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Tracing Trade:

Economies, Institutions, and Diaspora in the Hellenistic Mediterranean

A dissertation submitted in partial satisfaction of the
requirements for the degree of Doctor of Philosophy
in History

by

Anna Accettola

2021

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ABSTRACT OF THE DISSERTATION

Tracing Trade:

Economies, Institutions, and Diaspora in the Hellenistic Mediterranean

by

Anna Accettola

Doctor of Philosophy in History

University of California, Los Angeles, 2021

Professor David Phillips, Co-Chair

Professor David Potter, Co-Chair

In this dissertation, I analyze the formal and informal methods by which cross-cultural commercial interactions, within and beyond the Greek world, were promoted from the fourth to the first century BCE. I begin with Athens to demonstrate the various legal institutions that regulate economic activity between various actors and how they exclude or include foreigners who come to their ports for trade. I then broaden my analysis to Hellenistic *poleis* and the ways in which they replicate these institutions or innovate new methods to ease the transaction costs of long-distance, inter-state trade, even under the imperial control of Rome. My focus shifts in the last chapters to include Near Eastern, North African, and Arabian polities, their economic similarities and differences from Greek *poleis*, and the inclusion of their citizens into the Greek milieu. In particular, I show how non-Greek foreigners found ways to imitate or adopt Greek

patterns of interaction in order to facilitate their own commercial needs and desires. My final chapter is a case study of the Nabataean Kingdom and their interactions with the Greco-Roman world from the third century BCE to the first century CE. Throughout the work, I blend New Institutional Economics and social networking theories in order to best explain the multifarious connections between merchants, traders, ports, markets, and states across the Mediterranean.

The dissertation of Anna Accettola is approved.

Ghislaine Lydon

Chris Johanson

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David Potter, Committee Co-Chair

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2021

For Mom

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As I come to the end of this particular journey, I appreciate even more the steadfast support of my family and friends. Without them, I would not have been able to take the risks I did or appreciate the unique opportunities open to me.

Biographical Sketch

Anna Accettola received her BA in History from the University of the Pacific and her MA in Greek and Roman Studies from Brandeis University. While at UCLA, she has completed multiple certificate programs, including Digital Humanities and Writing Pedagogy with an emphasis in English as a Second Language. She has presented at multiple conferences internationally and won fellowships to conduct research at the Scuola Normale Superiore in Pisa, Italy, the American Numismatic Society in New York City, and Goethe Universität in Frankfurt, Germany. In addition, from 2014 to 2018, she was the Editor in Chief of the *Graduate Historical Journal at UCLA*.

Chapter 1
Introduction, Methodology, and Historical Problems
in Understanding Hellenistic Long-Distance Trade and Cross-Cultural Exchange

Greek *poleis*, the individual and largely independent cities and surrounding countryside that covered most of the ancient Greek world, strove for self-sufficiency, but rarely had the agriculture or resources to meet that goal.¹ As such, they depended on networks of trade for the survival of their city-states essentially from their foundations. The failure of this idealized self-sufficiency required Greek *poleis* to depend on traders through political changes, violent upheaval, and cultural shifts over time, not only for standard goods, such as grain and lumber, but also for luxury goods, such as incense to fuel religious customs. The integral place of merchants and traders in the ancient Greek world is well-documented and studied. However, research on the how foreign merchants navigated the rules and regulations of the ancient Greek *poleis* as distinct and independent actors in the milieu of the ancient world is less established.

Through the end of the Classical period (ca. 480-323 BCE), during the new military and political world of the Hellenistic period (323-30 BCE), and into the early Roman Empire, trade continued to flourish. Moreover, with the end of the Persian Empire, people raced to find new places to sell their goods in the newly opened East.² A combination of formalized institutions,³

¹ On the self-sufficiency of the Greek *poleis* (in idealized philosophical political thought, not practical application), see Aristotle *Politics* 1.1252b8: ἡ δ' ἐκ πλειόνων κοινῶν κοινωνία τέλειος πόλις, ἥδη πάσης ἔχουσα πέρας τῆς αὐταρκείας ὡς ἔπος εἰπεῖν, γινομένη μὲν τοῦ ζῆν ἕνεκεν, οὕσα δὲ τοῦ εὖ ζῆν (The complete community, arising from several villages, is the city. It reaches a level of full self-sufficiency, so to speak; and while coming into being for the sake of living, it exists for the sake of living well)." Translation by Carnes Lord, *Aristotle's Politics*, second edition (Chicago: University of Chicago Press, 2013). I do not want to overstate the extent to which even Greek philosophical thought believed that Greek self-sufficiency was practical.

² Peter Thoneman, *The Hellenistic World: Using Coins as Sources* (Cambridge: Cambridge University Press, 2015).

³ "Institutions," according to New Institutional Economics, are the formal constraints and regulations that force actors to comply to set standards within the market. For more information, see Douglass North, *Structure and Change in Economic History* (New York: W. W. Norton & Company, 1981) and Douglass North, *Institutions*,

informal social restraints,⁴ and the ethnic ties among the diverse populations promoted the crossing of the Mediterranean in pursuit of stability, wealth, and the exotic. Ancient trade networks were operated largely by cohesive ethnic and religious groups, which traveled around the Mediterranean and found ways to integrate into the Greek *poleis*. On occasion, they also formed diasporic communities in major ports of trade and *poleis*, such as Athens.⁵ While members of networks often were able to maintain distinct identities, they undoubtedly were influenced by and versed in local languages and cultures.

In this dissertation, I seek to demonstrate two main arguments. The first is that Greek *poleis* had a vested interest in attracting traders and merchants to their ports and did so through the implementation of laws and protections for foreigners. In many circumstances, the “otherness” of non-Greeks in the Greek world marginalized these foreigners even more than non-citizen Greeks. However, in the marketplace, the need for ease and equity to reduce transaction costs in commercial interactions often helped to alleviate some of these tensions. Economic behaviors lie in the connectivity and cooperation between actors, especially on a market-level. And while I do agree with Moses Finley’s position that ancient Greece and Rome viewed “the economy” in a different light than that of the modern Western world, my argument fundamentally disagrees with his position that no systematic rules or law existed to regulate the

Institutional Change, and Economic Performance, Political Economy of Institutions and Decisions (Cambridge: Cambridge University Press, 1990).

⁴ In comparison with “institutions,” social constraints rely on trust, reputation, and social pressure to act appropriately, upon threat of being exiled from the social group for abuse of these expectations. For more information, see Avner Greif, *Institutions and the Path to the Modern Economy. Lessons from Medieval Trade* (Cambridge: Cambridge University Press, 2006).

⁵ The definition of ethnicity (in the context of this argument) relies not on the political boundaries that formed kingdoms or states, but on more personal means of identification (although the two could overlap). Whether the common identity be based upon familial connection, religion, hometown, or a combination of these factors, the trade networks theorized here or used as models cross political boundaries, but retain a sense of self-identification with the group, even in new territories.

exchange of goods and services. As Douglass North posited, without socio-legal regulations and relationships, markets cannot prosper.⁶ As such, my questions focus on how cities organized their laws and customs most effectively to manage human behavior, exchange, and reciprocity in an “embedded” economy.⁷

The second idea is that many independent trade networks worked alongside and within ancient Greek *poleis* and markets to facilitate the robust quality of long-distance trade in the late Classical and Hellenistic world. These trade connections flourished economically even as they shifted due to war or survived the vicissitudes of ancient life. They would remain, however, bound by certain regulations and relationships. These networks are the “human factor” in the study of the ancient Mediterranean economy. Unlike the institutional analysis which permeates my first research question, this question relies much more on understanding the human need for communication, cooperation, and trust, even when daring to embark on uncertain and often dangerous voyages. Only through a combination of these two aspects of the ancient economy can we best understand the people and processes by which the Mediterranean teemed with opportunity and exchange.

A Brief History of Economics in the Ancient World: Institutions and Social Networks

⁶ For more information, see over-arching arguments in both North, *Structure and Change in Economic History* and North, *Institutions, Institutional Change, and Economic Performance*.

⁷ Finley, as well as early anthropological theorists such as Karl Polanyi, broached the idea of an ancient “embedded” economy as distinct from the modern economy which is considered a separate field of interest or study and is removed to some extent from political and social realms. I do not fully support the Finleyan/Polanyian implications of this term, but I use it here as it helps to differentiate from the modern idea of the economy that exists separate and apart from politics, citizenship, and other factors, which was not the case in the ancient world.

The study of ancient economic history is, as Keith Hopkins famously described, an academic battleground.⁸ And while the study of ancient economic history did not begin with Moses I. Finley, it most definitely increased in tension following his powerful, yet divisive, works and successive school of thought.⁹ The decades following Finley were consumed with what is now called the “formalist/substantivist” debate. The core of this debate was the disagreement about whether any modern facets of economic understanding, particularly that of markets, did or could exist in the ancient world.¹⁰ Finley was stridently opposed to the notion, but recent studies have largely proved the primitivist model incorrect for many ancient Greek *poleis*. Moreover, the formalist/substantivist debate often conglomerated the “Greek” and “Roman” economies into one overarching performance model. And while this can be accurate

⁸ Keith Hopkins, “Introduction,” in *Trade in the Ancient Economy*, edited by Peter Garnsey, Keith Hopkins, and C. R. Whitaker, ix-xxv (Berkeley and Los Angeles: University of California Press, 1983), ix.

⁹ Finley’s main text, *The Ancient Economy*, was published in 1973 based on a series of lectures from the previous decade; however, the study of primitivist/modernist/formalist/substantivist economic models for the ancient world extends back into the 19th century and includes theories by J. Hasebroek, *Staat und Handel im alten Griechenland: Untersuchungen zur antiken Wirtschaftsgeschichte* (Tubingen, 1928; reprint 1966), M. I. Rostovtzeff, *Caravan Cities* (Oxford: Oxford University Press, 1932), M. I. Rostovtzeff, *The Social and Economic History of the Hellenistic World*, 3 Vols. (Oxford: Oxford University Press, 1941), and Karl Polanyi, “Ports of trade in early societies,” *Journal of Economic History* 23 (1963): 30–45.

¹⁰ Finley argued (following from the works of Weber, Hasebroek, and Polanyi) that the ancient Greek *poleis* essentially only engaged in local agricultural production and were concerned far more with social status than economic growth. He believed that modern facets of economics, such as market control, price setting, and profit seeking, were largely unknown in the Classical Greek *poleis*. Critics of Finley have pointed out the vast oversimplification of the ancient Greek economy in his theory and the archaeological evidence that disproved his ideas (critiques which were outlined in, for example, Ian Morris’ introduction to the revised publication of Finley’s work *The Ancient Economy* (Berkeley: University of California Press, 1999), ix-xxxvi). Contrasting arguments, such as by E. E. Cohen and Alain Bresson, demonstrate evidence of market institutions and profit-seeking behavior in the *poleis*. These arguments differ from pre-Finleyan theorists, such as Rostovtzeff, in that they do not see the ancient Greek economy as the same as the modern economy only on a smaller scale, but as having attributes similar to modern economics, but varying in scope, efficacy, and implementation. For a more thorough overview of the different schools of thought and advocacy for a middle road, see Darel Tai Engen, *Honor and Profit: Athenian Trade Policy and the Economy and Society of Greece, 415-307 B.C.E.* (Ann Arbor: University of Michigan Press, 2010), 20-36.

for some aspects of the economy, the inner-workings of Classical Greek *poleis*, the Roman Republic, and the Roman Empire vary wildly.¹¹

The most recent decades of ancient economic research have been largely formed by the theoretical framework of New Institutional Economics (also called New Institutional Economic History, NIEH), promoted and codified most famously by Douglass North. NIEH methodology focuses on the existence and operation of institutions as central to economic stability and growth.¹² Institutions, such as laws regulating contracts and partnerships, can be identified in the ancient world, through close analysis of ancient literature and inscriptional evidence. While the evidence to answer these questions comes in a far different form in the ancient world from the modern, inscriptions created by *poleis*, as well as surviving contracts, give indications as to the structures put in place by local governments and the trade network agents.

North argued that institutions, which reduced transaction and production costs, promoted economic development and therefore (though not always) economic growth. North defined institutions, both official and unofficial, as “the humanly devised constraints that structure human interaction. They are made up of formal constraints (such as rules, laws, constitutions), informal constraints (such as norms of behavior, conventions, self-imposed codes of conduct), and their enforcement characteristics.”¹³ This theoretical framework was then applied to the

¹¹ On the push for a return to this more comprehensive model, see Taco Terpstra, “Neo-Institutionalism in Ancient Economic History: The Road Ahead,” in *A Research Agenda for New Institutional Economics*, edited by Claude Ménard and Mary M. Shirley, 233-240 (Cheltenham: Edward Elgar, 2018), “But although the post-Finley concentration on periodization and regionalism has brought necessary nuance, it has had a drawback: the abandonment of an encompassing economic view of the Greco-Roman world. This loss is all the more regrettable as long-term datasets are increasingly pointing to the need for such a view” (234-35). In a similar vein, focusing on the Roman world, see Andrew Wilson and Alan Bowman, *Trade, Commerce, and the State in the Roman World* (Oxford: Oxford University Press, 2018).

¹² See North, *Structure and Change*, and North, *Institutions, Institutional Change, and Economic Performance*.

¹³ Douglass North, “Economic Performance Through Time,” *The American Economic Review* 84.3 (1994), 360.

study of ancient economics, by such scholars as Josiah Ober, Alain Bresson, J.G. Manning, and Taco Terpstra, who tackle various periods of ancient Mediterranean history and economic realms.¹⁴ In particular, trade has become a popular topic, as maritime archaeology has produced more data about the types and amounts of goods crossing the Mediterranean. Bresson, in particular, uses literature, inscriptional evidence, and NIE theories to single out which institutions most contributed to the economic growth of Greek *poleis*. Bresson, however, does not deal in depth with the social aspects of economic exchange and interaction.

This lack of attention to social connections is indicative of NIEH methodology and one of several weaknesses in its application to the ancient world. Seemingly the main problematic feature of NIEH is one of its central tenets, that institutions promote growth in the economy. “Growth” in the study of ancient economics is something of a precarious case, especially in the light of NIEH, which focuses heavily on growth as a marker of economic health.¹⁵ Growth was not consistent in the ancient Greek markets nor can it be easily addressed in modern scholarship.¹⁶ *Poleis* experienced growth during political expansion, but oftentimes had to deal with stagnation. The conception of institutions and their limits though can be redirected towards

¹⁴ Engen, *Honor and Profit*; Josiah Ober, *The Rise and Fall of Classical Greece*, (Princeton: Princeton University Press, 2015); Alain Bresson, *The Making of the Ancient Greek Economy: Institutions, Markets, and Growth in the City-States*, translated by Steven Randall (Princeton: Princeton University Press, 2016); J.G. Manning, *The Open Sea: The Economic Life of the Ancient Mediterranean World from the Iron Age to the Rise of Rome* (Princeton: Princeton University Press, 2018), and Taco Terpstra, *Trade in the Ancient Mediterranean: Private Order and Public Institutions* (Princeton: Princeton University Press, 2019).

¹⁵ For more on growth in the ancient markets, see North, “Economic Performance Through Time;” Ian Morris, “Economic Growth in Ancient Greece,” *Journal of Institutional and Theoretical Economics (JITE) / Zeitschrift für die gesamte Staatswissenschaft* 160.4 (2004), 709-742; and Josiah Ober, *Democracy and Knowledge: Innovation and Learning in Classical Athens* (Princeton: Princeton University Press, 2008), particularly 211-63.

¹⁶ See for example, P. Millett, “Productive to Some Purpose? The Problem of Ancient Economic Growth,” in *Economies Beyond Agriculture in the Classical World*, edited by D. Mattingly and J. Salmon, 17-48 (London: Routledge, 2001).

an understanding of the development of formal and informal connections between trading partners and their reliance on foreign legal systems.¹⁷

NIEH also has shortcomings as a theoretical model due to its coldly analytical evaluation of economic factors, which do not always allow for or appreciate the human element inherent in economic production and, especially, in ancient trade.¹⁸ As such, I have supplemented this theoretical framework with social network theory, which relies heavily on interpersonal interactions, with less focus on civic and legal structures. The two-fold system shows the multiplicity of ways by which states and individuals contributed to the movement, production, and consumption of goods.

Network analysis is a growing field in ancient history and stems, in part, from the work pioneered by Avner Greif.¹⁹ Greif builds on the work of North to provide a medieval model for understanding how cultural behaviors, norms, and rules shape institutions. In commercial coalitions, groups devised a system of rules, enforced through trust and reputation mechanisms, constraining its actors within its “corporate” endeavor.²⁰ Greif’s argument, though, faced backlash due to its methodological approach and spawned a debate with scholars Jeremy

¹⁷ NIEH also has a hard time incorporating the economic impact of the Persian Empire, as the Achaemenids were more inclined to hoard the wealth derived from taxation and other sources, than to re-inject it into the economy. The Hellenistic period following the decline of the Seleucid Empire saw and benefited from the reinjection of that wealth into the Mediterranean economy.

¹⁸ For a thorough explanation of the various ways in which NIEH can be limiting in its theoretical modeling and several additional theoretical models that help to balance it with real world application, see Koenraad Verboven, “The Knights Who Say NIE: Can Neo-institutional Economics Live up to Its Expectation in Ancient History Research?,” in *Structure and Performance in the Roman Economy: Models, Methods and Case Studies*, edited by Koenraad Verboven and Paul Erdkamp, 33–57 (Brussels: Latomus, 2015).

¹⁹ Greif, *Institutions and the Path to the Modern Economy*.

²⁰ This model of behavior is also adopted by many other scholars of pre-modern societies, such as Jessica Goldberg (2012), Ghislaine Lydon (2009), and Francesca Trivellato’s (2009).

Edwards and Sheilagh Ogilvie.²¹ The main critique is that Greif overlooks the extent to which Genoese and Maghrib trade networks in the medieval period relied on formal laws and institutions, as a last resort in conflict situations, instead focusing exclusively on the social restrictions that regulated members of trading networks. Thus, an appreciation for a combination of the two frameworks is integral to understanding the ancient economic sphere.

Studies of ancient world economies, however, face a dearth of written evidence of the type relied on by Greif, specifically handwritten letters and contracts. As such, ancient scholars have turned to other archaeological and epigraphic remains to identify social networks. In particular, research on the influence and organization of associations, preserved largely in epigraphic remains, has revolutionized what we know of personal networks and their role as “coalitions.” Arguing persuasively against Michael Rostovtzeff, scholars, such as Vincent Gabrielsen and Barbara Kowalzig, have shown that associations were integral to cross-cultural and inter-state relationships between individuals, promoting economic and political alliances.²²

This work has grown in recent years to include theoretical modeling for social networks and more paradigms for trading networks as part of cross-cultural studies in the ancient world. Building on some of the unified Mediterranean concepts in Braudel and Horden and Purcell, Irad Malkin’s groundbreaking *A Small Greek World* particularly emphasized the cross-cultural

²¹ As an example of debate, see A. Greif, “The Maghribi traders: a reappraisal?,” *The Economic History Review* 65.2 (2012), 1-44 and J. Edwards and S. Ogilvie, “Contract enforcement, institutions, and social capital: the Maghribi traders reappraised,” *Economic History Review* 65.2 (2012), 421–444.

²² Vincent Gabrielsen, “The Rhodian Associations and Economic Activity,” in *Hellenistic Economies*, edited by Zofia Archibald, John Davies, Vincent Gabrielsen, and G. J. Oliver (London: Routledge, 2001), 163-184; “Brotherhoods of Faith and Provident Planning: The Non-Public Associations of the Greek World,” in *Greek and Roman Networks in the Mediterranean*, edited by I. Malkin, C. Constantakopoulou and K. Panagopoulou (London: Routledge, 2009), 176-198; “Associations, Modernization, and the Return of the Private Network in Athens,” in *Die Athenische Demokratie im 4. Jahrhundert: Zwischen Modernisierung und Tradition*, edited by Claudia Tiersch (Stuttgart: Franz Steiner Verlag, 2016), 121-162; and Barbara Kowalzig, “Cults, Cabotage, and Connectivity: Experimenting with Religious and Economic Networks in the Greco-Roman Mediterranean,” in *Maritime Networks in the Ancient World*, edited by Justin Leidwanger and Carl Knappett (Cambridge: Cambridge University Press, 2018), 93-131.

importance of various cities as nodes within the archaic Greek world and for the civilizations connected with it, such as the Phoenicians. Following Malkin, *Maritime Networks in the Ancient Mediterranean World*, edited by Justin Leidwanger and Carl Knappett, uses cases studies of specific networks in several ancient time periods to show the practical applications of theoretical modeling in social networks. While not specifically concerned with the economic impact of these connections, both works showed that links between disparate states was critical to understanding the integration of the Mediterranean as a whole.

From the appreciation of these different political and social pressures on the Hellenistic *poleis* and kingdoms, concentration on the Hellenistic economic milieu has also become more prevalent in recent decades. In particular, two texts by the research group consisting of Zofia H. Archibald, John Davies, G. J. Oliver, and Vincent Gabrielsen has brought the spotlight back to the complexity of the Hellenistic Mediterranean, *Hellenistic Economies* (2001) and *The Economies of Hellenistic Societies, Third to First Centuries BC* (2011). In particular, this second study focuses on how particular societal distinctions, such as mobility, the use of silver, or ethnicity, impacted the economic realm. *Communities and Networks in the Ancient Greek World* (2015), edited by Claire Taylor and Kostas Vlassopoulos, has also broached the diversiform connections between groups and cities, be they religious, ethnic, or political.²³ By identifying the ways in which strangers formed connections and supported long-distance economic

²³ It is important to note that “ethnicity” in the ancient world is also a heavily debated topic, as many of our modern ideas about ethnic identity are ahistorical or lack evidentiary support. See for example, Erich Gruen, “Did Ancient Identity Depend on Ethnicity? A Preliminary Probe,” *Phoenix* 67.1/2 (2013), 1-22; Denise Eileen McCoskey, “Answering the Multicultural Imperative: A Course on Race and Ethnicity in Antiquity,” *The Classical World* 92.6 (1999), 553-561; Kathryn Lomas, Andrew Gardner, Edward Herring, “Creating Ethnicities and Identities in the Roman World,” *Bulletin of the Institute of Classical Studies. Supplement, No. 120* (2013), 1-10; Edward M. Anson, “Greek Ethnicity and the Greek Language,” *Glotta* 85 (2009), 5-30; D. T. Potts and S. Blau, “Identities in the East Arabian Region,” *Mediterranean Archaeology*. 11, Identities in the Eastern Mediterranean in Antiquity: Proceedings of a Conference held at the Humanities Research Centre in Canberra, 10–12 November 1997 (1998), 27-38.

endeavors through internal and external mechanisms, I seek to build upon this previous work to return agency to the many different communities, at the *polis* and sub-*polis* level, which were involved in long-distance, inter-state trade in the Classical and Hellenistic Mediterranean.

