealing with judicial institutions of Greek cities in the Roman period (particularly chs 4–7, consisting of case-studies for Athens, Sparta, Rhodes and Mylasa) shows F. at his absolute best. It is likely to become a standard treatment for those cities. His conclusion that Roman influence on civic judicial procedures was quite limited is entirely plausible, though see now *SEG* LV.838 (Chersonesus Taurica).

The second part (257–501), further subdivided into two sections dealing with 'subject' and 'free' communities respectively, deals with the division of responsibilities between civic and provincial jurisdiction, using the widest possible range of evidence, including comparative material from the West. Although F.'s focus seems to be on the movement towards uniformity, he recognizes the absence of any common charter of free city privileges and rightly stresses the tension between privileges of communities and individuals. This in itself makes the essential uniformity of

jurisdictional arrangements across the eastern part of the Empire very questionable, but I would go much further than F. does in emphasizing the differences between the systems of jurisdiction over 'subject cities' in, say, Sicily, Asia and Lycia-Pamphylia, and between judicial privileges of different free communities, in particular as concerns litigation with provincials from other communities. Much stronger stress might also be put on the resilience of privileges from earlier periods (rightly pointed out by F. in the case of Aphrodisias), which makes neat periodization difficult: that the extensive privileges of Chios are confirmed late in the reign of Augustus is of as much importance as that they originally belong to the age of the Mithridatic Wars.

In the third part (503–91) F. deals with the system of appeals to the emperor and makes a strong case for what he calls 'inflation of the procedures' as the local litigants tried to bring their affairs to the highest possible level, in spite of the government's attempts to restrict that.

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J. MADSEN, *EAGER TO BE ROMAN: GREEK RESPONSE TO ROMAN RULE IN PONTUS AND BITHYNIA*. London: Duckworth, 2009. Pp. ix + 166, illus. ISBN 9780715637531. £50.00.

Madsen's study addresses the nature of Roman rule and responses to it in a single province, Pontus and Bithynia, from the Mithridatic Wars of the early first century B.C. until A.D. 212. In doing so, M. challenges the idea that Greek-speaking élites remained culturally aloof from the Romans whatever their degree of participation in the Roman army or bureaucracy, and thus that their Greek identity, in terms of what they called themselves and their cultural practices, was unchanged by Roman rule. The last decade has seen increasing interest in defining the concept of 'identity' and using this concept as a tool to better understand attitudes and experiences. M. applies recent scholarship that establishes the changing, multifaceted and subjective nature of 'identity' to the élites of Pontus and Bithynia. This understanding of identity, combined with examination of a specific province, results in a more nuanced picture of the response of Greeks under the Romans than is obtained in studies that consider these issues in the eastern provinces generally. Much of M.'s study is focused explicitly on the élite, due to the limitations of the sources and the fact that they were the group in most direct contact with the Romans. M. makes use of epigraphy and literary resources in his study, as well as archaeology to a more limited degree.

After orientating the reader in the history of Pontus and Bithynia in the opening chapter, M. considers interaction between Rome and the peoples of Pontus and Bithynia from multiple perspectives. He begins with consideration of the degree to which Rome was an active cultural as well as political presence in the province. An important resource that provides the Roman perspective are the letters of Pliny the Younger. M. is not the first to observe that the letters of Pliny reveal micromanagement of the provinces by Trajan, but he uses this point to establish the context of the local response of the élite, who would have been reminded, through Rome's willingness to intervene in finance, public building, emperor worship and other affairs, of its power and their own subordination. M. then turns to consider those élites of the province who pursued a career in the Roman army and administration. M. responds to the notion that imperial careers were a step to social advancement within their local communities with close inspection of individual career paths. He argues that joining the army or bureaucracy was motivated by an individual's desire to establish membership in the ruling élite, not to advance himself within or on behalf of his community.

Nevertheless, the majority of local élites did not leave their communities, and M. considers them next. While they remained at home, M. finds that this group adopted aspects of Roman culture in contexts that could not have been for the benefit of the Roman authorities. The use of Roman nomenclature, support of the imperial cult and inscriptions that show support for the emperor suggest that affiliation and familiarity with Rome were regarded favourably on the local level; this is in contrast to the common view that Greek-speakers of the eastern provinces refrained from adopting aspects of Roman culture. M. concludes by examining attitudes to Roman rule as gleaned from the writings of Dio Chrysostom, Arrian and Cassius Dio. While some authors did not always write favourably of Roman institutions or emperors, M. provides the essential caution that such criticisms need to be considered in context, as finding fault with Rome was not limited to provincials and not necessarily an indication of general anti-Roman sentiment.