These works are critical to appreciating the various layers of economic interaction among various thematic realms. However, the intense focus on one region or one network occasionally acts in contrast to the Braudelian models of Horden and Purcell or J. G. Manning, which promote a more cohesive understanding of how these various themes work together within the micro-regions of the Mediterranean and how they relied upon and reacted to one another in order to survive and thrive.²⁴ Trade, in particular, confronts Horden and Purcell's concepts of "fragmentation" [of the region] and "connectivity" [over the sea and between communities] to explain the ways in which the varied Mediterranean peoples overcame the dire risks of the terrain and established links which could outlast political shifts and modern periodization. With a circumscribed focus on the Hellenistic period, it is tempting to deprioritize the connections with earlier and later periods - even when the economic *longue durée* shows a persistence beyond modern periodization.²⁵

Thus, while the study of the Hellenistic world as a region of inter-state connection is not new, my blending of various theoretical models works to reduce the amount of disciplinary or thematic specificity of earlier Hellenistic texts. I intend to approach the problems of the Hellenistic economic world and inter-state trade using both NIEH and social networking in order to overcome the limitations of each model and the gaps left by the ancient evidence. In this way,

²⁴ Peregrine Horden and Nicholas Purcell, *The Corrupting Sea: A Study of Mediterranean History* (Oxford: Blackwell Publishing, 2000) and Manning, *The Open Sea*.

²⁵ See "*Issues of Chronology and Periodization*" below for more on periodization in this dissertation.

I am following a similar path to scholars, such as Taco Terpstra, who blend “private order and public institutions,” the social control of networks with the organization of state regulation,²⁶ but with a specific focus on the Hellenistic era as a period of great complexity - demonstrating the powerful adaptive abilities of states and individuals in their commercial pursuits.

Methodology: How Not to Get Lost in the Infinite

As the discussion above testifies, my research questions traverse several theoretical models and traditional subdivisions of historical research. The impetus for such methodological diversity is to find a more comprehensive understanding of the multiple facets of long-distance inter-state trade and how they relate to one another. In particular, how do traders and merchants negotiate the complex political and social boundaries which divided the Hellenistic world? This includes questions such as, how were personal connections made and maintained across these boundaries? And how did trade-focused *poleis* manage the regulatory and jurisdictional issues which occur when non-citizens are involved with legal and economic disputes?

The following chapters tackle these questions by outlining the various institutions which supported inter-state trade and how they blossomed in the Hellenistic period. The goal is to show the many strands which make up the weave of goods and people flowing to and from various *poleis*. States alone did not have the ability to make the personal connections which linked traders across vast distances, but personal networks could not ensure the enforcement of exchange agreements in every circumstance, especially if dealing with a stranger or outsider. As such, these two main forms of protection and connection worked together to build the economic

²⁶ Taco Terpstra, *Trade in the Ancient Mediterranean: Private Order and Public Institutions* (Princeton: Princeton University Press, 2019). See also, Taco Terpstra, “Neo-Institutionalism in Ancient Economic History: The Road Ahead,” in *A Research Agenda for New Institutional Economics*, edited by Claude Ménard and Mary M. Shirley (Cheltenham: Edward Elgar, 2018), 233-240.

world. Thus, I begin with the formal institutions, particularly magistracies and recurring laws, and how they were put into use in multiple *poleis*. These institutions were often inscribed or referenced with enough detail to reconstruct how they impacted the commercial community. Especially in the Hellenistic period, inscriptional evidence remains to enlighten us about the ways in which states influenced economic exchange. Then I move into the less well-preserved aspects of economic movement. This section requires the use of social networking and an understanding of how interpersonal relationships can stretch over distance. In these chapters, the few archaeological remains play an important role as the physical evidence of movement, where literature and inscriptional evidence is almost nonexistent.

This section of the project draws examples from various networks originating in Greek and non-Greek states and attempting to trace their trade networks across Greek *poleis*. The most in-depth of these studies completes the project and focuses on the Nabataeans, who originated in modern-day Jordan and constructed economic networks extending from Southern Arabia to Italy. To tackle this project, I devised a multi-lingual, multi-media methodology, to decipher literary and epigraphic inscriptions (funerary, legal, and dedicatory stelae), tomb engravings, and mobile evidence.²⁷ In the particular case of the non-Greek networks and their interactions with Greek *poleis*, I analyze how this evidence can uncover data on ethnic identities, either by their identification with a particular region or even a certain set of divinities. Then, by finding the links that hold an ethnic group together across vast distances (whether it be familial connection,

²⁷ “Mobile evidence” is really any archaeological remnant which could have been brought with merchants and traders as they moved around the Mediterranean, such as pendants, coins, betyls, or other markers of the places they came from. Normally these items would have some kind of personal meaning to the owner and may reveal something of interest about the location in which they are found. For example, multiple small objects found together could indicate that an area was a likely trade node, as argued in Anna Accettola, “Nabataeans in Southern Arabia: Some Epigraphic Evidence of Influence and Presence,” in *Studies on the Nabataean Culture Vol. II, Refereed Bulletin of the International Conference on the Nabataean Culture*, edited by Nabil I. Khairy, 113-126 (Amman: Publications of the Deanship of Academic Research, The University of Jordan, 2016).

religion, hometown, or some combination thereof), I can trace out probable points of steady contact between that ethnic group and the outside world. Where NIEH struggles with the role of law in organizing trade networks,²⁸ I bring in network theory in order to analyze the ways in which these groups could have interacted. Understanding how social pressure and trust were built and organized in the ancient world may afford new opportunities to show how foreign traders could create a foothold in ancient Greek cities for the purposes of trade. The economic exchange built upon social networks was a fundamental part of long-distance trade, but ephemeral in its impact on its physical surroundings. By combining the two, this dissertation works to bring together usually disparate evidence in ancient historical research.

This methodology works to paint a picture of the complex and overlapping connections which permeated the Hellenistic world and then trace certain specific examples of trade networks within that milieu (chapter 6). Unfortunately, as Fritz Heichelheim once warned, such research poses a risk of “losing one’s way in the infinite. For there is hardly a sphere of human activity which is not connected in some way with economics...”²⁹ It remains far too easy to lose focus when answering specific questions or over-essentializing certain materials when faced with the mass of loosely related material which could relate to economic matters and trade. As such, I have had to accept that including every piece of evidence pertaining to the topics at hand was

²⁸ This struggle may best be exemplified by Greif’s “commercial coalitions” which depend heavily on social structures as enforcement of contract law and the preservation of trust, to such an extent that local law and its enforcement were left out of the analysis almost entirely. NIEH is not easily able to deal with “international” law and exchange, when state structures are not strong enough nor outwardly focused enough to enforce economic agreements. As in the case of ancient Greek *poleis*, legal ramifications largely would have had to take place within the *polis* proper, limiting any *polis*’ ability to affect constraint in foreign lands with foreign merchants.

²⁹ Fritz M. Heichelheim, *An Ancient Economic History: From the Palaeolithic Age to the Migrations of the Germanic, Slavic and Arabic Nations - Vol. 1*, translated by Joyce Stevens (Leiden: A.W. Sijthoff, 1958), 3.

unreasonable for a single project. In that light, the following pages attempt to highlight economic realms of activity, but without misrepresenting their original context.

Reaching Beyond the “Greek” and “Near Eastern” Historical Divide

Much of modern scholarship has often divided the study of economic and social history into either “Greek” or “Near Eastern” history - usually based on the departmental ties of the scholar.³⁰ However, separating the eastern Mediterranean into two separate regions hinders our ability to appreciate the vast interconnections, both legal and social, that cross back and forth, over and over again between these territories. These regions, though differentiated by politics, history, language, and culture, interacted vigorously and, seemingly, with little hindrance from their many differences. In this dissertation, I work to breach the difference and show that a focus on the wider Mediterranean world reveals the ways in which trade centers and networks shifted and reacted to the many political, social, and economic influences of the time period, not based on their homelands, but due to their adaptability, mobility, and motivation.

I aim to look at the broader picture of the Mediterranean world in order to understand how the changes in the Hellenistic period affected many of the independent states along Mediterranean shores. I do so in three main ways. First, I analyze the similarities and differences in Greek *poleis*’ acceptance of foreigners in various economic contexts in the Hellenistic period. Then, I contextualize the growth of networks of Greeks and non-Greeks across political boundaries as creating economic benefits from social interactions. And finally, I trace specific ethnic and religious networks in order to better understand how they pushed out

³⁰ In contrast to this traditional division are newer works such as J. G. Manning, *The Open Sea: The Economic Life of the Ancient Mediterranean World from the Iron Age to the Rise of Rome* (Princeton: Princeton University Press, 2018) and Terpstra, *Trade in the Ancient Mediterranean*, which are more holistic in their views of cross-cultural influences, although still Helleno-Roman-centric.

across the Mediterranean, without losing close connections with their homelands. These objectives work to conclude that long-distance, inter-state trade was a cooperative effort by states and individuals to meet the needs of all actors and adapt to the changing pressures of the Hellenistic world.

Problems of the Hellenistic World and Long-Distance Trade

Research into the Hellenistic world has historically been stymied by the piece-meal sources and the geographical breadth of the Hellenistic Mediterranean, which encompasses territory from Spain to Bablyon, under the auspices of Republican Rome and the Hellenistic kingdoms.³¹ Even in the traditional “Greek” world, changes in political organization, dialect differences (though less common than they once were), and variations in inter-state relationships complicate modern understandings of how these states and peoples related to and interacted with one another. Thus, as I did with the limitations of NIEH theories above, in the following pages, I will outline some of the methodological issues involved in researching the topics under discussion in this work.

Issues of Chronology and Periodization

Traditionally, the Hellenistic period begins in 323 BCE with the death of Alexander the Great and ends in 30 BCE after the Battle of Actium and Octavian’s ascent to power over Rome.³² However, these *termini*, do little to represent the realities of continuation and upheaval

³¹ See for example the ongoing debate about chronology just in the first decades following the death of Alexander the Great, Thomas Boiy, *Between High and Low. A Chronology of the Early Hellenistic Period*, Oikumene Studien zur antiken Weltgeschichte, Bd. 5 (Frankfurt am Main: Verlag Antike, 2007). Diodorus Siculus and Polybius provide significant detail and work to bridge this gap in our knowledge. Unfortunately, Diodorus’ work has not been preserved in its entirety.

³² Even in this description some issues of terminology appear, as “Rome” at this point has significant imperial aspects, given its domination of territory, but still functions nominally as the Republic, even under

before, within, and following the timeframe. Alexander made sweeping changes to the Greek and Near Eastern worlds, of that there is no doubt, but his influence did not erase the long-standing political and social traditions which permeated the region and continued even after the arrival and domination of Rome in the East. In the following chapters, particularly in Chapter 2 and 3, I will show that traditions of the fourth century BCE clearly continue in the legal and social regulation of foreigners and commercial enterprise, but that even private associations, once thought to be the sole purview of the Hellenistic period, existed much earlier, though less prominently.³³ As well in the years after the establishment of the Roman Empire, the use of many institutional magistracies and networks of trading partners across the Mediterranean maintain a continuity with Hellenistic patterns.

Scholars have often divided the Hellenistic era into two shorter periods - commonly referred to as the “High” and “Low” Hellenistic periods - with the division in the second century BCE, coinciding with the Roman advances on the Greek mainland.³⁴ Political considerations are especially important in this division as the “High” Hellenistic period is considered to have

Octavian/Augustus. The argument of when Rome became the Roman Empire is ongoing, see Karl-Joachim Hölkeskamp, *Rekonstruktionen einer Republik: Die politische Kultur des antiken Rom und die Forschung der letzten Jahrzehnte* (Berlin: De Gruyter, 2004) or most recently Paul Chrystal, *Rome: Republic into Empire, The Civil Wars of the First Century BCE* (Barnsley: Pen & Sword Books, 2019) and David Potter, *The Origin of Empire: Rome from the Republic to Hadrian* (Cambridge: Harvard University Press, 2019).

³³ See for example, I. Arnaoutoglou, "Associations and Patronage in Ancient Athens," *AncSoc* 25 (1994), 5-17; Christian Ammitzbøll Thomsen, "The Eranistai of Classical Athens" *Greek, Roman, and Byzantine Studies* 55 (2015), 154-175; and Vincent Gabrielsen, "Associations, Modernization, and the Return of the Private Network in Athens," in *Die Athenische Demokratie im 4. Jahrhundert: Zwischen Modernisierung und Tradition*, edited by Claudia Tiersch, 121-162 (Stuttgart: Franz Steiner Verlag, 2016). For more on this debate in modern scholarship, see page 160, footnote 425 (Chapter 4).

³⁴ For arguments surrounding the pros and cons of this periodization, see P. Gauthier, *Les cités grecques et leurs bienfaiteurs* (Paris, 1985), 4; L. Robert, "Recherches Épigraphiques," *REA* 62 (1960), 276-361, specifically 325; P. Hamon, "Élites dirigeantes et processus d'aristocratisation à l'époque hellénistique," in *Aristocratie antique. Modèles et exemplarité sociale*, 79-100 (Dijon, 2007), 87-91; C. Brélaz, "Les bienfaiteurs, 'sauveurs' et 'fossoyeurs' de la cité hellénistique? Une approche historiographique de l'évergétisme," in *L'huile et l'argent*, edited by O. Curty, 37-56 (Paris, 2009), 47; Florian Rudolf Forster, *Die Polis im Wandel: Ehrendekrete für eigene Bürger im Kontext der Hellenistischen Polisgesellschaft* (Göttingen: Vandenhoeck & Ruprecht, 2018), 20.

relatively the same *poleis* divisions and constitutional make up as the fourth century BCE, while the “Low” Hellenistic is marked by a degradation of traditional government and democratic interests and the rise of Roman influence over the *poleis*. However, this periodization draws too stark of a contrast between “High” and “Low,” as I will demonstrate in the following chapters. Continuation of legal, political, and even social norms is a strong factor extending the Hellenic traditions, often even into the first century CE. Changes and evolutions occur, but should not be denigrated as a dissolution of Greek strength as is often the case with the term “Low Hellenistic.” Traditionally, this periodization is also intensely Hellenocentric - based very heavily on the development and changes in Greek *poleis*. It should be noted, however, that this periodization also encapsulates developments in the Near East, as Seleucid decline generally correlates with the rough transitional period between Greek independence and Roman imperialism. As such, it is important to redefine these terms for specificity, but also to reduce the pejorative overtones so often applied to the Greek world after the coming of Rome. Thus, in order to achieve these goals, I will be using the terms “early Hellenistic” and “later Hellenistic” in this dissertation when differentiating between the two periods. Unlike “high” and “low,” which clearly prioritize the first 150 years as ‘better,’ but in undefined ways, “early” and “later” simply allows us to understand the evolution which occurs in the 300-year period.³⁵

While the rough transition between these two periods can be marked by the Battle of Corinth in 146 BCE and the dissolution of the Seleucid Kingdom throughout the second century BCE, which resulted in Rome holding a predominant political position over Greece, North

³⁵ While the linguistic balance in these terms is unequal, to use “early” and “late” evokes similar pejorative overtones as “high” and “low.” In comparison, “earlier” and “later” seems to indicate a third period between the two (a “mid”-Hellenistic), which is generally unsupported by the evidence. For these reasons, I have chosen “early” and “later.”

Africa, and the Near East, many factors persisted on the sub-state level. For many people, if not most, daily life remained the same, no matter who was in charge. This periodization is critical to understanding the development of the Mediterranean as the main influences on the Greek *poleis* and Near Eastern states become more complicated in the later Hellenistic. As I will discuss in much greater detail in the following chapters, between the growing influence of Rome and the dissolution of the Seleucid Empire, the nature of and opportunities for various states radically altered. Greek *poleis* were less independent than they had been, but smaller Near Eastern Kingdoms benefited from the influx of Seleucid gold and turned that wealth into new trade opportunities. As such, while evidentiary issues and periodization often hinder research into the later Hellenistic period, I work to show the multiplicity of interactions - the continuities and disruptions of the legal and social systems - which underpinned long distance trade throughout the Hellenistic Mediterranean.

What's in a name? Agorai, Emporia, Panegyries, Ports-of-trade, and Trading Centers

The following chapters contain evidence for the use and regulation of various marketplaces; however, these marketplaces often take a variety of forms and are referred to by various Greek names. For example, *agorai* (ἀγοραί), *emporia* (ἐμπόρια),³⁶ and *panegyries* (πανηγύριες) are all spaces in which commercial interactions take place, but the details of their geographic placement, the duration of their operation, and even the frequency of their existence vary dramatically. Moreover, not every author or *polis* used the same language to describe marketplaces, complicating modern research on the specific nature of each of these commercial

³⁶ This is not to confuse ἐμπόρια (trading stations) with ἐμπορία (commerce or merchandise).

areas. In the following paragraphs, I will define a variety of terms referring to an ancient marketplace and how they relate to one another for the purposes of this work.

Agorai were found in nearly every *polis* and generally were a central area of a city or town where people assembled, conducted public and private business, and where goods and services could be exchanged. A multi-functional space, it was also generally bounded by stones marking the space (*horoi*) and entrance could be restricted to citizens in good standing and foreigners who paid the appropriate taxes.³⁷ Within the *agora*, laws, *horoi* (inscribed stones concerning loans and debt),³⁸ and other public announcements were displayed, clearly indicating that this was a popular and oft used space within the city. For the purposes of this argument, I will be focusing on the commercial aspects of the *agora* and its management, which fell under the purview of various city magistrates. As will be demonstrated in the forthcoming chapters, particularly chapters 2 and 3, *agorai* were regulated in similar ways in many *poleis* in the Classical and Hellenistic periods. Moreover, these spaces were sometimes replicated in Near Eastern cities even into the Roman Imperial Period. These markets, often considered only for trade of local products, were usually open to foreigners and in many of the most popular *agorai*, laws existed to protect the commercial rights of those foreigners while they conducted their business.

³⁷ For a brief selection on the history and archaeology of *agorai* (especially the Athenian *agora*, which has been extensively excavated and published), see Homer A. Thompson, "The Agora," *Scientific American* 183.2 (1950), 46-51; R. E. Wycherley, "Chapter 11: The Agora: Political and Religious Center," *The Stones of Athens* (Princeton: Princeton University Press, 1978), 27-90; John Camp, *The Athenian Agora: Excavations in the Heart of Classical Athens* (London: Thames & Hudson Ltd., 1986); Jamieson C. Donati, "Marks of State Ownership and the Greek Agora at Corinth," *American Journal of Archaeology* 114.1 (2010), 3-26; R. E. Wycherley, "The Ionian Agora," *The Journal of Hellenic Studies* 62 (1942), 21-32; Christopher P. Dickenson, "Pausanias and the "Archaic Agora" at Athens," *Hesperia: The Journal of the American School of Classical Studies at Athens* 84.4 (2015), 723-770.

³⁸ See for example, Edward M. Harris and Kenneth Tuite, "Notes on a "Horos" from the Athenian Agora," *Zeitschrift für Papyrologie und Epigraphik* 131 (2000), 101-105. The two types of *horoi*, markers of the *agora* boundaries and inscribed recordings of debt/loans/etc. should not be confused.

In comparison with local or civic *agorai*, *emporía* (s. *emporion*), significantly more elusive and complex in the historical record,³⁹ were commercial spaces with an explicit expectation of inter-state maritime commerce. However, unlike *agorai*, *emporía* have been described as having a hierarchical relationship with other local ports and *agorai* - where an *emporion* acted as the main trade center for a region (regardless of its particular size) and merchants then dispersed purchased goods to smaller local ports where they had their own contacts.⁴⁰ Sometimes described as part of a *polis*, as in Athens, or as a separate trading-port designed to facilitate Greek and non-Greek commerce, *emporía* were usually built along easily navigable water-ways and natural stopping points for ships. Debate continues, however, about their political autonomy - although evidence now points more heavily towards *polis*-style institutional regulation.⁴¹ However, this work focuses instead not on whether an *emporion* was part of a *polis* or the entirety of a *polis*, but rather on how *emporía* were structured in order to facilitate trade between merchants and traders from numerous Greek *poleis*, as well as non-Greek traders, and the similarity of that structure to other market-types.

³⁹ The use of *emporía* in ancient sources goes largely undefined, but scholars tend to agree that the most significant attribute of an *emporion* is its overwhelmingly commercial nature (Denise Demetriou, "What is an Emporion? A Reassessment," *Historia: Zeitschrift für Alte Geschichte* 60.3 (2011), 255-272, particularly 261-62). For the current standard in evidence for *emporía*, see M. H. Hansen, "Emporion: A Study of the Use and Meaning of the Term in the Archaic and Classical Periods," in *Greek Colonisation: An Account of Greek Colonies and Other Settlements Overseas*, Vol. 1, edited by G. Tsetschladze, 1-39 (Leiden 2006) and Denise Demetriou, *Negotiating Identity in the Ancient Mediterranean: The Archaic and Classical Greek Multiethnic Emporia* (Cambridge: Cambridge University Press, 2012).

⁴⁰ Alain Bresson, *L'économie de la Grèce des cités (fin V^e -I^{er} siècle a.C)*, II: *Les espaces de l'échange* (Paris 2008), 98-133 and A. Bresson, "Les cités grecques et leurs emporia," in *L'emporion*, edited by A. Bresson and P. Rouillard (Paris 1993), 163-226.

⁴¹ Hansen, "Emporion," 34. Much of the modern debate concerning *emporía* has centered on questions of an *emporion*'s control over its surrounding hinterland and its political difference from a colony (or *apoikia*). This question is important to our modern understanding of an *emporion*, but is not directly relevant to my research questions. For an overview of this debate and new evidence, see Demetriou, "What is an Emporion?," 262-72 and Hansen, "Emporion," 1-39. Demetriou (and Hansen to some extent) argues against the generally accepted point of view that *emporía* and *apoikiai* were two different types of settlements from their inception.

Emporia were often part of port or harbor facilities, “hosted multiethnic populations,”⁴² and, in fact, were regulated in much the same way as *agorai*. Moreover, as Denise Demetriou describes their influence on other *poleis* through the late Classical and early Hellenistic periods,

What happened in *emporia* did not stay there. *Emporia* were nodes along trade networks that connected the Mediterranean on the local level, as redistribution centers that had contacts with their immediate surroundings, the regional level, as stopping points on regional trade networks, and the Mediterranean level, as export and import centers. Their capacity to serve as vehicles for the multidirectional mobility of people, goods, and ideas, meant that the new religious, legal, and artistic practices that developed in specific *emporia* were transferred to the rest of the Mediterranean.⁴³

Not only did they have legal protections for buyer and seller, market-based magistrates, and, in general, functioned as a cross-cultural commercial space - mirroring many of the legal and social norms found in *agorai*⁴⁴ - but their multicultural influence helped to build connections along commercial routes. To show the similarities in these markets and the possible use of *emporia* as sites of diasporic nodes,⁴⁵ the relevant extant laws from inter-state *agorai* and *emporia* and their role in facilitating long-distance inter-state maritime trade are discussed in more detail and compared with those of *agorai* in Chapter 3.

The final form of market under discussion in this text, though much more briefly, are the *panegyries* or religious festivals. While these festivals had a much different main focus and purpose than *agorai* and *emporia*, market areas and commerce were still a defining fact of their

⁴² Demetriou, “What is an Emporion?,” 267.

⁴³ Demetriou, “What is an Emporion?,” 272.

⁴⁴ See, for example, D. Whitehead, *The Ideology of the Athenian Metic* (Cambridge: Cambridge University Press, 1977); Bresson, *L'économie*, 110-18; Demetriou, “What is an Emporion?,” 270.

⁴⁵ For more information on how *emporia* were designed to attract non-Greeks for long-term economic relationships, see illusions to long-term mobility and settlement in Hansen, “Emporion,” 23-24 where he discusses settled and fortified *emporia*.

existence and popularity.⁴⁶ Although their duration was shorter and frequency significantly more irregular than *agorai* or *emporia*, markets in *panegyria* were subject to the same kinds of regulation as other market types. As Christophe Chandezon, a leading researcher in the economic implications of *panegyria*, stated,

L'intervention de la cité y prenait la même direction que dans les échanges qui avaient lieu sur l'agora civique: il fallait en assurer la police, éventuellement veiller au bon approvisionnement et collecter des impôts. En ce sens, les foires ne différaient guère des autres lieux d'échanges si ce n'est par l'environnement religieux que fournissait la fête.⁴⁷

Economic opportunity presented itself due to the inter-cultural nature of the festivals and the distance pilgrims traveled in order to honor their deities, but it was in the cities' interest to ensure honesty and equity within these exchanges so not to damage the reputation of the festival for the future.

The differences between these types of markets are critical to understanding the complexity of exchange and economy in the Classical and Hellenistic Mediterranean, but in many ways they follow comparable structures in order to regulate participant behavior. This is not to diminish their unique qualities, but to better understand that trading places often operated similarly due to the similar conditions and pressures they faced. In order to attract necessary and luxury goods, cities had to build the best connections with and protections for merchants and traders. Thus, unlike Polanyi's theory of peripheral, neutral ports-of-call, ancient markets were protected, fought over, and central to the social and economic life of an urban center, for without a dynamic market, opportunities for trade and profit, as well as regional influence, were

⁴⁶ Christophe Chandezon, "Foire et panégyries dans le monde grec classique et hellénistique," *Revue des Études Grecques* 113.1 (2000), 77-78.

⁴⁷ Chandezon, "Foire et panégyries," 99.

drastically reduced.⁴⁸ But as a result of this need to build attractive markets, certain standards of regulation and social interaction appeared, especially during the Hellenistic period.⁴⁹

As I will argue in the following chapters, the different types of markets available in the ancient world were often regulated in similar ways. While some types of markets, particularly *emporía*, were initially more open to foreigners, jurisdictional and citizenship issues were negotiated during the Hellenistic period in order to open economic opportunities more broadly.⁵⁰ If a *polis* wanted to benefit from the enormous quantity of goods crossing the Mediterranean Sea, it had to adapt its practices in order to be more open to non-citizens, wherever they originated.

“Excessively Small Data”

“Big data” in the ancient world is a rarity.⁵¹ In most cases, the bulk of information has been lost to time, reused and decontextualized, or has simply fragmented beyond repair. Therefore, methodological frameworks and interpretations are required to fill in the blanks, which would otherwise stymie our understanding of the past. Particularly in the case of long-distance trade, institutional and network analyses are useful in connecting the disparate remains. As Barbara Kowalzig (2018), a specialist in cults and religious networks, describes,

⁴⁸ Karl Polanyi, "Ports of Trade in Early Societies," *JEH* 23 (1963), 30-45. For a clear rebuttal of Polanyi's theory, see T. J. Figueira, "Karl Polanyi and Ancient Greek Trade: The Port of Trade," *AW* 10 (1984), 15-30.

⁴⁹ On occasion, officials even turned to the regulation of other market types in order to create useful and reliable standards. Such was the case in the use of market officials for regulating currency during festivals by an amphictyonic council in the second century BCE (*Sylloge*³ 729, lines 10-11), discussed further on page 121-22.

⁵⁰ Athens seems to have been the main exception to this timeline, as it had largely dealt with these issues through the creation of the *dikai emporikai* by the mid-fourth century BCE.

⁵¹ The common understanding of “big data” is data sets too large to be processed by hand; but this definition is almost entirely inappropriate for the study of the ancient world. Thus, Kowalzig argues that the epigraphic and archaeological data from Delos is “big data” in the ancient world, given the hundreds of points of evidence to be analyzed. It needs to be noted that the use of “big data” here must be measured on a very different (and much smaller) scale than generally accepted.

But the charm of formal network analysis for the religious networks of the ancient world may equally lie in creating predictive models for the many more cases where the evidence is scarce, yet using the parameters derived from examples well furnished with data. What then could formal network analysis bring to the field that cannot be supplied by other methods? The answer might lie in either “big data”—analyzing the religious connectivity of entire regions, or a massive cult center, such as Delos, over a very long period—or “excessively small data,” i.e., using the method for predictive purposes where evidence is lacking or insufficient.⁵²

The paucity of ancient data, thus, should not immediately shutter any attempts to connect small data sets or to interpret their role in the Mediterranean world. However, such attempts, must be tempered by the understanding that the strength of the interpretation can rely too heavily on theoretical modeling.

In the following chapters, especially in Chapter 6, I build a theory of long-distance trade interactions between vastly disparate communities in order to show how traders and merchants were able to interact with one another in the Greek economic milieu. Due to geographical reach, the multiplicity of cultures involved, the ephemeral nature of traders, and the amount of still unpublished data, these conclusions are largely predictive and based on the patterns identified in better preserved networks (such as those of the Phoenician cities). Such limitations should not undercut the validity of these theoretical models, but rather encourage scholars to engage with lesser-studied data, even if their conclusions may not hold in light of future evidence. As Niels Steensgaard once wrote, “I can only hope that I have substantiated my conclusions or, if I have erred, that my errors may prove useful.”⁵³

⁵² Barbara Kowalzig, “Cults, Cabotage, and Connectivity: Experimenting with Religious and Economic Networks in the Greco-Roman Mediterranean,” in *Maritime Networks in the Ancient World*, edited by Justin Leidwanger and Carl Knappett (Cambridge: Cambridge University Press, 2018), 101.

⁵³ Niels Steensgaard, *The Asian Trade Revolution of the Seventeenth Century: The East India Companies and the Decline of the Caravan Trade* (Chicago and London: The University of Chicago Press, 1974), 8.

Intentionality

A final issue with any argument about ancient economics (and one touched upon above) is the problem of intentionality. In particular, this means addressing head-on the question of whether or not the ancient Greeks had any conception of economic policy and how to implement laws in order to produce specific economic benefits. Finley would have us believe that the notion of economic policy in the ancient world is just a fallacy of naive modernization - utterly out of the question until the early modern period.⁵⁴ On the other end of the spectrum, Rostovtzeff declared that the only difference between ancient and modern economies was one of scale.⁵⁵ A closer approximation of the truth likely lies somewhere in between.

Ancient Greek οἰκονομία (*oikonomia*) is the root for modern “economy,” but is more accurately translated as the “management of the household.” Moreover, when ancient authors used this word, they were usually speaking to land-owning, agrarian elite and praising self-sufficiency, rather than addressing the reality of market exchange and inter-state commerce.⁵⁶ These works often make reference to trade and exchange, but categorize it as an “unnatural” aspect of human activity.⁵⁷ From this household view of consumption and “economics,”

⁵⁴ M. I. Finley, *The Ancient Economy* (London, 1985)

⁵⁵ Rostovtzeff, cited in J. H. D'Arms, *Commerce and social standing in ancient Rome* (Cambridge: Harvard University Press, 1981), 12.

⁵⁶ For a fuller discussion of the use of *oikonomia* in Greek literary and philosophical thought, see Dotan Leshem, “Retrospectives: What Did the Ancient Greeks Mean by ‘Oikonomia?’,” *The Journal of Economic Perspectives* 30.1 (2016), 225-238 and Bradley A. Ault, “Oikos and Oikonomia: Greek houses, households and the domestic economy,” *British School at Athens Studies* 15, *Building Communities: House, Settlement and Society in the Aegean and Beyond* (2007), 259-265.

⁵⁷ Aristotle, *Politics* 3.5.1277b33-1278b5 and Xenophon, *Memorabilia* 2.7. Although the matter remains undecided and under debate, even in the 1950s, scholars were recognizing that ancient authors could visualize the need for regulation of various aspects of the non-agrarian economy, as evidenced by Lowry's (1979) reflections, “In the setting of an agrarian-based polis in which much of the commercial activity was conducted by metics (resident aliens), Aristotle's assertion that there are no natural forces restricting the desire to acquire money wealth was an effective rationalization for the introduction of price regulation, a practice that was a commonplace in the grain trade at the time. In his treatment of Aristotle's discussion of exchange, Spiegel follows Josef Soudek's interpretation [111, 1952] barter and money exchange in Book V of the Nicomachean Ethics as an analysis of the subjective interplay

scholars like Finley have argued that “the ancient Greek economy holds that city-states had only a consumptive interest in economic affairs that was closely tied to traditional social and political concerns. Their interest in the economy extended only to what they could take from it, not to how they could expand or “grow” it.”⁵⁸ But this totalitarian rejection of the possibility is in contradiction to the evidence from multiple *poleis* in the Classical and Hellenistic periods.

Even Finley stated that the Greeks and “non-capitalist or pre-capitalist societies have economies, with rules and regularities...whether they can conceptualise them or not.”⁵⁹ But this is fundamentally contradictory, for how can a society create economically-based rules or appreciate their regulation without being able to conceptualize them? Many modern economic concepts cannot be directed backwards onto Greek understanding of economics, such as “growth,” but this should not entirely dismiss Greek appreciation for human behavior and the promotion of commercial interaction. In certain works, such as the pseudo-Aristotelian *Ath. Pol.* 51.1-2 and Aristotle’s *Nicomachean Ethics* 5.1132b33, the state is concerned with harmony and *philia* in their markets and take active steps, such as the creation of laws, to ensure positive interactions between participants. While harmony is not the same as economic motivation, reanalysis of ancient evidence shows that more coordinated thought and planning was present than “primitivist” models can account.

between two trading partners seeking mutual benefit from commerce. As had Soudek before him, he strongly emphasizes the often repeated Aristotelian theme that mutual interaction is the bond that holds society together” (S. Todd Lowry, “Recent Literature on Ancient Greek Economic Thought,” *Journal of Economic Literature* 17.1 (1979), 68-69).

⁵⁸ Darel Tai Engen, “‘Ancient Greenbacks’: Athenian Owls, the Law of Nikophon, and the Greek Economy,” *Historia: Zeitschrift für Alte Geschichte* 54.4 (2005), 362.

⁵⁹ Finley, *The Ancient Economy*, 23.

In the following chapters, I will go into depth about the possible economic implications for various decisions made in Greek *poleis* to attract trade. But to begin, one example drawn from literary, legal, and numismatic evidence shall suffice to push against the lingering idea that the Greek *poleis* had no conception of how their own laws and actions influenced commercial exchange and the desirability of their markets.⁶⁰ In fourth-century Athens, Xenophon argues in *Poroi* 3-4 for increases in silver production from the Laurion mine and taxable goods in the markets. Laurion silver was especially used for the minting of Athenian coins or “Owls,” so named for the owl depicted on the coins’ reverse. Owls were prized throughout much of the Mediterranean for the purity of the silver and the standard weight of the coin. These coins seem to have been legitimate coinage in some regions, even outside of Attica, but their silver content was always sought after, making Athens an attractive center for commerce and exchange.

Through Xenophon’s linkage of coin production and import taxation,

Xenophon clearly shows that he realized the connection between production and consumption, between expansion of the economy and increasing revenues... Thus, Xenophon’s awareness of the economic significance of Athenian silver coinage indicates that a prominent Athenian of the fourth century had an interest in the economy that was more productive in nature than Finley’s purely consumptive model of the ancient Greek economy would allow.⁶¹

In order to protect the reputation and value of their coins, Athens went so far as to implement a law, the law of Nikophon in ca. 375/4, to ensure their quality through officially appointed

⁶⁰ For more information on Athenian public policy and the archaicizing of Athenian owls to promote trade stability, see Peter van Alfen, “Hatching owls: Athenian public finance and the regulation of coin production,” in *Quantifying Monetary Supplies in the Greco-Roman World*, Pragmateiai 19, edited by F. de Callatay, and E. Lo Cascio, 1-23 (Bari, 2010); Colin Kraay, *Archaic and Classical Greek Coins* (Berkeley: University of California Press, 1976), R.S. Stroud, “An Athenian Law on Silver Coinage,” *Hesperia* 43 (1974), 157-88 and Engen, “Ancient Greenbacks.” *Contra* J. Trevett, “Coinage and Democracy at Athens,” in *Money and Its Uses in the Ancient Greek World*, edited by A. Meadows and K. Sipton, 65-76 (Oxford: Oxford University Press, 2001).

⁶¹ Engen, “Ancient Greenbacks,” 363.

δοκιμαστής (*dikomastes*, tester; who will be discussed more thoroughly in Chapter 2).⁶² Thus, as Darel Tai Engen argues, it is disingenuous to try to separate political motivations entirely from economics, especially in the ancient system where the two concepts were even more intertwined or “embedded” than in modern examples. Coins often had political purposes,⁶³ but this does not undermine their economic uses and implications.

The ancient Greek *poleis* cannot be judged according to modern standards, not only for Rostovzeff’s differentiations in scale, but simply because it would be enormously anachronistic. Modern economic terminology - growth, capitalism, etc. - were not concepts that the ancient Greeks would have understood or applied to their own worlds. We should not, however, take that to mean that they could not understand the cause and effect implications of policies directed toward economic activity and places of exchange. In the following chapters, I will show that specifically in the highly mobile Hellenistic period, laws and inter-state relationships crafted by some of the most urbanized and commercially-dependent *poleis* were in part shaped by economic concerns and attempts to attract merchants, their coin, and their goods into ports around the Mediterranean.⁶⁴

Structure of the Dissertation

⁶² As Engen, “Ancient Greenbacks,” 373-74 notes, however, Athens did not confiscate coins that were found unacceptable by the *dokimastes*. This is likely due to a general lack of extensive enforcement of laws and punishment by magistrates, which will be discussed in much more detail in Chapter 2. Likely it was individuals who had a question about the purity of a coin in a transaction who presented the questionable coin to the *dokimastes*, not a blanket policy for every coin to pass into Athens. The logistics of such an endeavor would have been impossible in the ancient world. Cf. Stroud, “An Athenian Law on Silver Coinage,” 157-88.

⁶³ Argued by Finley to have been their primary or even singular purpose, Finley, *The Ancient Economy*, 166-168.

⁶⁴ For a similar approach to the period of 415 to 307 BCE, see Engen, *Honor and Profit*, particularly in regards to honorary decrees.

In this dissertation, I attempt to reconstruct some of the methods by which cross-cultural commercial interactions, both within and beyond the Greek world, were promoted from the fourth to the first century BCE. In part due to the nature of the evidence, I focus in large part on the Greek world, specifically on the relationships between Greek *poleis* (city-states) and how they exclude or include foreigners who come to their ports for trade. After detailing the diversity of ways in which Hellenistic Greeks interacted with one another, I then attempt to show how non-Greek foreigners found ways to imitate or adopt Greek patterns of interaction in order to facilitate their own commercial needs and desires. By bridging analyses of these two worlds, I intend to develop a more thorough understanding of the flow of people and goods around the Mediterranean basin.

Chapter 2 begins with a case study of Athens in the fourth-century, as our best evidence for the legal systems of the ancient Greek world originated there. Athenian literature, forensic speeches, and archaeological evidence provide a wealth of information about the legal structure of the *polis*, and its commerce, unmatched in other regions of the Classical and Hellenistic periods. I use this evidence to build a tentative model for regulatory commercial institutions of *poleis* most invested in building and maintaining inter-state trade connections. Chapter 3 expands this base of known legal institutions to other *poleis* in the Hellenistic period to show that many *poleis* had similar institutions with respect to foreigners and trade. However, the Hellenistic period also developed its own institutions in the form of various types of inter-state arbitration. Several of these forms deal specifically with economic matters or have economic implications. Their common result is that they fostered greater inter-state cooperation and standards for resolving differences between people from different *poleis* or kingdoms. I focus in particular on Rhodes, the main successor to Athens, as a chief commercial hub in the Hellenistic

period and illustrate the many similarities, and some differences, in its judiciary and inter-state processes. In the final section, I address to growing influence of Rome and the ways in which Roman imperialism maintained or disrupted economic networks, specifically through the creation of Delos as a free trade port.

In order to temper the exceptionally rational theories of NIEH, the next chapter focuses on the human and cultural aspect of inter-state trade and the role of trust and reputation in creating trade networks. Chapter 4 explores the sub-*polis* social networks which did not rely on formal government-organized rules to facilitate new trading connections and preserved those already established. The social networks of the ancient world brought strangers together by using religious, social, and ethnic links to forge new partnerships. In many cases, these partnerships crossed wide geographic distances in order to fulfill economic ambitions. These networks could be based on religious motivations, personal connections, or diasporic nodes dispersed throughout the Mediterranean. The defining factor of their existence, however, is their more fluid adaptability to the needs of their members since they were organized without the rigid structure of a state authority.

The final two chapters focus on the Near East, North Africa, and Arabia and these regions' economic differences from the Greek *poleis* and move away from the Hellenocentric tone of the earlier chapters. The goal of this section is two-fold. In Chapter 5, I outline the influences on Near Eastern and Egyptian state organization and control of economic exchange within their borders. These traditions were often significantly different from the more *demos*-driven organization of the Greek *poleis*. Specifically, I look at trade patterns of several empires and kingdoms which were distinctly non-Greek in character. I argue that Greek and Near Eastern states had very different priorities and methods when it came to trade and this affected how they

interacted with one another, especially in the Hellenistic period as Greek and non-Greek cultures came into closer contact. The two successor kingdoms most involved in this discussion are the Seleucid and Ptolemaic Kingdoms, for they had the most direct impact on how non-Greeks were included in Greek *poleis*-based trading networks. For example, the Ptolemaic Kingdom was more aggressive in its control of economic policies and the government was much more directly involved in organizing trade connections external to the kingdom's boundaries. As a result, in the third century BCE, the main Greek trade center, Rhodes, was closely tied to Ptolemaic Egypt, drawing the focus of inter-state Mediterranean commerce away from the Greek Peninsula and highlighting connections with the Near East and Egypt.

These regions were also impacted economically by the political revolutions of the Hellenistic period. In particular, when the Achaemenid Empire was overturned and replaced with Hellenistic successors (330 BCE), Alexander's seizure of the royal treasuries resulted in the minting of coins on a massive scale.⁶⁵ This release of wealth back into the region allowed for an explosion of trade, especially given the strengthened connections between Greece and the Near East. Then again in the deterioration of Seleucid control over territory and cities, the region received the same economic boom. Treasuries that had once controlled and hoarded the wealth of the kingdom were opened and redistributed to the new independent kingdoms breaking away from the Seleucid Empire. While not the primary intent of these actions, this release of wealth once again renewed and promoted new economic connections with local and long-distance markets.

The final chapter, Chapter 6, introduces the evidence of how Near Eastern polities and traders could permeate the Greek economy through various institutions and social relationships

⁶⁵ Thoneman, *The Hellenistic World*, 15-16.

and penetrated the closed and often suspicious Greek *poleis* in order to pursue wealth and goods. This chapter focuses in particular on the case study of the Nabataean Kingdom, which employed a variety of methods to secure trade from the mid-second century BCE through its annexation by Rome in 106 CE. This study serves a two-fold purpose. First, to highlight the various ways in which non-Greeks adapted to local customs, common Hellenic laws, such as paying requisite taxes on imports and for non-citizen access to the *agorai*, and socio-cultural traditions, such as the honoring of *proxenoi*, dedications for Hellenized deities, and the inscribing of public honors, to promote their economic interests and relationships. Second, it shows the realms of continuity for institutions and inter-regional trade even in non-Greek regions of the Mediterranean and their preserverence under the early Roman Empire.

The scope of this dissertation is ambitious - crossing methodological, chronological, and geographical boundaries. My aim is not to include every possible influence, law, or network which criss-crossed the Mediterranean for the multiple centuries under discussion, but rather to speak to the myriad possibilities by which Greeks and non-Greeks negotiated their circumstances and surroundings in order to best achieve their goals. Creating outposts, colonies, and diasporic nodes, adapting as necessary, and making allies upon whom they could tentatively rely, successful merchants and traders in the ancient world shaped the history of the Mediterranean as transformatively as armies, but without preserving their successes in literature and song.

Chapter 2
Athenian Exceptionalism and Law in the Classical Period

Legal institutions determine the organization of economic activity. A bold argument as it is outlined by J. G. Manning in his 2018 book, *The Open Sea*, and one that is still open to debate. In particular, questions concerning the efficacy of the “state” and its ability to enforce laws, regarding trade as well as other situations, remain without firm answer.

The modern understanding of *homo economicus*, the completely economically rational man, depends on a perfect system of conditions and information exchange. Reality, however, is not so clean. Especially in the ancient world, long-distance trade was full of chance, hazard, and faith in a centuries-old supply chain. In this world of uncertainty and monetary risk, institutions and social networks helped make up the difference between the ideal *homo economicus* and an actual *homo verus*.

New Institutional Economics posits that political strength and economic growth are inextricably linked through governmental protection and enforcement of property rights and contractual agreements for private parties. In this theoretical realm, the laws fulfill the role of institutions, the “rules,” under which individuals or social organizations, the “actors,” operate.⁶⁶ In pre-modern societies, such as Greek city-states and Nabataea,⁶⁷ determining the extent of this protection and enforcement is dependant on the remaining sources, such as records of legal arguments, written contracts, and epigraphic remnants.

⁶⁶ Alain Bresson, *The Making of the Ancient Greek Economy: Institutions, Markets, and Growth in the City-States*, translated by Steven Randall (Princeton: Princeton University Press, 2016), 20.

⁶⁷ Nabataea’s function as an example of independent Near Eastern kingdoms in the Hellenistic period is discussed in detail in Chapter 6.

This source material reveals disparate parts of varied legal systems, but these fragments could outline standard practices for Greek systems. By understanding instances of governmental regulation of trade and the sale of goods upon delivery, the balance of forces necessary to maintain healthy and reliable trade relationships may be recovered. This balance depends heavily on its own internal rationality, in that it may differ depending on *polis*, region, and point in history. Each *polis* had its own needs and structure; thus, the institutions likely reflect this variety. As Michael Gagarin argues, diversity exists within Greek law, but with common tendencies across borders.⁶⁸ *Polis* to *polis* the differences may be quite drastic, as in the case of Athens versus Sparta or even Gortyn.⁶⁹ However, in terms of long-distance interactions for economic profit, "...the basic principles of law were essentially the same in the city-states that were the most urbanized and open to trade."⁷⁰ The very existence of an *agora*, or central market, in every *polis* shows that *poleis* could and did have similar responses to common needs. And while the *agora* is a singular example of the complex system of institutions supporting ancient trade, the argument remains the same when applied more generally. Each *polis* may have had different rules by which they protected their needs, their markets - full of local and foreign traders - , and even their own community. But, in order to be found a useful and acceptable port of call, in a world where *emporion*, *agorai*, and welcoming *poleis* were prolific, certain standards plausibly arose.

⁶⁸ M. Gagarin, "The Unity of Greek Law," in *The Cambridge Companion to Ancient Greek Law*, edited by Gagarin and Cohen, 29-40 (Cambridge: Cambridge University Press, 2005).

⁶⁹ For example, in Athens, a woman could not inherit property directly and required a "guardian," while in Gortyn, women inherited in their own right (Gagarin, "The Unity of Greek Law," 31).

⁷⁰ Bresson, *The Making of the Ancient Greek Economy*, 230.

In addition to an ancient version of “governmental oversight” for protection and economic regulation, long-distance trade, especially between disparate kingdoms and ethnic groups, requires a level of trust between actors that is rarely found between strangers. Thus, in addition to possible legal mechanisms to reduce inequity and price-gouging among merchants, commercial- and trade-focused social networks likely had a prominent role to play in ensuring the good behavior of its own actors, even as they operated in foreign theaters. Max Weber described two levels of rationality: one that valued immediate benefit and material gain and a second that valued a longer system of reward, such as ethical or, even, religious benefit.⁷¹ Social networks may have had a hand in promoting the valuation of long-term connections between buyer and seller, instead of transactions that led to immediate material gain at the expense of a long-term relationship. The role of reputation and social networks will be investigated more fully in Chapter 4, after establishing how a *polis* might originally attract foreign communities with access to rare and necessary goods.

So the immediate question is: how did Greek *poleis* attract and maintain *longue durée* economic relationships with foreign traders? What was the process by which foreign merchants or whole communities chose to migrate and settle in these regions, instead of relying on short-term interactions? Legal institutions may shed light on these questions. Long-distance trade relied on an imperfect system of information exchange and socio-political conditions which were often unstable, especially after the power vacuum left by the sudden death of Alexander the Great in 323 BCE. Traders who only visited a port or *emporion* occasionally would not be privy to the inner-workings of that market or even that region of the Mediterranean. Thus, they had

⁷¹ Max Weber, *Economy and Society* [1921-1922] Vol. 1, edited by Guenther Roth and Claus Wittich (Berkeley: University of California Press, 1968), 26; Bresson, *The Making of the Ancient Greek Economy*, 18.

less access to critical information and less leverage to promote their wares in the marketplace. While the use of some kind of middleman would likely aid in alleviating any problems associated with arriving at a new port or marketplace, the involvement of a local actor would cost money. In addition, building trust with a third party, especially for only short-term contracts, would be a risky endeavor.

There seem to be two possible solutions for this information asymmetry and resultant instability. One possibility, and an argument that will be pursued more in-depth in later chapters may be the creation of a diasporic community. If a *polis* had shown itself open to foreign communities with economic ties, such as through legal protections, then a long-standing presence in that region could be established. This group would be able to acclimate to the region, its peculiarities and vicissitudes, and inform traders within their own community about necessary information or changes. They could act as middlemen, but in such a way that the increased profits from regular trade with that market would offset the cost of the middleman. Unlike in a short-term relationship, each party benefits from the contact and a reduction in market uncertainty. Even further, communities and merchants from the same original region, township, or even religious group would be less likely to betray one another for a short-term gain since they have history and social connections binding them together.

The second solution, however, is in the hands of the *polis* and its magistrates. As Bresson and Akerlof argue “only institutional measures (written explicitly into contracts and laws) can decrease the uncertainty connected with situations of informational symmetry...the Greek cities had already taken fully into account the potential consequences of informational asymmetry between buyer and seller and made an appropriate response to them.”⁷² Bresson is

⁷² Bresson, *The Making of the Ancient Greek Economy*, 252.

particularly speaking to trade between *poleis* and trade of necessary goods, such as grain, but these ideas can be extrapolated to long-distance trade relationships and the trade of luxury goods as well. By analyzing the texts below, an outline of reliable, explicit legal institutions upon which we can base our understanding of *polis* commercial and trade law regarding foreigners becomes apparent.

While this general legal schema will not fit every *polis*, it can provide a framework for those “most urbanized and open to trade” *poleis*. In the following pages, I will outline the role of Athens as a case study, if a problematic one. Then, in the following chapter, I will analyze in more depth the idea of a “unity of Greek trade law,” as well as possible changes to that unity, in the Classical and Hellenistic periods.

Athens: Exceptionalism as Case Study

Due to the nature of source material from ancient Greece, Athens in the Classical period continues to be the most prolific site for understanding the laws that regulated bad behavior and worked to maintain some form of stability within its sphere of influence. In addition, Athens was aggressively urban and trade-dependant, especially after its decline in power and through the Hellenistic period. Economic regulatory practices are apparent in Athens’ well-documented legal interactions from the late Classical and early Hellenistic periods. Athenian law, to some degree, regulated contracts for sale, private property rights, marketplace regulation through the use of *agoranomoi* and *nomos agoranomikos*, and eventually, in the fourth century BCE, a special court system for disputes involving merchants (*dikai emporikai*). Rules and the prohibition of the import and export of certain goods were well-established for necessary products, such as grain and olive oil. Luxury goods were less explicitly controlled, as they were

not linked directly with the health and well-being of the community, but policies and regulation likely still existed to encourage importation by foreign merchants and profit from taxation.

However, Athens is a fairly well-recorded example of an ancient *polis*. Surviving documents, by authors from within the *polis* and without, often focused on Athenian history, politics, and life with an intensity unmatched for other *poleis*. Thus, with the enormous amount of evidence for Athens alone, and the frequently biased nature of those sources,⁷³ how can modern researchers build a case study from Athens and Athenian laws which has any applicability to other *poleis*? The answer lies not in broad generalizations about substantive law and procedure,⁷⁴ but through analysis of select features which dovetail between Athens and other *poleis*. In the examples below,⁷⁵ a picture will arise not of entirely compatible or interchangeable systems, but rather similarities between *poleis*. In particular, in matters of inter-state, or extra-*polis*, interactions, many of the most economically-focused *poleis* instituted and followed similar patterns of behavior.

Simply finding magistracies with the same name is not enough to argue for an overlap in institutional organization. For example, the role of *agoranomoi* is attested in Athens in the Classical and Hellenistic periods, in Paros in the second century BCE, and in Roman Palestine

⁷³ This is especially true when including speeches by Attic orators.

⁷⁴ For arguments against the possibility of unity in Greek substantive law, see M. I. Finley, *Studies in Land and Credit in Ancient Athens, 500-200 B.C.: The Horos Inscriptions* (New Jersey: Transaction Publishers, 1951). For arguments supporting procedural similarity and particular instances of similarity between *poleis*, see Raphael Sealy, *The Justice of the Greeks* (Toronto: University of Toronto Press, 1994); Hans Julius Wolff, "Greek Legal History: Its Functions and Potentialities," *Washington University Law Quarterly* 395 (1975), 396-408; Ludwig Mitteis, *Reichsrecht und Volksrecht* (Leipzig, 1891); Michael Gagarin, "The Unity of Greek Law," in *The Cambridge Companion to Ancient Greek Law*, ed. Michael Gagarin and David Cohen (Cambridge 2005) 29-40.

⁷⁵ This list intends to be illustrative of moments of overlap and in no way exhaustive. The material, while plentiful, is often contentious - as is the argument itself. A fully-developed breakdown of Athenian exceptionalism in comparison with the surviving evidence from the rest of the Greek world would require its own very long book-length text.

hundreds of years later - but their position and duties within the *polis* or city differed greatly.⁷⁶ Even within Athens, magistracies could have shared names, but not shared functions, depending on time period. In one instance, the role of the εἰσαγωγεὺς (*eisagogeus*, pl. εἰσαγωγεῖς, *eisagogeis*, introducer) described in more detail below, fulfilled a different purpose in the fifth century BCE than in mid-fourth century BCE.⁷⁷ Thus, the argument for finding similarities requires examples to be supported by a greater context than simple word repetition. To this end, the sections below begin with more general practices, such as the inscribing of information for public consumption to highlight common cultural responses to similar situations, before narrowing to specific overlap in institutions, magistracies, and, more rarely, specific laws.

While Athenian laws can be reconstructed, at least in part, through legal speeches, much of the Greek world outside of Athens was either not as prolific in preserving their legal traditions in writing or were not as fortunate in terms of material preservation, resulting in the loss of similar types of texts. Inscriptional evidence, thus, becomes the gateway to understanding laws of *poleis* in the Archaic, Classical, and Hellenistic periods.⁷⁸ Fortunately, the posting of decrees, *honoraria*, and laws seems to occur with fair frequency in many *poleis* throughout the Greek world and in multiple time periods. One example which reoccurs in multiple *poleis* is inscribing the names of leading magistrates in a public forum. Evidence for such public inscriptions

⁷⁶ See Bresson, *The Making of the Ancient Greek Economy*, 245; Benjamin R. Foster, "Agoranomos and Muhtasib," *Journal of the Economic and Social History of the Orient* 13.2 (1970): 129-131; Daniel Sperber, "On the Office of the Agoranomos in Roman Palestine," *Zeitschrift Der Deutschen Morgenländischen Gesellschaft* 127.2 (1977): 227-43; Nikolaos Papazarkadas, "Judicial and Financial Administration in Late Hellenistic Athens," *Hesperia: The Journal of the American School of Classical Studies at Athens* 86.2 (2017): 325-57.

⁷⁷ Douglas MacDowell, *The Law in Classical Athens* (London: Thames and Hudson, 1978), 225 and 233.

⁷⁸ For the purpose of this chapter, I will not be focusing on one time period in particular, as each *polis* rose and fell in its own time. Restricting the comparison of different *poleis* to a singular time period, such as the fifth century when Athens predominated, only highlights the strongest *polis* in that moment. Rhodes, for example, became a great sea power, but only in the centuries after Athenian decline.

(outside of Athens) span the Archaic period (as from Eretria (*IG XII 9.1273-74*)) to the Hellenistic period (as from Lindos, Thasos, Rhodes, Tauromenium, and many other *poleis*).⁷⁹ In these instances, the *poleis* included information about the magistrates in power or honors to be bestowed. In particular, the posting of eponymous magistrate lists are prevalent.⁸⁰ This practice speaks to an appreciation and preference for public records which crosses physical and temporal boundaries in the wider Greek world.

As for the posting of laws and legal inscriptions, P. J. Rhodes declared, “Two things could happen to a public document in a Greek state: the text could be deposited in an archive; and it could be displayed temporarily or permanently in a public place.”⁸¹ This argument for a generally accepted Panhellenic practice, finds the earliest of its supporting evidence in a Cretan *poleis*, Dreros, in the late seventh century.⁸² This inscription states that the city of Dreros decided that a man could become *kosmos* (likely the leading authority figure for the *polis*) only once every ten years and that he was bound to give proper judgments or pay a fine that doubled the improper judgment.⁸³ This practice of posting judiciary and constitutional declarations was

⁷⁹ For a more comprehensive list of archon (and other magistrate lists), see Robert K. Sherck, “The Eponymous Officials of Greek Cities: I,” *Zeitschrift für Papyrologie und Epigraphik* 83 (1990): 249-288.

⁸⁰ Sherck, “The Eponymous Officials of Greek Cities: I,” 255. “These examples will be sufficient to show that the Greek cities everywhere in the Greek world kept chronological records of their eponymous officials and regularly engraved them upon public buildings or on stelai.”

⁸¹ P. J. Rhodes, “Public Documents in the Greek States: Archives and Inscriptions, Part I,” *Greece & Rome* 48.1 (2001), 33.

⁸² Meiggs and Lewis, *A selection of Greek historical inscriptions to the end of the fifth century B.C.* (Oxford: Clarendon Press, 1969), 2: “Law on the Constitution: Dreros, 650-600 B.C.”

⁸³ Meiggs and Lewis, *A selection of Greek historical inscriptions*, 3. Interestingly, this law was ratified by the *kosmos*, the “twenty of the city,” and the *damioi*. These *damioi*, while unattested in other Greek inscriptions, are connected “with the Gortynian *τίται* as financial supervisors.”

continued throughout the Greek world, as laws were also posted in the following centuries by Elis, Ephesus, Corinth, and even Sparta, to name a few.⁸⁴

These laws pertain to many types of situations, but one that is of particular interest to the research topic at hand is the publication of laws in multiple locations when they pertain to more than one *polis*. This occurred most often for treaties or agreements of alliance. Evidence for such publications is retained in Thucydides (such as for the Peace of Nicias, which in 421 was to be published in Athens and Sparta, Olympia, Delphia, and on the Isthmus),⁸⁵ as well as on a fragmentary inscription from Stymphalos, dated to approximately 300 BCE (*IG V 2.357*).⁸⁶ An inscription from 347 BCE detailing an agreement between Athens and the kingdom of Bosphoros also calls for multiple stelae to be erected in Athens and the Bosporan Kingdom (*IG II² 212*). These cross-*polis* agreements to post the inscriptions speak to an understanding that inter-state decisions and relationships cannot rely only on an individual *polis*' practices, but rather requires negotiation of norms in order to reach an acceptable outcome for all participants.

In addition, alternative types of inscriptions, specifically ones that did not include legal, political, or magisterial aspects, played a role in emphasizing inter-state similarities between *poleis*. Honorific decrees, specifically for the creation of a *πρόξενος* (*proxenos*, a foreigner who received a protected status as they represent a foreign entity), have been found in many *poleis*. Even cities such as Megara, which never created legal inscriptions, took part in this form of

⁸⁴ Rhodes, "Public Documents in the Greek States: Archives and Inscriptions, Part I," 36 and Kendall K. Smith, "Greek Inscriptions from Corinth II," *American Journal of Archaeology* 23.4 (1919): 331-393.

⁸⁵ Thucydides, *History of the Peloponnesian Wars*, 5.18.10; 23.5. Unfortunately, at present, physical copies of these inscriptions have yet to be discovered.

⁸⁶ For more information about this inscription, see Gerhard Thur and Hans Taeuber, *Prozessrechtliche Inschriften der Griechischen Poleis: Arkadien* (Wien: Verlag der Osterreichischen Akademie der Wissenschaften, 1994), 158-201.

public posting. According to Peter Liddel, these inscriptions “were designed to emphasize that the Megarians adhere to norms of interstate reciprocity and generosity like any other city.”⁸⁷ These norms clearly influenced *poleis* with different allegiances and governmental styles - as even Megara, largely Doric in its identity, created these inscriptions “in a rather formulaic way reminiscent of the Athenian mode of documentary exhortation.”⁸⁸ It seems possible that there were accepted and institutionalized ways of protecting and continuing inter-state relationships across diverse socio-cultural boundaries.

Proxenois have been a part of the Greek socio-political scene since the 6th century BCE, and possibly even earlier. These characters often appear in an official legal context as a protector, associate, or witness for foreigners. More importantly, they appear throughout the Greek world. Inscriptions including reference to *proxenois* appear in Rhegion in south Italy (*IG XIV 612*),⁸⁹ Corcyra (*IG IX 1² 1:31*),⁹⁰ Chaleion (which directly references reciprocal benefits championed by the *proxenois* for citizens of both Chaleion and Oeantheia in the second century BCE, *IG IX 1 10*), Kos (*IG XII 4.171*),⁹¹ and Olympia (but which oddly refers to a treaty

⁸⁷ Peter Liddel, “The Degree Cultures of the Ancient Megarid,” *The Classical Quarterly New Series* 59.2 (2009), 425.

⁸⁸ Liddel, “The Degree Cultures of the Ancient Megarid,” 425 and W. Larfeld, *Handbuch der griechischen Epigraphik* Vol. 1 (Leipzig: O. R. Reisland, 1902), 504-8. This is not to say that the theory of Athenian “diffusion” played a role in this similarity. This is also not to say that Megara and Athens were largely similar in the ways in which they organized their laws or even honorific decrees. Megara, for example, rarely included the name of the individual who promoted or introduced the decree - a standard part of Athenian inscriptions.

⁸⁹ Dated to second-first century BCE. See the online database “Proxeny Networks of the Ancient World,” sponsored by the University of Oxford and the University of Birmingham for more information.

⁹⁰ 214/3 BC.

⁹¹ Dated to the mid-second century BCE.

between Sybaris and the Serdaioi (SEG XXII.336)),⁹² as well as nearly 200 times in Athens.⁹³

According to William Mack,

Proxenia did not exist in a conceptual vacuum. One of the reasons for its stability was that it remained closely related to another ancient institution, *xenia*, which itself was a complex function of concepts of friendship (*philia*) and kinship (*syngeneia*)...Other grants of rights which citizens by default possessed (e.g. *ateleia*, *enktesis*, *asylia*, and *epigamia*), fulfilled a similar symbolic function, asserting the existence of strong inter-*polis* relations to partially overcome the ‘identity-gulf’ which separated the members of these different communities.⁹⁴

This particular position, which will be described in more detail in Chapter 3, shows that not only does Athens have an institution in common with other *poleis*, but that there is a thread of commonality in the way in which *poleis* deal with foreigners and the resulting interactions.

But the *proxenos* is only a single similar position. Fortunately, also within the realm of regulating economic transactions and interactions with foreigners, other magisterial positions are attested within Athens and other *poleis*. Even though I previously warned against the institution of the *agoranomos* for the reuse in terminology for different magistracies, in certain cases, the *agoranomos* reappears in multiple *poleis* fulfilling the same functions as at Athens. According to the *Ath. Pol.*, the Athenian *agoranomos* ensured the quality of goods sold in the *agora*.⁹⁵ In

⁹² See H. van Effenterre and F. Ruzé (eds.), *Nomima. Recueil d'inscriptions politiques et juridiques de l'archaïsme grec* (Rome 1994) Vol. 1.42 for interpretation of inscription as a copy of the treaty and argumentation about dating.

⁹³ For the prevalence of Athenian proxeny and honorific decrees, see Peter Liddel, “Epigraphy, Legislation, and Power within in the Athenian Empire,” *Bulletin of the Institute of Classical Studies* 53.1 (2010): 99-128; 103. For further analysis of *proxenoi* inscriptions, see Christian Habicht, “Die Ehren der Proxenoï: Ein Vergleich,” *Museum Helveticum* 59.1 (2002): 13-30; Rachel Zelnick-Abramowitz and R. Zelnick-Abramowitz, “The Proxenoï of Western Greece,” *Zeitschrift für Papyrologie und Epigraphik* 147 (2004): 93-106; Altay Coşkun, “Die Menoniden von Pharsalos: Proxenoï der Athener im 5. Jh. v. Chr.,” *Hermes* 141.2 (2013): 142-54. See the online database “Proxeny Networks of the Ancient World,” for a working list.

⁹⁴ William Mack, *Proxeny and Polis: Institutional Networks in the Ancient Greek World* (Oxford: Oxford University Press, 2015), 202-203. For connections between *proxenia* and trade, see Darel Tai Engen, *Honor and Profit: Athenian Trade Policy and the Economy and Society of Greece, 415-307 B.C.E.* (Ann Arbor: University of Michigan Press, 2010), 189-9, 152-3, and 325.

⁹⁵ Pseudo-Aristotle, *Athenian Constitution*, 51. The role of the Athenian *agoranomos* will be discussed in more detail below.

the *polis* Astypalaea, the *agoranomos* is attested to have the same role, ensuring the quality and just price of goods (*SIG*³ 946). In some instances, the basic functions of the position remain the same, but additional duties could be added to those outlined for the Athenian *agoranomos*. As in the case of third-century Parion, one particularly exemplary *agoranomos* not only ensured the quality of the market goods, but also “distinguished himself by securing the grain supply for the festival at the cheapest rate, seeing to the other things that needed to be purchased (l. 14), and providing a doctor to care for the sick at the festival (ll. 15–17).”⁹⁶ In Hellenistic Palestine and Phoenicia, as well, the position of *agoranomos* is attested on the lead weights of the *polis*.⁹⁷ This may indicate that, unlike in Athens where the *agoranomoi* and *metronomoi* worked together but as separate institutions, in these *poleis*, the two roles were combined or that the *agoranomos* outranked the *metronomos*. In either case, though, it is obvious that the same need for a marketplace regulator was fulfilled by a very similar magistracy.⁹⁸

In certain cases, the magistracy is not the overlapping similarity. Perhaps a different arrangement was preferred or an alternative method of selecting someone to fill the position. However, similar laws were created to deal with problems that remained the same between *poleis*. Particularly when dealing with inter-*polis* trade, there were standard forms of taxation which occurred in nearly all economically-driven *poleis*. One of these was the levying of harbor taxes. Athens began to collect such as tax, 1% on all goods brought into the Piraeus Harbor, as

⁹⁶ *I. Ilion* 3 cited in Ryan Boehm, *City and Empire in the Age of the Successors: Urbanization and Social Response in the Making of the Hellenistic Kingdoms* (Berkeley: University of California Press, 2018), 122.

⁹⁷ Alla Kushnir-Stein, “New Hellenistic Lead Weights from Palestine and Phoenicia,” *Israel Exploration Journal* 52.2 (2002): 225-230.

⁹⁸ Another inter-*polis* position, the *ξενοδίκαι* (judges of foreigners), about which I will speak more in a future chapter, matured during the Hellenistic period (though existed at least in Athens in the Classical period) and speaks to the increasingly international character of *polis* relations.

early as the 420s BCE.⁹⁹ By the fourth century, this tax (which increased and decreased due to political issues and geographical considerations) finally settled on a progressive taxation system which ranged from .5% to 2% on all goods.¹⁰⁰ Such a progressive tax also existed in a fifth-century BCE law from Sunium, in which ships in the local sanctuary's harbor paid a small tax, which increased based on tonnage (*IG I³ 38*, lines 15–22). Thasos also seems to have had a similar progressive system based on the weight of the goods (*IG XII Suppl. 348*).¹⁰¹

Further overlapping laws were the requirement and grant of a license for εἰσαγωγή καὶ ἐξαγωγή (*eisagoge kai exagoge*, import and export). Required in both Athens and Boiotia, for example, foreigners were required to request permission (and pay a tax) to cross a *polis*' lands in order to complete their business.¹⁰² Multiple other *poleis* also had a similar tax. As Peter Fawcett notes,

Francotte long ago noted what he called the “curious uniformity” of the 2% import/export tax across different communities of the ancient Mediterranean world. There are several references in the ancient sources to a 2% tax for imports/exports in Greek Mediterranean states outside Athens in the Classical and Hellenistic periods: Kyparissia (*IG V i 1421*, line 5), Keos (*IG II2 404*, line 16; *IG II2 1128*, line 22), Erythrai/Atarneus, Delos (*IG II2 1635*, line 38), Aigai (line 6), Halikarnassos (*OGIS 46*, line 12), and Kimolos (*IG XII ix 44*, line 3). Modern research on tax competition (mostly on American states) concludes that states may be—and are—influenced by each other's taxes and spending policies, perhaps out of a wish to attract business or a fear of driving taxpayers away. So if ancient Mediterranean ports competed for business, a similar dynamic might have applied.¹⁰³

⁹⁹ [Xenophon] 1.17; Andocides, *On The Mysteries*, 133-34. For interpretations of this tax and supporting evidence, see Peter Fawcett, ““When I Squeeze You with Eisphorai”: Taxes and Tax Policy in Classical Athens,” *Hesperia: The Journal of the American School of Classical Studies at Athens* 85.1 (2016): 159-60.

¹⁰⁰ See [Demosthenes] 35.29 and Demosthenes 34.7, with Fawcett, “When I Squeeze You with Eisphorai,” 161. Athenian harbor taxes varied fairly substantially, from the initial 1% up to 10% at some points. The higher taxes, however, tended to be short-lived and lowered to a more manageable rate.

¹⁰¹ Fawcett, “When I Squeeze You with Eisphorai,” 156-85.

¹⁰² Bresson, *The Making of the Ancient Greek Economy*, 286-88.

¹⁰³ Fawcett, ““When I Squeeze You with Eisphorai”: Taxes and Tax Policy in Classical Athens,” 186. For further information about this collected information, see H. Francotte, *Les finances des cités grecques* (Paris, 1909), 12:

Foreigners in many *poleis* were liable for additional taxes as well, if they chose to settle long-term. In Athens, this was referred to as the *metoikion* and was applicable to both men and women.¹⁰⁴ Rhodes, during its height of commercial success, also levied a similar tax on their metics.¹⁰⁵ Moreover, both *poleis* (and Delos at its economic height after 166 BCE) found ways to reward foreigners with tax forgiveness (such as in the form of *ateleia* or, more commonly, *isoteleia*).¹⁰⁶

In addition, a “traveling foreigner” was exempt from the standard *metoikion* tax as long as that person did not remain in the *polis* for longer than a month or two. The appreciation for merchants is clear in that they were not subject to extra taxes simply for visiting each port of call. However, in Athens and some other *poleis*, those who wished to do business in the *agora* were subject to another tax, sometimes called the *xenikon*. While it might seem that such taxes would be off-putting to foreigners trying to turn a profit in one or more Greek *poleis*, by paying into the

“cette uniformité du droit est étrange”; P. J. Rhodes and R. Osborne, eds., *Greek Historical Inscriptions: 404–323 B.C.* (Oxford: Oxford University Press, 2003), 68, line 5; H. Malay, “A Royal Document from Aigai in Aiolis,” *GRBS* 24 (1983): 349–353; T. W. Jacobsen and P. M. Smith, “Two Kimolian Dikast Decrees from Geraistos in Euboea,” *Hesperia* 37 (1968): 184–199; A. C. Case, H. S. Rosen, and J. R. Hines Jr., “Budget Spillovers and Fiscal Policy Interdependence: Evidence from the States,” *Journal of Public Economics* 52 (1993): 285–307; J.D. Wilson, “Theories of Tax Competition,” *National Tax Journal* 52 (1999): 269–304. These arguments work in contrast to M. I. Finley, who stated “there was no idea of protecting home production, or encouraging essential imports or looking after the balance of trade” (*The Ancient Economy* (Berkeley: University of California Press, 1973), 164). While he may have been correct that *poleis* did not work to protect home production, it seems fairly clear that Athens, at the very least, encouraged the highly essential import of grain for much of its history.

¹⁰⁴ S. C. Todd, *The Shape of Athenian Law* (Oxford: Clarendon Press, 1993), 197-98.

¹⁰⁵ Donato Morelli, “Gli Stranieri in Rodi,” *Studi Classici e Orientali* 5 (1956): 126-190. This article argues about the contested term “ἐπιδαμία” as it relates to status and tax exemptions for foreigners in Rhodes. While the term is only found in Rhodes during the Hellenistic period, its existence highlights the similarities in institutional developments between Athens and Rhodes during their height.

¹⁰⁶ See Fawcett, ““When I Squeeze You with Eisphorai”: Taxes and Tax Policy in Classical Athens,” 188-90; Morelli, “Gli Stranieri in Rodi,” 130-33; David M. MacDowell, “Epikerdes of Kyrene and the Athenian Privilege of Ateleia,” *ZPE* 150 (2004): 127– 133; for further information on Delos, see Bresson, *The Making of the Ancient Greek Economy*, 417.

system, they were also able to reap the benefits from it. For their taxes, they gained some level of protection, such as from the *agora*-based magistrates, and in return, it benefitted the state to protect the merchants, because they increased tax revenue. Moreover, if a state was deemed by too many merchants as too expensive or not protective enough to turn a profit, then fewer and fewer merchants would trade in that location.¹⁰⁷ *Poleis* had to be competitive as the number of ports in the Mediterranean grew.

Possibly one of the strongest examples of similarity between Athens and another *polis* is that of Rhodes. Rhodes became a major overseas trade and commercial power in the Hellenistic period, after gaining its independence from Macedon after the death of Alexander the Great. In that time, Rhodes was forced to adapt to the enormous amount of merchandise moving through its borders and the equivalent increase in foreign merchants conducting business within its sphere of influence. In doing so, Rhodes used several institutional mechanisms which were similar to Athens. First, the very existence of multiple *agorai*, one central to the urban areas in Rhodes, such as the city of Lindos, and others in areas more accessible to foreigners, mimic the dual *agorai* of Athens, in which one *agora* serviced the city center, while the *agora* in the Piraeus entertained foreigners more readily.¹⁰⁸

In addition, Rhodes utilized many similar taxation practices to Athens. Grants of privileged status to foreigners in the form of *ateleia* was one means by which Rhodes could attract traders.¹⁰⁹ Another form of taxation or customs duties were collected at a *deigma*, the

¹⁰⁷ For more on the Athenian need to protect foreigners in order to profit from their goods and taxes, see Denise Demetriou, *Negotiating Identity in the Ancient Mediterranean: The Archaic and Classical Greek Multiethnic Emporia* (Cambridge: Cambridge University Press, 2012), 188-229 and Engen, *Honor and Profit*, 47-73.

¹⁰⁸ Bresson, *The Making of the Ancient Greek Economy*, 237. See inscriptions from Lindos on existence of *agoranomoi*, NSER 21 (dedicated by an *agoranomos*) and Lindos 221.

¹⁰⁹ Vincent Gabrielsen, *Naval Aristocracy of Hellenistic Rhodes* (Aarhus: Aarhus University Press, 1997), 73; Manning, *The Open Sea*, 255; for more one Athenian *ateleia*, see Engen, *Honor and Profit*, 187-90. Manning more

area within an *emporion* or *agora* in which samples of bulk wares could be tested, taxed, and sold. The formation and use of a *deigma* is attested in multiple trade-focused cities around the Mediterranean, including Athens and Rhodes, but also as far as Alexandria.¹¹⁰ Finally, Rhodes also followed in Athenian footsteps as it used its military prowess to control piracy in the Aegean and Mediterranean. Even though Athenian impetus was politically-motivated to a far greater extent than that of Rhodes, the outcome was fairly similar. Rhodes was touted as making the sea safer for trade and then benefiting from that reputation and a resulting influx of merchants and traders.¹¹¹

Thus, because of these particular similarities, it seems plausible that Athens, even though still unique in the variety and quantity of its source material, can be used as a case study for successful economic behavior in the Greek *poleis*. Athens has aspects, especially when dealing with foreigners and legal issues which cross the physical boundaries of the *polis*, that align with other *poleis*. Athens illustrates one attestable possibility for how an urban, trade-reliant, and cross-boundary-involved *polis* might arrange their economic institutions to best attract traders and merchants.

explicitly connects trade-attractive Rhodian policies to similar Athenian precursors and he states, “By the last third of the 4th century BCE Rhodes was becoming a major center for merchants. If seaborne trade was of the greatest importance because of its lower relative costs, then we must consider Rhodes to be of the greatest importance in Hellenistic trade and a republican precursor to Rome. Intercity agreements for privileged trading status with respect to duties (*ateleia*) of merchants of many ethnicities based in Rhodes were a feature of Mediterranean trade of the 3d century BCE and an important institution by which cities attracted trade into their port.”

¹¹⁰ Bresson, *The Making of the Ancient Greek Economy*, 310-312. For evidence of the *deigma* in Rhodes, see also Diodorus 19.45.4.

¹¹¹ For arguments about the political neutrality of Rhodes (as compared to Athenian sea policy), see Philip De Souza, *Piracy in the Greco-Roman World* (Cambridge: Cambridge University Press, 1999), 48-53 and Vincent Gabrielsen, “Piracy and the Slave-Trade,” in *A Companion to the Hellenistic World*, edited by Andrew Erskine (Malden: Blackwell Publishing, 2003), 396.

Attic Forensic Oratory

A sizeable amount of information pertaining to Athenian law and institutions has been preserved in forensic oratory. Legal speeches from Athens provide clear evidence for the existence of recognized and wide-ranging laws regulating economic behavior. Although Athenian law was more interested in protecting the consumer than the merchant, merchants also benefited from certain provisos and the overall existence of a commercial legal corpus.¹¹² In particular, maritime commercial law worked for the benefit of all merchants, whether or not they were Athenian or foreign.¹¹³

In parsing the existing legal speeches for evidence, several peculiarities of Athenian jurisprudence must be recognized. In Athenian law-courts, speakers were allowed to cite laws in full (rare), exaggerate their claims beyond the strictly true facts of the case (common), interpret law to their own benefit (common), and sling prejudicial accusations at will (very common). However, in order to win a case, the jurors needed to believe a speaker's story, which must have restrained the speaker to believable fictions.¹¹⁴ And so, because so much oratory remains, providing many examples of (mostly) believable points of view, modern researchers can gain a broad outline of laws and accepted prejudices to use as a base for reconstituting Athenian law.¹¹⁵

¹¹² For arguments about the consumer focus of Athenian economic law, see David Phillips, *The Law of Ancient Athens* (Ann Arbor: University of Michigan Press, 2013), 372-373.

¹¹³ For one of many arguments to this effect, see E. E. Cohen, *Ancient Athenian Maritime Courts* (Princeton: Princeton University Press, 1973), 59-74.

¹¹⁴ Andrew Wolpert and Konstantinos Kapparis, *Legal Speeches of Democratic Athens: Sources for Athenian History* (Indianapolis: Hackett Publishing, 2011), xx-xxi.

¹¹⁵ E. E. Cohen, *Ancient Athenian Maritime Courts* (Princeton: Princeton University Press, 1973) and David Phillips, *The Law of Ancient Athens* (Ann Arbor: University of Michigan Press, 2013).

The text of the law, as mentioned above, is rarely recorded in these speeches. However, several facets of laws, though usually not the full text, are often recorded. In certain types of cases, specific requirements, such as a written and witnessed contract, must be met, while in others oral agreement was more common. Geographical location, such as whether or not the ship in question was on route to the Piraeus harbor, is also a factor in what type of suit a litigant could claim. One critical facet, although not included in every speech, is the penalty clause. As “an essential part of the functioning of institutions is the cost of identifying violations and carrying out sanctions,”¹¹⁶ a legal system demands an understandable penalty for disregarding law and the process by which the perpetrator could be punished.

The following sections will outline the various officials and magistrates extant in Athens, the multiple forms of *dike* a litigant could pursue in an Athenian court, and the implied institutions upon which the legal speeches rely. These institutions show a legal world in which ideas of justice sometimes mitigated difference in citizenship status (and in rare cases, ethnic differences) and seemed to have valued equality between actors. This system helped to reduce transaction costs for commercial participants and created the sense that protection was available from abuse or fraud.

Commercial Law According to “Aristotle”

A foundational text for understanding the Athenian system of government and law is the pseudo-Aristotelian *Athenian Constitution*.¹¹⁷ Unlike Aristotle’s more philosophical treatises, in

¹¹⁶ Bresson, *The Making of the Ancient Greek Economy*, 20.

¹¹⁷ The debate over the authorship of this text is on-going with strong arguments on either side. See, for example, P. J. Rhodes, *A Commentary on the Aristotelian Athenaion Politeia* (Oxford: Clarendon Press, 1981 [Reprinted with *addenda* 1993] for the pseudo-Aristotelian argument and Mortimer Chambers, *Aristoteles: Athēnaiōn politeia* (Leipzig: Teubner, 1986) for the argument of Aristotle as author. In this work, I shall refer to the *Athenian*

this text the author details political and legal history of the *polis* (although oftentimes myth and history work together obfuscating fact with story). Even acknowledging its occasional forays into myth-history, the author effectively and concisely outlines some of the institutions which controlled and promoted trade in Athens.

First in the list of commercial magistracies are the ἀγορανόμοι (*agoranomoi*, market controllers). These positions were elected by lot and worked to ensure that articles sold in the market are “καθαρά και ἀκίβδηλα (pure and genuine).”¹¹⁸ Apparently these controllers work together with a second set of magistrates, the μετρονόμοι (*metronomoi*, controllers of the measures), who are tasked with enforcing standard weights and measures on goods in the city marketplace and the Piraeus port.¹¹⁹ Both sets of magistrates were intended to protect consumers from fraudulent sales and shady merchants.¹²⁰

Because the importation of grain and control of grain sales were of utmost importance to the survival of the *polis*, Aristotle details two magistracies directly in control of this section of trade. The σιτοφύλακες (*sitophulakes*, grain-inspectors), which numbered 35 total, were split

Constitution as pseudo-Aristotelian following Rhodes, but for ease of explanation shall use the proper name Aristotle instead of a less clear, if possibly more accurate, stand in, such as “the author of this text.”

¹¹⁸ Pseudo-Aristotle, *Athenian Constitution* 51. Theophrastus also states, in *On Laws*, that the *agoranomoi* “oversee two things: namely, the maintenance of good order in the agora and the prevention of lying not only by sellers but by buyers as well” (cited and translated in Phillips, *The Law of Ancient Athens*, 380). Theophrastus was speaking about real estate in particular, but this does not necessarily limit the role of the *agoranomoi*, when analyzed in conjunction with other references, especially the pseudo-Aristotelian *Athenian Constitution*.

¹¹⁹ In addition to these appointed positions, a δοκιμαστής ὁ δημόσιος (*dokimastes demosios*, public (slave) examiner or tester) held court in the *agora* in order to test the quality and legitimacy of coinage. By the first half of the fourth century BCE, this position had been expanded to two slaves - one for the *agora* and one for the Piraeus - in order to keep up with the growing use of foreign currency. R. S. Stroud, “An Athenian Law on Silver Coinage,” *Hesperia* 43.2 (1974): 157-188. For information specifically pertaining to the dating of the *dokimastes* and the expansion of the position, see particularly page 177.

¹²⁰ Pseudo-Aristotle, *Athenian Constitution* 51. These institutions also had a reciprocal benefit for merchants. Because there were provisions in place to protect consumers, if a merchant was falsely accused, he could also turn to these protections in order to argue (and perhaps prove) his/her own innocence.

between the central *agora* and the Piraeus. These acted in a very similar manner to the *agoranomoi* and *metronomoi* in that they ensured the quality and quantity of grain brought into Athens and that it was dispensed properly to the people (wholesale, milled, or even baked into loaves).¹²¹ These officials seem to have had no job other than to watch grain traders and try to curtail price gouging in the retail grain market, although that was likely a full time job as hundreds of thousands (if not more than a million) of *medimnoi* were imported every year.¹²²

The second grain-related magistracy was that of the ἐπιμεληταί του ἐμπορίου (*epimeletai tou emporiou*, supervisors of the market). One job of these magistrates was to ensure, and conscript if necessary, that $\frac{2}{3}$ of all grain traded by sea was brought to market in Athens.¹²³ On the surface this seems redundant with the existence of the σιτοφύλακες. Surely, if the σιτοφύλακες could ensure the quality of grain as it came into market, they could also ensure that enough of it was offloaded from ships in harbor.

It may be, however, that this office held other responsibilities as well. In particular, they may have been general administrators for the port areas and adjudicated the day to day “normal quarrels and differences, inevitably arising in the conduct of trade.”¹²⁴ It seems possible

¹²¹ Pseudo-Aristotle, *Athenian Constitution* 51. “ἦσαν δὲ καὶ σιτοφύλακες κληρωτοὶ ἑπέντε μὲν εἰς Πειραιέα, πέντε δ’ εἰς ἄστῳ, νῦν δ’ εἴκοσι μὲν εἰς ἄστῳ, πεντεκαίδεκα δ’ εἰς Πειραιέα. οὗτοι δ’ ἐπιμελοῦνται, πρῶτον μὲν ὅπως ὁ ἐν ἀγορᾷ σῖτος ἀργὸς ὄντιος ἔσται δικαίως, ἔπειθ’ ὅπως οἱ τε μυλωθοροὶ πρὸς τὰς τιμὰς τῶν κριθῶν τὰ ἄλφριτα πωλήσουσιν, καὶ οἱ ἀρτοπῶλαι πρὸς τὰς τιμὰς τῶν πυρῶν τοὺς ἄρτους, καὶ τὸν σταθμὸν ἄγοντας ὅσον ἂν οὗτοι τάξωσιν. ὁ γὰρ νόμος τούτους κελεύει τάττειν.”

¹²² The *medimnos* was a unit of volume for grain. In Attica, it was approximately 51.84 liters, but varied regionally. For a brief mention of grain imports (approximately 400,000 *medimnoi* a year) from the Bosphorus region, see Demosthenes 20.31; for a fuller account of scholarly debate and disagreement about grain imports, see Peter Garnsey, “Grain for Athens,” *History of Political Thought* 6.1/2 (1985), 62-75. Whatever the amount may actually be, all agree that a huge amount of wheat, barley, and other basic grains were required as imports to feed the Attic population.

¹²³ Pseudo-Aristotle, *Athenian Constitution* 51. “...τοῦ σίτου τοῦ καταπλέοντος εἰς τὸ σιτικὸν ἐμπόριον τὰ δύο μέρη τοὺς ἐμπόρους ἀναγκάζειν εἰς τὸ ἄστῳ κομίζειν.” For a comparison of these magistrates with similar positions in earlier *emporion*, see Demetriou, *Negotiating Identity in the Ancient Mediterranean*, 193-95.

¹²⁴ Cohen, *Ancient Athenian Maritime Courts*, 56.

that the ἐπιμεληταί του ἐμπορίου, in addition to ensuring that Athenians did not take grain to any other port or extend maritime loans for other goods ([Demosthenes] 35.50-51), were an intermediary official or, perhaps, one step in lodging a commercial complaint. Unfortunately, we have very little evidence about the exact roles of these officials, the differences between the realms of ἀγορανόμοι versus the ἐπιμεληταί του ἐμπορίου, or their specific daily functions.

But even assuming that Aristotle reported these magistracies accurately and their duties were as clear cut and fairly basic as outlined, how effective were they? What was the process by which unjust merchants were reported to one or several of these officials? How did an honest merchant clear his name once accused by a συκοφάντης (*sykophantes*, sycophant, malicious accuser)? Aristotle remains frustratingly quiet on this point. It seems that Athenian magistracies were heavily dependant on individual reporting of law-breaking and a sense of civic duty among its commercial actors.¹²⁵ As is commonly seen in the existing evidence, the wronged party was able to bring a case to trial as private lawsuits.¹²⁶ The legal procedures, and attested magistracies, in these suits are analyzed in the sources below.

Legal Recourse for Consumers and Merchants Foreign or Domestic

In Hypereides 3, Epicrates states that “προσεκαλεσάμεθα δὲ αὐτὸν εἰς ὑμᾶς κατὰ τὸν νόμον (we summoned him [Athenogenes] before you [the jury court], in accordance with the

¹²⁵ For arguments concerning helping behavior as a factor in civic duty and identity in Athens, see MacDowell, *The Law in Classical Athens*, 62-63; Matthew R. Christ, “Helping Behavior in Classical Athens,” *Phoenix* 64.3/4 (2010), 254-290; P. Liddel, *Civic Obligation and Individual Liberty in Ancient Athens* (Oxford: Oxford University Press, 2007); R. Sternberg, *Tragedy Offstage: Suffering and Sympathy in Ancient Athens* (Austin: University of Texas Press, 2006).

¹²⁶ MacDowell, *The Law in Classical Athens*, 62. In comparison, ὁ βουλόμενος (“he who is willing”) brought suit in public cases.

law).”¹²⁷ Instead of attacking Athenogenes directly or pursuing some sort of extra-legal justice,¹²⁸ Epicrates argues that he decided to rely on set legal procedure in order to find a way out of his situation (an enormous debt incurred through the purchase of a perfumery and slaves with their own hidden debts). This simple line tells a modern reader that there were public and commonly known institutions to protect against fraud and other commercial issues. Hypereides’ speech not only informs the audience of the existence of legal procedure, but also is a strong source for reconstruction of Athenian contract law and the prosecution of *dike blabes* (δίκη βλάβης), a private lawsuit for financial damage. Moreover, it preserves reference to a general law of contracts in Athens and demonstrates the legal recourse for each party before a jury-court.

In this speech, Athenogenes, a metic originally from Egypt, is accused of committing fraud for binding a customer by a contract for the purchase of a perfumery and slaves, without fully informing the purchaser of the accompanying debt for which he would also be responsible. The accuser’s argument is that the contract is not binding, because it was unjust in its inception - an interpretation of a law (or set of laws) concerning contracts. After parsing out the hyperbolic and defamatory additions, it may be possible to reconstruct the rough outline of Athenian commercial fraud law, with a focus on the conditions under which the legal system could declare a contract invalid due to misrepresentation or unequal information exchange before an

¹²⁷ Hypereides 3.12. Speech was likely given between 330 and 324 BCE; see David Phillips, “Hypereides 3 and the Athenian Law of Contracts,” *Transactions of the American Philological Association* 139 (2009), 92.

¹²⁸ These courses of action were in fact encouraged by onlookers, according to Epicrates, but he decided upon a different course of action (Hypereides 3.12).

agreement.¹²⁹ It is important to note, that while Epicrates derides Athenogenes' ethnic origins, this fact did not bar Athenogenes from mercantile activity or full access to the court.¹³⁰

Contractual agreements are among the foundational aspects of any economic activity. It binds actors together (to varying degrees) until the satisfactory conclusion of their business dealings. Contracts in Athens have a fairly simplistic premise. Several legal speeches include this phrase “ὁ νόμος λέγει, ὅσα ἂν ἕτερος ἐτέρῳ ὁμολογήσῃ κύρια εἶναι (the law says, whatever one man agrees with another is legitimate/binding)” from Hypereides 3, *Against Athenogenes*, or a similar variant.¹³¹ The existence of this phrase, however, shows that the basic essence of contractual agreements is the agreement of two parties.¹³² More complex additions, such as the presence of witnesses, the sealing of a contract with wax, and the depositing of the contract with a third party (all included in this speech), seem to be extra.¹³³ They work to ensure that each

¹²⁹ For the ongoing debate about the exact nature of the Athenian “law of contracts,” see (among others) H. J. Wolff, “Die Grundlagen des griechischen Vertragsrechts,” (1957), in E. Berneker (ed.), *Zur griechischen Rechtsgeschichte*, (Darmstadt, 1968); L.R.F. Germain, “Les origines helléniques de la notion de contrat,” *Études offertes à Pierre Kayser, d'Aix-Marseille* (1979): 471-482; E.E. Cohen, “Commercial Law,” in M. Gagarin, D. Cohen (eds.), *The Cambridge Companion to Ancient Greek Law* (Cambridge: Cambridge University Press, 2005); Phillips, “Hypereides 3 and the Athenian Law of Contracts,” 89-122; and Lorenzo Gagliardi, “The Athenian Law on “homologia” and the Regulation of Duress and Fraud in Contractual Bargaining,” *Revue historique de droit français et étranger* 93.3 (2015): 375-391.

¹³⁰ Epicrates comments in section 3 that Athenogenes is a “ἄνθρωπον λογογράφον τε καὶ ἀγοραῖον, τὸ δὲ μέγιστον, Αἰγύπτιον (a man who is a speech-writer and a marketperson and worst of all an Egyptian!).” But as Craig Cooper details, ethnic prejudices, while often powerful and persuasive, were not translated into obfuscation of legal access (Cooper, “Worst of All He’s an Egyptian,” *Syllecta Classica* 14 (2003), 59-81).

¹³¹ See for example, [Demosthenes] 47.77, [Demosthenes] 42.12, [Demosthenes] 56.2, [Demosthenes] 35.39, and [Demosthenes] 33.36. Indeed, the simplicity of the statement could indicate a very early, sixth-century BCE, Solonian basis, upon which the argumentation of more recent cases were based. See Phillips, *The Law of Ancient Athens*, 376-77.

¹³² For variants of this law and the support of each in the surviving evidence, see Phillips, “Hypereides 3,” 93-106.

¹³³ Contracts without extra steps and enacted even without full payment completed did exist in Athens, where seller acts additionally as creditor for the buyer. In addition, Gagliardi argues that Athenian law “recognized contracts based on the mere consent of the parties as valid under Athenian law. For “mere consent” I mean a simple agreement, without delivery of anything (and without witnesses and without sureties)...” (Gagliardi, “The Athenian Law on *homologia*,” 380.

party is protected from the other tampering with the contract, but they are not requisite for making an agreement. A speech by Isocrates (436–338 BCE) further demonstrates that witnesses were optional and that unwitnessed contracts based solely on spoken words of agreement by two parties were not unheard of in the Athenian economic realm. In *Trapeziticus*, Isocrates warns that while two parties can legally make a contract without witnesses, there can be an imbalance of power between the two if one party alleges some sort of fraud. In his particular example, bankers are considered more trustworthy than those receiving loans simply because they have more friends, contacts, money, and a stable profession.¹³⁴

Epicrates continues his argument against Athenogenes by stating that they had, in fact, used a more complicated process to make their contract – this was no simple oral agreement, but included writing out the agreement, sealing the document, and depositing it with a third party in the perfumery before handing over the money for the sale.¹³⁵ To this point, everything seems fairly normal in Epicrates and Athenogenes’ interactions. They exchange an agreed upon sum of money for three slaves, a perfume shop, its contents, and a few trifling business debts. Epicrates’ complaint comes after the seeming completion of their business, when three months later he finds that an undisclosed debt of five talents also existed which Epicrates was now required to

¹³⁴ Isocrates, *Trapeziticus* 2. “τὰ μὲν γὰρ συμβόλαια τὰ πρὸς τοὺς ἐπὶ ταῖς τραπέζαις ἄνευ μαρτύρων γίνονται, τοῖς ἀδίκουμένοις δὲ πρὸς τοιοῦτους ἀνάγκη κινδυνεύειν, οἱ καὶ φίλους πολλοὺς κέκτηνται καὶ χρήματα πολλὰ διαχειρίζουσι καὶ πιστοὶ διὰ τὴν τέχνην δοκοῦσιν εἶναι. ὁμῶς δὲ καὶ τούτων ὑπαρχόντων ἡγοῦμαι φανερόν πᾶσι ποιῆσειν ὅτι ἀποστεροῦμαι τῶν χρημάτων ὑπὸ Πασίωνος.”

¹³⁵ Hypereides 3.8-9. “καὶ σημαίνεται τὰς συνθήκας εὐθὺς ἐν τῇ αὐτῇ οἰκίᾳ ἵνα μηδεὶς τῶν εὖ φρονούντων ἀκούσαι τὰ ἐγγεγραμμένα, προσεγγράψας μετ’ ἐμοῦ Νίκωνα τὸν Κηφισιέα. ἔλθόντες δ’ ἐπὶ τὸ μυροπόλιον τὸ μὲν γραμματεῖον τιθέμεθα παρὰ Λυσικλεῖ Λευκονοιεῖ, τὰς δὲ τετταράκοντα μνᾶς ἐγὼ καταβαλὼν τὴν ὄνην ἐποιησάμην (He sealed the agreement on the spot, in the same house, that nobody with my interests at heart could hear what it contained, and added to my name that of Nikon of Kephisia. We went to the perfumery and lodged the document with Lysikles of Leukonoion; I put up the forty *mai*, and so made the purchase).” Translation by David Whitehead, *Hypereides: The Forensic Speeches* (Oxford: Oxford University Press, 2000). This addition of Nikon of Kephisia is an odd one as it seems that Nikon was an ally or surety or some kind of monetary backer of Epicrates, but was not a formal witness of the contract since he states “μηδεὶς τῶν εὖ φρονούντων” was looking out for his interests.

pay. He argues that the contract should be deemed invalid because it was based on fraudulent information.

While various types of contracts could be made between parties,¹³⁶ they seemed all to function under the same principle - whatever two parties agreed to, either orally or in written form, bound them.¹³⁷ If this was the beginning and end of the law, Epicrates would have no case. But in the matter of a fraudulent agreement, what is the damaged party's recourse? Epicrates admits that he verbally agreed to the contract, he signed a written copy read aloud, and now he has buyer's remorse.¹³⁸ But if Athenogenes did intentionally (as Epicrates asserts) hide an enormous sum, which forced Epicrates and his friends into bankruptcy, did Athenian law recognize this as a breach of a set law? According to one Athenian legal scholar, "sources demonstrate that the law on *homología* [agreement between two or more individuals] with regard to both consensual and real contracts, was considered in Athenian law as a law on contracts, which indicated that the will of the contracting parties had to be devoid of defects such as duress and fraud, on penalty of invalidity of such contracts and of the obligations arising therefrom."¹³⁹ Indeed, Epicrates argues that a contract must be fair from its inception in order to be binding:

¹³⁶ Examples of common contract types: *praxis* (sales), *daneismos* (loan for consumption), *engye* (pledges), *chresis* (loans of use), *parakatatheke* (deposits), and *misthosis* (hire). List based on evidence of "voluntary obligations" in Aristotle's *Nicomachean Ethics* 1131a2-9 and Phillips, *The Law of Ancient Athens*, 371.

¹³⁷ On the different forms of contracts, see Phillips, "Hypereides 3," 100: "To be sure, Athenian contracts are regularly witnessed (with the exceptions noted in n35), but the witnessing functions only as a mode of proof should the contract be contested at a later date." See also Lorenzo Gagliardi, "The Athenian Law on "homologia" and the Regulation of Duress and Fraud in Contractual Bargaining," *Revue historique de droit français et étranger* 93.3 (2015), 375-391.

¹³⁸ It must be noted here that Epicrates seems clearly to be at fault; blinded by lust and paying little attention to the details of the deal, he found himself in quite a quandary. In this assessment, I agree with David Whitehead who stated, "Since the clearest proof of the plaintiff's *Dummheit* was an act of undeniable folly, his failure to pay proper attention to the contract into which he was entering (§8), denying it is not the strategy." David Whitehead, *Hypereides: The Forensic Speeches* (Oxford: Oxford University Press, 2000), 270.

¹³⁹ Gagliardi, "The Athenian Law of *Homologia*," 381. Addition of bracketed information is my own for purposes of clarification.

“But Athenogenes will presently tell you that in law whatever agreements one man makes with another are binding. Yes, my friend, just agreements. But if they are unjust, the opposite is true: the law forbids that they be binding.”¹⁴⁰ Duress and fraud, thus, seem to him to nullify a contract.¹⁴¹

This interpretation, both modern and ancient, cannot be argued without a doubt, as the outcome of the speech was lost. However, it seems unlikely that a professional orator, such as Hypereides, would employ an argument unlikely to persuade jurors. Fraud, and duress - although this aspect is not under question in Hypereides 3 - is based on an unequal distribution of power between participants. In this particular case, information is the unequal factor. Athenogenes included a rider to the list of debts in the contract. Instead of explicitly listing all the debts (which would obviously have prevented the sale as the debt far outweighed a reasonable purchase price), he included a catch-all phrase, which simply states that any debts accompanying his purchases would also now belong to Epicrates.¹⁴² He then explains that they are small sums and easy to pay off. As Epicrates goes on to explain, this is not the case at all and he has suffered for it. Hypereides, and his client by extension, must have believed that jurors were likely persuaded by an argument based on laws or norms which promoted an equal and fair

¹⁴⁰ Hypereides 3.13. “ἔρεϊ δὲ πρὸς ὑμᾶς αὐτίκα μάλα Ἀθηνογένης ὡς ὁ νόμος λέγει, ὅσα ἂν ἕτερος ἐτέρῳ ὁμολογήσῃ κύρια εἶναι. τὰ γε δίκαια, ὧ βέλτιστε: τὰ δὲ μὴ τοῦναντίον ἀπαγορεύει μὴ κύρια εἶναι.”

¹⁴¹ To what extent this is true is still under debate. For arguments concerning whether Epicrates would retain the perfumery but not the debt, or if the whole lot would revert to the ownership of Athenogenes, see Gagliardi, “The Athenian Law of *Homologia*,” 387: “Scholars wonder what Epicrates wished to obtain through his legal action. According to some, he wished to obtain release from the contract, through the restitution of the price actually paid of 40 minas (and possibly an additional sum of equal value as penalty), and through the transfer back of the ownership of the perfume shop purchased. Nonetheless, in the oration there are no indications that Epicrates intended to get rid of the perfume business and also, the existence of an action for release from the contract in Athenian law is quite doubtful. In fact, Epicrates only pleaded that he should not pay the debts and keep the perfume business. The *dike blabes* was thus for 5 talents (the plaintiff claimed the damages that he would have suffered because of the contract).”

¹⁴² Hypereides 3.6. “ὅσον μέντοι ὀφείλουσιν ἀργύριον...οἷα γίγνεται, ταῦτα, ἔφη, σὺ ἀναδέξῃ.”

information exchange. Of course, from a purely economic standpoint, profits are derived from capitalizing on an uneven information exchange. Each actor uses what they know of the market, opportunity, supply, and demand in order to maximize profits. However, this can also lead to unfair manipulation or, in more extreme cases, fraud. For one party to benefit significantly from an unequal information exchange could be subject to legal recourse.

But Epicrates does not rely solely on one piece of evidence for this line of argumentation. He refers to several laws which he believes bolster his point. Three laws in particular can be taken together - the law allowing someone to return a slave who is found to be sick or disabled, one regarding the legality of “just” betrothals, and that which explains the circumstances by which a will is declared illegal or made under duress.¹⁴³ These laws seem to indicate even further a preference in Athenian procedure for a balance between actors. The common thread of these laws is that each main actor has accurate information and does not act from a place of disadvantage. In the case of wills, this disadvantage is expanded to include physical restrictions including illness, age, bondage, or the influence of a woman.¹⁴⁴ In these cases, agreements or contracts can be reversed if they are seen to be unbalanced or unjust in their creation. Epicrates clearly equates these other laws as following a similar ideology as his own argument.

But the question of what is “just” or “unjust” remains. In the case of Hypereides 3, Epicrates argues that this contract was “unjust” because it was made without the fully informed consent of one party. Even though Epicrates signed of his own will, his eagerness should not be

¹⁴³ Hypereides 3.15-17.

¹⁴⁴ Hypereides 3.17: “πλὴν ἢ γήρωσ ἔνεκεν ἢ νόσου ἢ μανιῶν ἢ γυναικὶ πειθόμενον ἢ ὑπὸ δεσμοῦ ἢ ὑπὸ ἀνάγκης καταληφθέντα.” See also [Dem.] 46.14: “Νόμος, ὅσοι μὴ ἐπεποίηγντο, ὥστε μήτε ἀπειπεῖν μήτ’ ἐπιδικάσασθαι, ὅτε Σόλων εἰσήει τὴν ἀρχήν, τὰ ἑαυτοῦ διαθέσθαι εἶναι ὅπως ἂν ἐθέλη, ἂν μὴ παῖδες ὧσι γνήσιοι ἄρρενες, ἂν μὴ μανιῶν ἢ γήρωσ ἢ φαρμάκων ἢ νόσου ἔνεκα, ἢ γυναικὶ πειθόμενος, ὑπὸ τούτων του παρανοῶν, ἢ ὑπ’ ἀνάγκης ἢ ὑπὸ δεσμοῦ καταληφθεῖς.”

confused for informed consent or participation in “bilateral volition.”¹⁴⁵ As such, the violation of the spirit of the law led to a condition where “[w]hile Epicrates ὁμολόγησεν, he did not do so ἐκῶν, and his contract with Athenogenes is therefore void.”¹⁴⁶ This underlying requirement of informed consent would then be in line with an Athenian preference for even information exchange between parties.

One final law referenced by Epicrates demands attention as it is most directly relevant to the commercial nature of the issue at hand. Immediately after recounting his story and reading out the written agreement between the two men, he calls upon an established law that forbids anyone from lying in the *agora*- “ὁ μὲν τοίνυν εἷς νόμος κελεύει ἀψευδεῖν ἐν τῇ ἀγορᾷ, πάντων, οἶμαι, παράγγελμα κάλλιστον παραγγέλλων: σὺ δὲ ψευδάμενος ἐν μέσῃ τῇ ἀγορᾷ συνθήκας κατ’ ἐμοῦ ἔθου. (There is one law, then, which forbids lying in the agora; a thoroughly admirable provision to create, in my opinion. You, though, did lie, in open market, when you concluded

¹⁴⁵ Phillips, “Hypereides 3,” 101. See also page 104: “It is also notable that Epicrates omits V in his statement of the general contract law in Hypereides 3. Not only is there no ἐκῶν-formula or equivalent in his statement of the general contract law, but the word ἐκῶν never occurs in the speech. If the law included V, it could hardly have escaped Hypereides that such volitional language could have been turned to his client’s benefit (Lipsius 1896: 4, *contra* Vogt 1894: 209n33). On page 93, Phillips defines “V” as “Whatever one man voluntarily agrees with another is binding (ὅσα ἂν τις ἐκῶν ἕτερος ἐτέρῳ ὁμολογήσῃ κύρια εἶναι): [Dem.] 56.2; PL *Symp.* 196cl-2 (ἐκῶν ἐκόντι); cf. [Dem.] 48.54 (ἐκῶν πρὸς ἐκόντα) (“Voluntary” variant, henceforth V). Alternatively, a negative provision against duress and/ or fraud may substitute for the positive requirement of volition...” Epicrates argues clearly and persuasively that although he was certainly willing - in fact, eager to the point of irresponsibility - to buy Midas and sons, he was unaware of the amount of debt incumbent upon Midas. He therefore could not (and presumably would not) have voluntarily assumed all five talents that Midas owed; Athenogenes’ misrepresentation of the amount of debt owing on the perfumery (§§6-7, 10) was a necessary (“but-for”) cause of the conclusion of the contract. Epicrates admits that he agreed (ὁμολογήσας, §7) to assume the debts because he was unaware of their extent; thus Hypereides reveals that he does not consider ὁμολογεῖν (echoed in the law at §13) to imply full and informed volition.”

¹⁴⁶ Phillips, “Hypereides 3,” 104-05. See also Gagliardi, “The Athenian Law of *homologia*,” 388 who argues that “The laws tell Socrates that *homologiai* were δίκαια only if reached in the absence of any duress or willful misrepresentation (οὐχ ὑπὸ ἀνάγκης...οὐδέ ἀπατηθείς). It is probable that this provision was contained in the law on *homologia*. This would explain the τά γε δίκαια spoken by Epicrates: the *homologia* underlying the sale of the perfume shop, according to Epicrates, was not δικάια because it was vitiated by fraud. The seller had violated the rule on *homologia*; the *homologia* was consequently not δικάια and the contract at issue was invalid.” These two authors disagree in their final conclusions about the use of ἐκῶν in the Athenian law of contracts, but agree generally on the necessity of informed consent between parties.

agreements to my disadvantage).”¹⁴⁷ The law seems to be a simple protection for buyers and is also preserved in Demosthenes’ *Against Leptines* (355/54 BCE) when he states, “πῶς γὰρ οὐκ αἰσχρόν, ὃ ἄνδρες Ἀθηναῖοι, κατὰ μὲν τὴν ἀγορὰν ἀψευδεῖν νόμον γεγράφθαι, ἐφ’ οἷς οὐδὲν ἔστι δημοσία βλάβος εἴ τις ψεύδεται ἐν δὲ τῷ κοινῷ μὴ χρῆσθαι τῷ νόμῳ τούτῳ τὴν πόλιν τὴν αὐτὴν ἐπιτάξασαν τοῖς ιδιώταις, ἀλλὰ τοὺς ἀγαθὸν τι πεποιηκότας ἐξαπατῆσαι, καὶ ταῦτ’ οὐ μικρὰν ζημίαν ὀφλήσειν μέλλουσαν; (how would it not be disgraceful, men of Athens, if the city, after issuing this order to individuals, were not to follow this law itself when conducting public business but were to deceive those who have performed some service, especially when the harm that will result is far from inconsiderable?)”¹⁴⁸ A seemingly simple law, but one that speaks to a clear preference for equal information exchange and self-regulation of each actor’s actions.

But understanding the modifier “ἐν τῇ ἀγορᾷ” (in the *agora*) is essential to the power or limitations of such a law. Traditionally, the *agora* was marked by *horoi* or boundary stones declaring it public land and outlining the geographical limits of certain magistracy powers (such as the *agoranomoi*). In addition, clear boundaries allowed for easier collection of certain duties (such as the tax on foreigners who wished to conduct business within the *agora*) or the exclusion of those guilty of certain types of crimes (such as those convicted of impiety). But Hypereides’ use of this modifier implies a larger area of application than that which is marked out by the *horoi*. Some modern researchers, such as G. E. M. de Sainte Croix and David Whitehead, have argued based on this, and other passages, for a less strict interpretation of “*agora*” in oratory.¹⁴⁹

¹⁴⁷ Hypereides 3.14. Translation by Whitehead, *Hypereides*, 274.

¹⁴⁸ Demosthenes 20.9. Translation by Edward Harris, *Demosthenes, Speeches 20-22*, The Oratory of Classical Greece (Austin: University of Texas Press, 2008).

¹⁴⁹ See, for example, G. E. M. de Sainte Croix, *The Origins of the Peloponnesian War* (London: Duckworth, 1972) 267-84 and Whitehead, *Hypereides*, 49 and 303. The argument rests on passages from Lysias (24.20) and Hypereides (*Eux.* 21 and *Ath.* 12), among others.

In this interpretation, the *agora* stands for any area in which commercial or market activities take place and are thus subject to the same laws as activities which take place within the *horoi*.

Hypereides' pairing of the events in this speech (the original contract signing outside of the *agora* and a later confrontation within it) strengthens a "loose" understanding of the boundary of the *agora*, which expands the geographical jurisdiction of laws and magistrates concerned with activities within the marketplace. If this is the case, then the contract under consideration and its fraudulent claims would be invalidated because of a lack of complete understanding and consent by both parties. Athenogenes did, in effect, lie in the realm of the "*agora*."

The result of his lie was extreme financial hardship for Epicrates (and his friends who acted on his behalf to help complete the purchase). Fortunately for Epicrates, specific Athenian laws also existed for protection against financial damage and violated contracts. The legal recourse for anyone on the injured end of a contract existed in fairly fixed ways. As should be apparent from the existence of this speech, the aggrieved party could refer their case to the court system for judgment. In this particular case, and many like it, a *dike blabes* case could be filed. This particular form of *dike*, or private suit, covered financial loss arising from a variety of situations.¹⁵⁰ Epicrates refers to himself as utterly destroyed (*ἀπόλωμαι* in 3.13 and *προσαπολωλέναι με* in 3.18) twice in this speech. In both cases he is referring to his financial ruin, not an actual physical death, if Athenogenes is not forced to undo his treachery. In order to alleviate his situation, he turned to the law court. But, Epicrates never mentions a difficulty in

¹⁵⁰ Cohen argued that a *dike blabes* arose only from a commercial transaction and was at odds with a *dike emporike* suit. However, as can be seen from the evidence presented here, such as [Demosthenes] 48 in which there was no commercial transaction, but rather a form of inheritance at stake, or Demosthenes 32, [Demosthenes] 33, and [Demosthenes] 56 where a *dike blabes* function alongside a *dike emporike*, this is likely an incorrect interpretation. Other arguments exist about the exact nature of *dike blabes*, i.e. as particular type of suit (Phillips, *The Law of Ancient Athens*) or as an umbrella term for many separate suits regarding damage (H. Mummert, *Zur Geschichte des Begriffs βλάβη im attischen Recht* Ph.D Diss (Freiburg: Albert-Ludwigs-Universität Freiburg, 1971).

bringing his defendant to trial. He does not belabor the idea that taking him to court was in some way a difficult process or only achieved through herculean effort on his own part.

Athenian court systems apparently existed in set ways which were open and understandable to those who needed them. Magistrates presided over suits based, in general, on the nature of the complaint. In the case of commercial matters, this means that the *agoranomoi*, the *epimeletai*, or the *thesmothetai* (for cases involving metics and foreigners) presided.¹⁵¹ However, it was the personal responsibility of a complainant to initiate and complete a private suit. They could first pursue private arbitration with the offending party, but if that could not resolve the issues to everyone's satisfaction, then the suit could begin through official channels.¹⁵² As described by Douglas MacDowell, the prosecutor had to decide which magistrate was an appropriate recipient of the suit, inform the defendant of his complaint (with witnesses) - *πρόκλησις* (*proklesis*, summons) -, bring the defendant before the magistrate on the appropriate day to level the complaint - *λήξις* (*lexis*) - and see if it was accepted.¹⁵³ If it was accepted, then a court date would be given and the investigation begun - *ἀνάκρισις* (*anakrasis*). At this point, public arbitration - *δίαιτα* (*diaita*) - was a possibility in order to find an acceptable resolution

¹⁵¹ MacDowell, *The Law in Classical Athens*, 237. As Douglas MacDowell described, “officials took cases concerning the activities for which they were responsible.” These realms of responsibility would have been known to those needing legal recourse, or as MacDowell states, they could ask a speechwriter for a point in the right direction.

¹⁵² MacDowell, *The Law of Classical Athens*, 203-6 and Michael Gagarin, “Court Procedures and Arbitration,” in *The Oxford Handbook on Demosthenes*, edited by Gunther Martin (Oxford: Oxford University Press, 2018). doi: 10.1093/oxfordhb/9780198713852.013.8.

¹⁵³ *Idem*. For the historical development of certain aspects of the *thesmothetai* as presiding officials for commercial cases, see Cohen, *Ancient Athenian Maritime Courts*, 158-161.

before going to court.¹⁵⁴ If arbitration failed, the court case proceeded to trial - εὐθυδικία (*euthydikia*).¹⁵⁵

In court, prosecutor and defendant were given the opportunity to speak on their own behalf, present evidence, present and question witnesses and witness testimonies discovered during *anakrasis*, cite and interpret law, and attempt to woo the jury to their own benefit. When the speeches concluded, the jury then either acquitted the defendant or convicted. Penalties were often statutory - fixed and financial in nature - particularly in private cases concerning physical property and ownership.¹⁵⁶ When no penalty was fixed, they proceeded to a final phase of the trial where a penalty was decided upon. Sometimes contracts delineated the penalty, such as “double damages” where intentional harm was done by the perpetrator, or simply damages when harm was unintentional.¹⁵⁷ The prosecutor had to determine the value of the damages and harm. The penalty was then collected by the prosecutor from the defendant, or if the defendant could not pay, he could be imprisoned until he could come up with the money or it was given by a third

¹⁵⁴ Private arbitration could likely occur at any stage of the court case and was overseen by personal acquaintances of the two parties. However, public arbitration was the preliminary hearing for most forms of *dikai* and was heard by a state arbitrator. The arbitrator heard each side’s arguments and evidence before passing judgment. This decision was recorded, but could be appealed or overturned by either prosecutor or defendant, which sent the case to trial. On the differences between private and public arbitration, see MacDowell, *The Law of Classical Athens*, 203-11. Phillips describes the differences between the two as “private arbitration, which was voluntary and binding, and public arbitration, which was mandatory and nonbinding” (Phillips, *The Law of Ancient Athens*, 35-6). For more on private arbitration in the *dikai emporikai* see following section “The *Paragraphikoi*.”

¹⁵⁵ Private suits and public suits followed different procedures (even though not strictly outlined in such terms, as in Roman and more modern legal codes) and, as such, public cases and procedures fall outside the scope of this research. For more on procedural system, see Signe Isager and Mogens Herman Hansen, *Aspects of Athenian Society in the Fourth Century B.C.*, Odense University Classical Studies, Vol. 5, (Odense: University Press, 1975), 107-123 and Cohen, *Ancient Athenian Maritime Courts*, 36-38. Isager and Hansen add an extra stage between ἡ δίαρτα and ἡ εὐθυδικία, which they describe as preparation for trial and the processes by which jurors are chosen. While I agree that this is a significant process, I do not think that it is necessary to separate it from the trial proper, which is Cohen’s fifth step.

¹⁵⁶ For examples of various “penal clauses” for *dike blabes*, see Phillips, *The Law of Ancient Athens*, 286-88.

¹⁵⁷ [Demosthenes] 56.20 and Phillips, *The Law of Ancient Athens*, 327-330.

party on his behalf.¹⁵⁸ The collection or enforcement of penalties again fell under the purview of the successful litigant. However, in many cases, if someone, either prosecutor or defendant, failed to gain 1/5 of the possible jury votes, they were liable to pay the ἐπωβελία (*epobelía*, pl. ἐπωβελίαι), which was a financial penalty equal to 1/6 of the amount on trial.¹⁵⁹ One interpretation of this fine is the assurance that a strong case be prepared by the prosecution and that litigation was not undertaken on a whim.

As such, personal responsibility for arguing a strong case went hand in hand with laws prohibiting *sykophantia* or malicious prosecution.¹⁶⁰ Both were designed in order to prevent people from bringing false suits and, thus, wasting the time of the court, the jury, and the opposition. Speakers were well aware that they risked their own financial loss (and possible incarceration for lack of payment) when they argued before the court. In the pseudo-Demosthenic *Against Theocrines*, the speaker outlines:

ὁ νόμος οὕτως, ὃ ἄνδρες δικασταί, τοῖς προαιρουμένοις ἢ γράφεσθαι γραφὰς ἢ φαίνειν ἢ ἄλλο τι ποιεῖν τῶν ἐν τῷ νόμῳ τούτῳ γεγραμμένων προλέγει διαρρήδην, ἐφ' οἷς ἕκαστόν ἐστιν τούτων ποιητέον. ἔστι δὲ ταῦτα, ὥσπερ ἠκούσατε ἐξ αὐτοῦ τοῦ νόμου, ἐὰν ἐπεξίων τις μὴ μεταλάβῃ τὸ πέμπτον μέρος τῶν ψήφων, χιλίας ἀποτίνειν, κἂν μὴ ἐπεξίῃ γ', ὃ Θεοκρίνη, χιλίας ἑτέρας, ἵνα μήτε συκοφαντῆ μηδεῖς, μήτε ἄδειαν ἔχων ἐργολαβῆ καὶ καθυφιῆ τὰ τῆς πόλεως.

This law, gentlemen of the jury, explicitly stipulates the terms on which those who choose to do so must enter indictments (*graphai*) or phasis actions or do any of the things included in the law. The terms are as follows, as you have heard in the law itself: if a prosecutor does not get a fifth of the votes, he pays a penalty of

¹⁵⁸ MacDowell, *The Law of Classical Athens*, 250-253.

¹⁵⁹ MacDowell, *The Law of Classical Athens*, 252-53. "In some private cases in which the prosecutor had claimed a sum of money from the defendant, on losing the case he had to pay to the defendant one-sixth of the amount which he had claimed (*epobelía*, one obol per drachma)...It is also uncertain whether it was payable on every acquittal or only when the prosecutor failed to get one-fifth of the votes...The latter seems more reasonable, since the purpose of imposing fines on an unsuccessful prosecutor must have been to discourage prosecutions which had no hope of succeeding and which would waste the court's and the defendant's time."

¹⁶⁰ This also included beginning a complaint against someone and then not following through on the prosecution, such as in [Demosthenes] 58.6 when Theocrines begins a suit against Micron, a ship-captain, but never follows through on it.

one thousand drachmas and, Theocrines, if he does not bring the prosecution, he pays another thousand. The purpose is that no one engage in sykophancy or, with impunity, make a profit by abandoning the city's interests.¹⁶¹

This was a steep price and one that speakers felt keenly. Because the courts were easily accessible, at least to a certain extent, a system was needed to limit abuse.

A system as complex as that of Athens required a significant amount of institutional management in order to function - such as magistrates, juries, judges, and many other state-organized positions. But it also required a certain mentality on the part of the *polis* - a mentality that prized developing standards of public order and regulation. Even though individuals were required to pursue their case on their own initiative, highlighting the standard underenforcement of ancient *poleis* and their institutions, public authority regulated these practices and channeled private disagreements into a set, publically accessible, legal apparatus. As Isocrates stated in *Against Callimachus* 18.24 “τὰς μὲν ἰδίας ὁμολογίας δημοσίᾳ κυρίας ἀναγκάζετ’ εἶναι (and [the dicasts require] that private agreements must be binding by public authority).” This indicates an awareness of the state's institutional requirements in order to adjudicate and resolve issues among their population.¹⁶²

The main importance of the court system for private suits, thus, lies in its ability to provide a complainant with a specific venue for their grievances. For while a government has an interest in protecting itself from harm, it also needs to protect those within it from damage.¹⁶³

¹⁶¹ Translation by Victor Bers, *Demosthenes, Speeches 50-59*, The Oratory of Classical Greece Volume 6 (Austin: University of Texas Press, 2003).

¹⁶² Robert W. Wallace, “Did Athens have Consensual Contracts? A Response to Lorenzo Gagliardi,” in *Symposion 2013: Akten der Gesellschaft für Griechische und Hellenistische Rechtsgeschichte* 24, edited by Michael Gagarin and Adriaan Lanni (Wien: ÖAW 2014), 220.

¹⁶³ For an analysis of this idea in multiple *poleis*, see Bresson, *The Making of the Ancient Greek Economy*, 302-05. In particular, he states, “Security is the primary factor of economic development, since it provides a context in which rational predictions can be made. This principle holds in particular for international trade. The city-state was a

Without these protections, there is little attraction (especially for those without enormous resources) to risk their livelihoods in a place where laws are not upheld and they cannot recuperate their losses. As such, these institutions and laws, especially as they continued to change over time, may show the increasing importance of maintaining trade even as the overwhelming imperial power of Athens declined. The Athenians revised elements of their legal system to attract trade when brute force was no longer an option. This was particularly true during the fourth century with the creation of specialized maritime courts, the *dikai emporikai*.

The Needs and Nature of Maritime Commerce

In the mid-fourth century BCE, an advancement of the legal corpus with a specific focus on maritime commercial economics and trade was created in Athens.¹⁶⁴ Cohen argues that Athenian courts became more open and responsive to commercial problems, instituting special courts and procedures for the *dikai emporikai* and evolving their current magistrates to better support the needs of commercial actors.¹⁶⁵ Specifically, this change included the evolution of the *emmenos*-type suits, or monthly system for filing cases, the creation of specific legal requirements for maritime suits, and the transferring of these *dikai* to the *thesmothetai*. This court only accepted cases within the territory of Athens (or ships leaving from or coming into the

‘legally constituted state,’ and it therefore had to undertake to provide security for people and property on its territory, including for foreign traders.”

¹⁶⁴ This type of lawsuit (pl. *δίκαι ἐμπορικαί*, *dikai emporikai*) was created between 355-342 BCE based on dating in Xenophon’s economic text *On Revenues*; see, Phillips, *The Law of Ancient Athens*, 375. It should be mentioned as well that Thucydides too makes note of the common knowledge of Athenian legal practice and the equality of courts for everyone, though not directly referencing maritime suits, in Book 1 section 77, when he states, “καὶ ἐλασσούμενοι γὰρ ἐν ταῖς ξυμβολαίαις πρὸς τοὺς ξυμμάχους δίκαις καὶ παρ’ ἡμῖν αὐτοῖς ἐν τοῖς ὁμοίοις νόμοις ποιήσαντες τὰς κρίσεις φιλοδικεῖν δοκοῦμεν...”

¹⁶⁵ “Between 397 and 322 great changes took place in the commercial maritime courts.” Cohen, *Ancient Athenian Maritime Courts*, 184-85. Evidence from Demosthenes 34.45 and Pseudo-Aristotle, *Athenian Constitution* 52.2 and 59.1-5 supports this argument.

Athenian port) and capitalized on earlier ideas of contractual obligation and that penalties for broken agreements should be penalized where they happen. Moreover, it was accessible to all merchants, traders, foreign travelers, citizens, metics, non-resident foreigners, and ship-captains who sailed to and from the Athenian port, Piraeus.¹⁶⁶

With respect to foreign trade, contracts and the protections for them are particularly important. Traditional lawsuits, such as the *dike blabes*, mostly focused on the rights of Athenians and considered foreigners to be second class individuals, with few rights of their own.¹⁶⁷ This stemmed from a highly Atheno-centric conception of citizenry (a view typical of Greek *poleis*). But through the Classical era, the inclusion of foreigners into the Attic milieu continued to increase and the *agora* and ports of Athens became less homogenous. The growing need for foreign trade gave those merchants power and leverage that did not exist in earlier centuries. As a result, and especially in the turbulent fourth century with declining imperial power, Athens found a way to reconceptualize contract law that accounted for their own dependence on trade and the integration of foreign actors. Evidence of this expanded legal framework comes mainly from five Demosthenic speeches – 32 *Against Zenothemis* [ca. 354-340 BCE], 33 *Against Apaturius* [ca. 341 BCE], 34 *Against Phormion* [327/6 BCE], 35 *Against Lacritus* [ca. 351 BCE], and 56 *Against Dionysodorus* [ca. 323/22 BCE].

As can be seen in *Against Dionysodorus* (56), the creation of *dikai emporikai* did not alter much of the extant system of law and court, but rather added a subcategory to private suits. This speech deals with a *dike blabes*, a suit for damages, but it is held in the maritime court. As

¹⁶⁶ Phillips, *The Law of Ancient Athens*, 375 and Cohen, *Ancient Athenian Maritime Courts*, 59-62.

¹⁶⁷ This is not to say that metics and other non-Athenians were barred from access to the courts. For more on metic access to courts, see Whitehead, *Ideology of the Athenian Metic*, 96-7.

argued with Hypereides 3 above, *Against Dionysodorus* includes reference to the same binding nature of agreements in Athenian law. The speaker states, “ὕμῖν, ὧ ἄνδρες δικασταί, καὶ τοῖς νόμοις τοῖς ὑμετέροις, οἳ κελεύουσιν, ὅσα ἂν τις ἐκὼν ἕτερος ἐτέρῳ ὁμολογήσῃ, κύρια εἶναι (We have you, gentlemen of the jury, and your laws, which require that whatever agreements one man voluntarily makes with another be binding).”¹⁶⁸ This subcategory was broadened to recognize the wide variety of individuals integral to maritime commerce and long distance trade. Similarly, *Against Zenothemis* (32) deals with a case of ejectment, seizure of goods by one party from another, commonly referred to as a *dike exoules*. Because of the maritime nature of the cargo and loan, however, both suits had the charges filed and argued before the *thesmothetai* as a *dike emporike*.¹⁶⁹ Apart from this change, however, the process for a suit remained largely similar, if aggressively streamlined.¹⁷⁰

The most important aspect of this new process was the abbreviated timeframe in which cases were introduced and, possibly, resolved. Most commercial suits were subject to specialized procedures which expedited their progress from *lexis* to *euthydikia*. They are often referred to as δίκαι ἔμμηνοι (*dikai emmenoi*, monthly suits). While the exact meaning of an “emmenos” suit was once a debated subject, E. E. Cohen seems to have settled the matter sufficiently.¹⁷¹ Those pursuing *emmenoi* cases could introduce their *lexis* on the first of the month, but once accepted, the *anakrasis* (examination of evidence) and the arbitration, if there

¹⁶⁸ [Demosthenes] 56.2. Translation by Victor Bers, *Demosthenes, Speeches 51-59* (Austin: University of Texas Press, 2003), 95.

¹⁶⁹ For more on the nuances of this case of ejectment, see Douglas M. MacDowell, *Demosthenes, Speeches 27-38, The Oratory of Classical Greece* (Austin: University of Texas Press, 2004), 85-6.

¹⁷⁰ Isager and Hansen, *Aspects of Athenian Society*, 84-5.

¹⁷¹ Cohen, *Ancient Athenian Maritime Courts*, 12-59.

was one, could not be delayed as was usual in Athenian cases.¹⁷² This expedited procedure lends credence, if not proof, to the idea that a judgment would also be rendered within the monthly time frame.¹⁷³ If both of the definitions of the modifier *emmenos* are correct, “per month” and “month by month,” then the importance of rapidity is highlighted.¹⁷⁴ Unlike in standard private cases, the *διατριβαί* (*diatribai*, extended delays) were excised from the process.

The *dikai emporikai* are the most famous suits of this category as in addition to the monthly requirement, they could only be introduced and heard in the winter months (from Boedromion to Mounichion)¹⁷⁵ when sailing the Mediterranean was exceedingly difficult and traders refrained from voyaging. This in turn highlights merchant convenience. Merchants and traders could rest assured that their livelihoods would not be threatened during the critical and limited sailing season, but rather that the court system had been designed as an “ease of litigation

¹⁷² See a variety of speeches indicating the monthly requirements for *emmeno*i suits in Demosthenic speeches 32, 33, 34, 35, 37, and 56. For more detail on arguments surrounding these interpretations, see Cohen, *Ancient Athenian Maritime Courts*, 36-40.

¹⁷³ The two possibilities for the translation of *emmenos* are “per month,” more commonly written as *κατὰ μῆνα*, or month-by-month. Cohen is less sanguine about a monthly time limit for the resolution of these cases. I believe that if both aspects of *emmenos* were put into effect - requiring the case to be introduced on the first of the month and that it must be concluded by the end of that same month - then the protection or merchants would be much more effective and enticing, resulting in the profit boon which Athens likely desired. In agreement with Cohen, see MacDowell, *The Law in Classical Athens*, 231-2; P. J. Rhodes, *A Commentary on the Aristotelian Athenaion Politeia* (Oxford: Clarendon Press, 1981), 583. Cf. P. Gauthier, *Un Commentaire Historique des Poroi de Xénophon* (Centre de Recherches d'Histoire et de Philologie de la IV^e section de l'École pratique des Hautes Études, III, Hautes Études du Monde gréco-romain, 8: 1976), 225; M. H. Hansen, “Two notes on the Athenian *dikai emporika*,” *Panteios: Scientific Yearbook of the [Athenian] Graduate School of Political Sciences* 1981 (= AGR 4, 1983), 169-75.

¹⁷⁴ In addition, Cohen stresses rapidity, supranationality, and rigor in his analysis of *dikai emmeno*i.

¹⁷⁵ Boedromion to Mounichion corresponds to roughly September/October to April. [Demosthenes] 33.23: αἱ δὲ λήξεις τοῖς ἐμπόροις τῶν δικῶν ἔμμηνοί εἰσιν ἀπὸ τοῦ βοηδρομιῶνος μέχρι τοῦ μουνιχιῶνος, ἵνα παραχρῆμα τῶν δικαίων τυχόντες ἀνάγωνται (Yet allotments of trials for merchants are monthly from Boedromion to Munichion, so that they may obtain justice promptly and depart on their voyages). Translation by MacDowell, *Demosthenes, Speeches 27-38*. Cf. Ugo Paoli, “Sul periodo di attività dei tribunali commerciali in Atene,” *SPA* (1933), 177-186. Paoli argues, incorrectly, that the months should be from Mounichion until Boedromion. For further argumentation, see Cohen, *Ancient Athenian Maritime Courts*, 42-59; F. Meulemans and M. Verschuere, “Het nautikon daneisma te Athene,” *RIDA* (3rd Ser. 12) (1965), 164-65.

for those [foreign merchants] resident in the city.”¹⁷⁶ Moreover, many foreign merchants resided in Athens during the winter months, increasing the convenience of the Boedromion until Mounichion time frame.¹⁷⁷

Other procedural differences existed between the *dikai emporikai* and other types of suits. For example, the *eisagogeis* (the introducers) and then the *thesmothetai* were the magistrates in charge, even though in many other suits involving foreigners the *polemarch* presided.¹⁷⁸ The use of imprisonment also differed and was far more common for *dikai emporikai*, due mainly to the foreign status of many of the participants. Imprisonment was not especially common in the Athenian legal system and, in private cases, other forms of seizure was used to reclaim property or monetary penalties (such as *dike exoules*).¹⁷⁹ Post-trial imprisonment was very unusual and almost unheard of in private suits. Not so in *dikai emporikai*. If the monetary fine could not be paid and no one came to the aid of the losing party, imprisonment became his only option.¹⁸⁰

¹⁷⁶ Cohen, *Ancient Athenian Maritime Courts*, 52-53.

¹⁷⁷ As stated in Xenophon *Poroi* 2.3 “Λυδοὶ καὶ Φρύγες καὶ Σύροι καὶ ἄλλοι παντοδαποὶ βάρβαροι: πολλοὶ γὰρ τοιοῦτοι τῶν μετοίκων,” many of the barbarians resident in Athens, mostly for trade, were non-Greek “barbarians.” See also, E. E. Cohen, “Private Agreements Purporting to Override Polis Law: A Response to Athina Dimopoulou,” in *Symposion 2013: Akten der Gesellschaft für Griechische und Hellenistische Rechtsgeschichte* 24, edited by Michael Gagarin and Adriaan Lanni (Wien: ÖAW 2014), 280.

¹⁷⁸ Pseudo-Aristotle, *Athenian Constitution* 58, [Demosthenes] 33, and Demosthenes 34. It seems that the reason for this change of presiding magistrates may have to do with the relevance of such cases to the public good. According to A. W. Gomme, in the *Oxford Classical Dictionary*, “cases in which the interests of the community as a whole were immediately concerned” fell under the purview of the *thesmothetai*” (Gomme, *Oxford Classical Dictionary*, 1st ed. (Oxford: Oxford University Press, 1949), s.v. *thesmothetai*). Cf. MacDowell, *The Law in Classical Athens*, 233, who argues that the *thesmothetai* were magistrates for commercial cases before the *eisagogeis*, citing the Pseudo-Aristotelian *Athenian Constitution* and Demosthenes 37.

¹⁷⁹ This is due to the reforms of Solon which forbid the use of a person’s body as collateral.

¹⁸⁰ Imprisonment was almost exclusively used in the punishment of wrong-doing against the state, where no individual was harmed, but rather the institution of the state writ large. For an in-depth analysis of the use of imprisonment for public offenses in Athens, see Danielle Allen, “Imprisonment in Classical Athens,” *The Classical Quarterly* 47.1 (1997): 121-135.

In addition, before the trial, in these suits, a defendant (be he citizen, metic, or foreigner) could pay an amount for a pledge (κατεγγύη), a form of bail. If he could pay it on his own, he may do so and remain free until the beginning of the trial. If he could not pay, then he may have an advocate, friend, or partner serve as *engyetai* (sureties or guarantors) in order to ensure that he would not flee if the case went against him.¹⁸¹ In the speech *Against Zenothemis*, the speaker, angered that the defendant has fled, states:

εἰ γὰρ μὴ δι' ὑμῶν ἔρημος ἐγένεθ' ἡ δίκη, ἅμ' ἂν αὐτὸν προσεκαλοῦ καὶ
κατηγγύας πρὸς τὸν πολέμαρχον, καὶ εἰ μὲν κατέστησέ σοι τοὺς ἐγγυητάς, μένειν
ἠναγκάζετ' ἄν, ἢ σὺ παρ' ὧν λήψει δίκην ἐτοίμους εἶχες, εἰ δὲ μὴ κατέστησεν, εἰς
τὸ οἴκημ' ἂν ἦει.

If you had not arranged for the trial to be held in his absence, you'd have been summoning him to appear and demanding guaranties before the Polemarch; and if he'd provided the guarantors for you, he'd have been compelled to remain in Athens, or you'd have had men to compensate you, whereas if he hadn't provided them he would have gone to prison.¹⁸²

As evidenced here, imprisonment before the trial was also a possibility if the defendant was unable to pay or find someone to serve as a surety. This drastic difference from other forms of private lawsuits shows the institutional response to the inter-state character of maritime trade. Not only did there need to be a rapid procedural response to any litigation, but a strict penalty had to be in place to try to prevent anyone from taking advantage of their business partners before sailing out of Athenian jurisdiction.¹⁸³

In addition, the Athenian legal system also put in place protections for business partners, on both sides of an agreement. Business partnerships, often called *κοινωνία* (*koinoniai*), could

¹⁸¹ MacDowell, *The Law in Ancient Athens*, 76.

¹⁸² Demosthenes 32.29. Translation by MacDowell, *Demosthenes, Speeches 27-38*, 93-94.

¹⁸³ The use of “jurisdiction” here is somewhat ahistorical and should be understood as “legal sphere of influence and control.” However, for ease of understanding, I will continue to use “jurisdiction.”

form in order to loan or receive money for specific ventures. They could be short-term or long-standing, but in either case, they were not recognized as a binding unit by Athenian law.¹⁸⁴ As

Edward Harris has outlined,

And just as Athenian Law did not recognize the legal existence of corporations or collective enterprises, it also did not possess the notion of corporate liability. This meant that if someone entered into an agreement with a group of individuals and one of those individuals violated the terms of the agreement, the plaintiff proceeded only against the individual who acted contrary to the agreement, not against the group as a whole.¹⁸⁵

While Harris emphasizes that this reveals the primitive nature of the Athenian legal system, it also seems to imply an inherent protection for individuals engaging in business with strangers or less-than-reputable partners. This lack of prosecution against *koinonai* ensures that no one person, who has for example repaid their own debts, can be taken to court simply because their partner failed to hold up their portion of a deal. Such a division of personal responsibility, even within an agreement, in many ways lends more protection to those engaging in high risk ventures and promotes the proper fulfillment of contracts. In such a system, no one can rely on the law forcing someone else to cover their debts or defaults and freeing them from their responsibilities.

The five extant speeches which provide most of the information about these procedures are unique from even one another in a variety of ways. However, *Against Dionysodorus* speaks most directly to the belief of, at least some, merchants, that a strong court system and the regulation of maritime commerce bolstered the healthy and vitality of a *polis*' port and

¹⁸⁴ This was true for *koinonia* uninvolved with commercial trade; however, I have put it in this section, as maritime loans were high value, high risk, and high reward, thus, often requiring multiple lenders in order pool together enough capital for the venture.

¹⁸⁵ Edward M. Harris, "The Liability of Business Partners in Athenian Law: The Dispute between Lycon and Megacleides ([Dem.] 52.20-1)," *The Classical Quarterly* 39.2 (1989), 339. Reprinted in Edward M. Harris, *Law and Society in Ancient Athens: Essays on Law, Society, and Politics* (Cambridge: Cambridge University Press, 2006), 150.

marketplace. Argued by either a metic or a non-resident foreigner,¹⁸⁶ this speech bridges the economically-interested laws outlined above, with the specific needs and challenges of maritime commerce.

“Darius,” the speaker,¹⁸⁷ opens his speech by addressing the inherent risk of engaging in maritime trade, especially if one enters into a partnership with an unknown merchant or one who ends up having a scurrilous character.

συμβαίνει δ' ἡμῖν τοῖς τὴν κατὰ θάλατταν ἐργασίαν προηρημένοις καὶ τὰ ἡμέτερ' αὐτῶν ἐγγειρίζουσιν ἑτέροις ἐκεῖνο μὲν σαφῶς εἰδέναι, ὅτι ὁ δανειζόμενος ἐν παντὶ προέχει ἡμῶν. λαβὼν γὰρ ἀργύριον φανερόν καὶ ὁμολογούμενον, ἐν γραμματείδῳ δυοῖν χαλκοῖν ἐωνημένῳ καὶ βυβλιδίῳ μικρῷ πάνυ τὴν ὁμολογίαν καταλέλοιπε τοῦ ποιήσειν τὰ δίκαια.

We, who have chosen to engage in maritime commerce and entrust that which is ours to other men, know this fact well: the man who borrows the money enjoys a complete advantage over us. You see, he gets the agreed-upon amount of cash in hand, and on a small tablet that he has bought for two brass coins and a very little scrap of paper, he leaves a promise that he will do what is just.¹⁸⁸

He goes on to say that while the laws (and their implementation by the jury court) is a crucial aspect of trade, the trust between parties is the primary need for successful commercial interactions.¹⁸⁹ Clearly, this trust had been broken – leading to the trial.

¹⁸⁶ Bers argues “The speaker emphasizes the stipulation of Athens as the only allowable destination by repeated references to the contract he and the creditor have drawn up. It is virtually certain, then, that none of the parties to this case were Athenian or metics, since the speaker would not have passed up the opportunity to accuse Dionysodorus and his partner Parmeniscus of violating such an important law. Darius, the speaker, never identifies himself as an Athenian.” I do not completely agree with this assessment, as the speaker seems to have a recurring concern with being seen in league with the attempt to sell grain in a port other than Athens. This would seem to be primarily a concern of an Athenian (unlikely in this case) or a metic (56.11 and 56.13).

¹⁸⁷ The speaker does not actually identify himself or provide his name in the speech. The identification of “Darius” was provided by Libanius’ summary of the speech in the fourth century CE. Bers, *Demosthenes, Speeches 51-59*, 94 fn. 5.

¹⁸⁸ Translation by Bers, *Demosthenes, Speeches 51-59*, 94-5.

¹⁸⁹ [Demosthenes] 56.2: ἀλλά μοι δοκεῖ οὔτε τῶν νόμων οὔτε συγγραφῆς οὐδεμιᾶς ὄφελος εἶναι οὐδέν, ἂν ὁ λαμβάνων τὰ χρήματα μὴ πάνυ δίκαιος ἦ τὸν τρόπον, καὶ δυοῖν θάτερον, ἢ ὑμᾶς δεδιῶς ἢ τὸν συμβαλόντα αἰσχυρόμενος (But I think that there is no value in the laws or any contract if the man who takes the money is not

Darius then outlines the history of the loan and current conflict – segueing easily into a description of the grain trade network which stretches from Egypt around the Mediterranean. The Egyptian official, Cleomenes, had his men stationed in large ports and they traded information back and forth concerning the price of grain and best ports depending on demand (56.7-8). Darius has a very negative attitude about such manipulations, calling the grain prices manipulated or rigged.¹⁹⁰ However, this may reflect his own frustrations at being cheated and rhetorical elaboration in order to tarnish the character of his opponent rather than accurately describe mercantile networks in general. But this insight into the fairly advanced nature of addressing information asymmetry in the ancient world shows how commercial networks could enter foreign markets and arrange matters to their benefit, at least to some degree.¹⁹¹

Unfortunately, this speech also contains hints about laws which have otherwise not been preserved. In section 10, the speaker states, “...and they also showed contempt for your laws, which require ship captains and the men who accompany and supervise the cargo to sail to the agreed-upon market or else be subject to very great penalties.”¹⁹² While we know that the return to trip Athens was stated in the contract (as mentioned in sections 10, 11, and 20), what other laws might try to enforce this have been glossed over. Moreover, how such a law would be enforced outside of Athenian jurisdiction is an open question and discussed in more detail below (see the subsection “Supranationality”).

very honest and does not either fear you or feel ashamed before the man who lent him the money). Translation by Bers, *Demosthenes, Speeches 51-59*, 95.

¹⁹⁰ Bers translates the line “ὄθεν περ οὐχ ἤκιστα, ὃ ἄνδρες δικασταί, συνετιμήθη τὰ περὶ τὸν σίτονas...” as “This was the principal way the price of grain was manipulated...”, while the LSJ example uses the more negative “and that is how prices were rigged...”

¹⁹¹ Social networks will be addressed more fully in Chapters 4 and 6.

¹⁹² [Demosthenes] 56.10.

This speech clearly points out the flaws that Darius sees in Dionysodorus' argument. He states that Dionysodorus is trying to pay an irrational amount on the loan. According to the contract (and most contracts for maritime commerce¹⁹³), if the voyage is completed as scheduled, then the borrower shall pay back the loan plus interest. However, if the ship sinks, then nothing need be paid back. Dionysodorus, on the other hand according to Darius, tried to pay back the loan, but without any interest as if he had been successful and had lost the ship all at once (56.35).¹⁹⁴ For the modern reader, this continues to illuminate the risks associated with maritime trade and accounted for in the contractual process. Darius is interpreting the contract very strictly, insisting that the ship either return to Athens and he be paid the stated amount or the ship not return to Athens and he still be paid the stated amount, but doubled as was agreed originally, because the contract was not fulfilled (56.37-38). This seems a legitimate point of view (or Darius would not have argued it), but other lenders do not seem to have agreed. At least according to Dionysodorus, "some other creditors agreed to accept the interest due up to the time when he put in at Rhodes. So, it would be outrageous, he says, if we do not agree to the same terms they did."¹⁹⁵ While Darius rejects this outright, it gives us a perspective on the many ways in which changes in circumstance could be resolved between the parties without needing to resort to legal recourse (as through private arbitration, discussed more below).

¹⁹³ See for example also, 34.10-14; MacDoweel, *Demosthenes, Speeches 27-38*, 110-11; Bers, *Demosthenes, Speeches 50-59*, 92-93; Pietro Cobetto Ghiggia, "Speeches in Private Prosecutions," *The Oxford Handbook of Demosthenes*, edited by Gunther Martin (Oxford: Oxford University Press, 2018), 8. doi: 10.1093/oxfordhb/9780198713852.013.34.

¹⁹⁴ [Demosthenes] 56.35: "καινότατον δ' ἐστὶ πάντων τὸ γινόμενον: τὸ μὲν γὰρ δάνειον τὸ ἀρχαῖον ἀποδιδόασιν ἡμῖν ὡς σεσφασμένης τῆς νεῶς, τοὺς τόκους δ' ἀποστερήσαι οἴονται δεῖν ὡς διεφθαρμένης (What happened is the most outlandish thing. They tried to give us back the original principal, claiming the ship was safe, but then they still think it right to deprive us of interest, as if the ship were ruined)." Translation by Bers, *Demosthenes, Speeches 51-59*, 102.

¹⁹⁵ [Demosthenes] 56.22: "ἐτέρους τινὰς δανειστάς συγκεχωρηκέναι αὐτῷ τοὺς τόκους τοὺς εἰς Ῥόδον: δεινὸν οὖν, εἰ ἡμεῖς μὴ συγχωρήσομεν ταῦτά ἐκείνοις." Translation by Bers, *Demosthenes, Speeches 51-59*, 100.

Darius' final point calls upon the jury to appreciate that laws governing the market are a requirement for a flourishing market. He promotes his case by appealing to the public good and economic prosperity of all Athens.

χωρίς δὲ τούτων, ἄνδρες Ἀθηναῖοι, μὴ ἀγνοεῖτε, ὅτι νυνὶ μίαν δίκην δικάζοντες νομοθετεῖτε ὑπὲρ ὅλου τοῦ ἐμπορίου, καὶ παρεστᾶσι πολλοὶ τῶν κατὰ θάλατταν ἐργάζεσθαι προαιρουμένων ὑμᾶς θεωροῦντες, πῶς τὸ πρᾶγμα τουτὶ κρίνετε. εἰ μὲν γὰρ ὑμεῖς τὰς συγγραφὰς καὶ τὰς ὁμολογίας τὰς πρὸς ἀλλήλους γιγνομένας ἰσχυρὰς οἴεσθε δεῖν εἶναι καὶ τοῖς παραβαίνουσιν αὐτὰς μηδεμίαν συγγνώμην ἔξετε, ἐτοιμότερον προήσονται τὰ ἑαυτῶν οἱ ἐπὶ τοῦ δανείζειν ὄντες, ἐκ δὲ τούτων αὐξηθήσεται ὑμῖν τὸ ἐμπόριον... τίς γὰρ ἐθελήσει τὰ ἑαυτοῦ προέσθαι, ὅταν ὀρᾷ τὰς μὲν συγγραφὰς ἀκύρους, ἰσχύοντας δὲ τοὺς τοιούτους λόγους, καὶ τὰς αἰτίας τῶν ἡδικοτάτων ἔμπροσθεν οὔσας τοῦ δικαίου; μηδαμῶς, ὃ ἄνδρες δικασταί: οὔτε γὰρ τῷ πλήθει τῷ ὑμετέρῳ συμφέρει τοῦτο οὔτε τοῖς ἐργάζεσθαι προηρημένοις, οἵπερ χρησιμώτατοί εἰσιν καὶ κοινῇ πᾶσιν ὑμῖν καὶ ἰδίᾳ τῷ ἐντυγχάνοντι.

Apart from these matters, men of Athens, do not fail to realize that in judging one case now you will be making law for the whole market, for many whose business is maritime commerce are in attendance, watching to see how you will judge this case. If you think that contracts and mutual agreements should have force and you will show no tolerance for those who violate them, then those who lend their own money will do so more readily, and your market will flourish as a result... After all, who will be willing to risk his own property when he sees that contracts are void, and that arguments like those prevail, and that the pleas of wrongdoers are given priority over justice? Gentlemen of the jury, do not allow it. This business brings no advantage to your democracy nor to those who have chosen to engage in commerce, men who bring the greatest benefits to both the general public and to those individuals who do business with them.¹⁹⁶

This tactic is also repeated in other Demosthenic speeches, such as *Against Phormion* (34.51-52)

and *Against Lacritus* (35.56).¹⁹⁷ All three speeches make explicit reference to the connection

¹⁹⁶ [Demosthenes] 56.48-50. Translation by Bers, *Demosthenes, Speeches 51-59*, 105-6.

¹⁹⁷ Demosthenes 34.51-52: “ἡγεῖσθε γὰρ τοὺς τοιούτους οὐ μόνον τοὺς ἐντυγχάνοντας ἀδικεῖν, ἀλλὰ καὶ κοινῇ βλάπτειν τὸ ἐμπόριον ὑμῶν, εἰκότως. αἱ γὰρ εὐπορίαι τοῖς ἐργαζομένοις οὐκ ἀπὸ τῶν δανειζομένων, ἀλλ’ ἀπὸ τῶν δανειζόντων εἰσίν, καὶ οὔτε ναῦν οὔτε ναύκληρον οὔτ’ ἐπιβάτην ἔστ’ ἀναχθῆναι, τὸ τῶν δανειζόντων μέρος ἂν ἀφαιρηθῇ. ἐν μὲν οὖν τοῖς νόμοις πολλοὶ καὶ καλοὶ βοηθεῖται εἰσιν αὐτοῖς: ὑμᾶς δὲ δεῖ συνεπανορθοῦντας φαίνεσθαι καὶ μὴ συγχωροῦντας τοῖς πονηροῖς, ἵν’ ὑμῖν ὡς πλείστη ὠφέλεια παρὰ τὸ ἐμπόριον ᾗ (You take the view that such men not only wrong those who encounter them but harm your port generally. That’s quite reasonable: funds are made available to dealers not by borrowers but by lenders, and no ship or skipper or traveler can put to sea if the lenders’ share is removed. So the laws contain many good provisions to assist them, and you must show that you support the laws in redressing wrongs and do not side with the criminals, so that you may get as much benefit as possible through your port).” [Demosthenes] 35.56: “καὶ ὑμῶν δεόμεθα, ὃ ἄνδρες δικασταί, βοηθεῖν ἡμῖν τοῖς

between law in the marketplace and the reliability of those markets. Foreigners, who were especially often excluded from the institutional protections of the Greek *poleis*, seem to have been attentive to such actions and legal proceedings. If they could not find protection in the state system, they would go elsewhere where they were more secure.

This rhetorical practice shows the blending of the openness of maritime court to foreigners and traditional Athenian rhetorical elements.¹⁹⁸ In particular these appeals to the public good use *pathos* to elicit an emotional response in the jurors. This case is not only about some *xenos* and their disagreement over money with some untrustworthy trader, but now it appeals to the health and vitality of Athens and by extension all of her citizens. The opposite side of this coin is the subtle threats of lawlessness and economic decline which come part and parcel with rhetorical scare tactics. Though not nearly as prominent as in public speeches, these negative associations serve to galvanize the jury into protecting their way of life – whether or not they are directly connected to commerce in the Piraeus.

*The Paragraphikoi Logoi*¹⁹⁹

Our understanding of maritime law and commerce has been largely filtered through the lens of a few speeches preserved in the Demosthenic corpus. While the information contained in

ἀδικουμένοις, καὶ κολάζειν τοὺς κακοτεχνουῦντας καὶ σοφιστομένους, ὥσπερ οὗτοι σοφίζονται. καὶ ἐὰν ταῦτα ποιῆτε, ὑμῖν τε αὐτοῖς τὰ συμφέροντα ἔσεσθε ἐψηφισμένοι, καὶ περιαιρήσεσθε τῶν πονηρῶν ἀνθρώπων τὰς πανουργίας ἀπάσας, ἃς ἐνιοὶ πανουργοῦσι περὶ τὰ συμβόλαια τὰ ναυτικά (We ask you, men of the jury, to support us, who are wronged, and to punish those who use tricks and sophistries, as these men do. If you do that, you will have voted for what is advantageous to yourselves, and you will get rid of all the crimes of these wicked people, crimes which some men commit concerning maritime contracts).” Translations by MacDowell, *Demosthenes, Speeches 27-38*, 129 and

¹⁹⁸ For an overview of rhetorical practice in Demosthenes, see Gottfried Mader, “Literary Readings of Oratory,” *The Oxford Handbook of Demosthenes* (Oxford: Oxford University Press, 2018), doi: 10.1093/oxfordhb/9780198713852.013.3.

¹⁹⁹ The collected *paragraphe* speeches so titled by Cohen, *Ancient Athenian Maritime Courts*, 140.

these speeches has been outlined generally above, four of these speeches, the *paragraphe* speeches or *paragrophikoi logoi*, also include specific peculiarities which reveal lesser known aspects of Athenian law and society in the mid-fourth century BCE. Dealt with extensively in Isager and Hansen's *Aspects of Athenian Society* and Cohen's *Ancient Athenian Maritime Courts*, the *paragraphe* speeches highlight the new procedures which promoted access to legal recourse for foreigners and some balance in market transactions.

The *paragraphe* was a procedure which argued against the validity of the trial as a whole. Before the trial began in earnest, but after private arbitration, filing the charge, gathering evidence and public arbitration, the defendant could lodge a protest. This would delay the trial and require the jury to rule on the *paragraphe*. The *paragraphe* had nothing to do with the defendant's (now prosecutor's) innocence or guilt concerning the original charge, but rather that the charge was filed erroneously or contrary to law in some way.²⁰⁰ The four remaining Demosthenic speeches all argue that various aspects of the original charge violated Athenian law. In the case of *Against Zenothemis*, the prosecutor of the *paragraphe*, Demon, argues that Zenothemis filed an inaccurate charge against him in the maritime court (32.2). Because Demon and Zenothemis never had a written contract between them (even though one existed between Protus and Demon for the original loan for the purchase of grain overseas (32.5)), this suit should not be lodged before the maritime court, but rather should be refiled as a standard *dike exoules*. *Against Apaturius* has a similar argument – the lack of a written contract between the two parties should nullify the charge filed before the maritime court. While there was once a contract concerning the loan from Parmenon to Apaturius, it has since been “lost” or, according to

²⁰⁰ For more on the *paragraphe* procedure, see Isager and Hansen, *Aspects of Athenian Society*, 123-31; Cohen, *Ancient Athenian Maritime Courts*, 109-11, 136-57, 180-81; and MacDowell, *Demosthenes, Speeches* 27-38, 12-3.

Parmenon, stolen and destroyed by one of Apaturius' compatriots (33.18). Because they could never come to terms for a new contract, and the speaker considered the lost one to be void, then the suit does not meet the minimum requirements for a *dike emporike* (33.30).

Against Phormion contains a convoluted story, but deals with the standard contractual agreement that if a ship sinks en route, then the loan for any goods on board does not need be repaid.²⁰¹ Phormion has lodged a *paragraphe* to argue that he put payment of his loan on a ship returning to Athens (but he stayed in Bosphorus) and that when the ship sank, it fulfilled his contract with Chrysippus. Chrysippus, the speaker, defends that since Phormion (and the owed money) was not on the ship when it sank, then the nullification of the contract was not completed and, thus, the trial should be heard before the maritime court as it met the conditions for a *dike emporike* (a written contract was signed by both parties and the ship was making a round trip voyage to and from Athens). The final *paragraphe* speech, *Against Lacritus*, comes from the defendant's (originally the prosecutor's) point of view. The speaker, Androcles, argues that contrary to Lacritus' assertion that he is not his deceased brother's heir and, thus, not responsible for repaying the loan to Androcles, Lacritus has acted as heir for his brother's estate and other assets. As such, "He cannot point to a law which gives him the right to hold his brother's property and to have administered it as he thought fit, and yet not to repay other men's loans but to say now that he's not the heir and disclaims it" (35.4).²⁰² Lacritus' *paragraphe* argues that he is not a merchant and, therefore, should not be tried in maritime court. Androcles defends that as the contract was for a maritime loan, based on a written contract, and concerned a ship moving to

²⁰¹ Demosthenes 34.10-14. See also MacDowell, *Demosthenes, Speeches 27-38*, 110-11.

²⁰² [Demosthenes] 35.4: καὶ οὐκ ἂν ἔχοντος τούτου δεῖξαι νόμον ὅστις αὐτῷ δίδωσιν ἐξουσίαν ἔχειν μὲν τὰ τοῦ ἀδελφοῦ καὶ διωκητέναι ὅπως ἐδόκει αὐτῷ, μὴ ἀποδοῦναι δὲ τὰ ἀλλότρια χρήματα, ἀλλὰ λέγειν νῦν ὅτι οὐκ ἔστιν κληρονόμος, ἀλλ' ἀφίσταται τῶν ἐκείνου. Translation by MacDowell, *Demosthenes, Speeches 27-38*, 134.

and from Athens, then there is no legal reason for Lacritus not to be tried before the maritime court. Unfortunately, in none of these speeches do we know the outcome and, thus, cannot know if these arguments were persuasive.

However, the *paragraphe* procedure gives insight into the complexity of Athenian law and courts, as well as the particular interest of the state in streamlining the emporic disputes. Isager and Hansen describe that the *paragraphe* originally had limited scope and intent – intending to return Athens to a “re-establishment of the conditions prevailing before the fall of democracy.”²⁰³ However, the procedure was quickly implemented in a variety of different court contexts – according to Paoli and Cohen, the *paragraphe* became most common in the *dikai emporikai*.²⁰⁴ One of the main reasons for implementing the *paragraphe* was to prevent a suit from receiving “unwarranted special treatment.”²⁰⁵ As the *dikai emporikai* operated on an expedited timeframe and had restricted access, they obviously received special treatment. While Isager and Hansen see the use of *paragraphe* in *dikai emporikai* to be perhaps outside the original intended scope of the original law, Cohen argues that “this ‘public’ origin but ‘private’ utilization of the *paragraphe*...partially explains its predominant position in the *dikai emporikai*, private cases of manifestly public interest for the great commercial market of the Peiraeus...”²⁰⁶ This procedure, and the speeches from which we learn of it, straddles two worlds – the legal recourse for a wronged party to prevent what they feel is an illegal suit against them and the

²⁰³ Isager and Hansen, *Aspects of Athenian Society*, 123-24.

²⁰⁴ Paoli, *SPA*, 106 and Cohen, *Ancient Athenian Maritime Courts*, 137-38.

²⁰⁵ Isager and Hansen, *Aspects of Athenian Society*, 126.

²⁰⁶ Cohen, *Ancient Athenian Maritime Courts*, 145.

protection of order in the marketplace on which Athens so heavily depended after her fall from imperial heights.

In addition, each of these speeches also highlights a specific area of Athenian and non-Athenian commercial interaction, which might otherwise have been lost. While *Against Zenothemis*, though incomplete, provides some of the most straightforward information about the *dikai emporikai*,²⁰⁷ as outlined in the pages above, [Demosthenes] 33, *Against Apaturius* enlightens readers as to the role and prevalence of private arbitration in ancient Athens. In this speech, the speaker follows a similar format as that of *Against Zenothemis* and begins by outlining the rules and regulations for the *dikai emporikai*. After explaining the history of the loan and the current conflict, this speech provides explicit information on the role of social relationships – the underpinnings of inter-state trade, as well as private arbitration. Just as the speaker in *Against Dionysodorus* is engaged with an Athenian-Egyptian network, the speaker shares some of his personal history and connections.

Traveling about the world and spending my time around the port have made me acquainted with most of the men who sail the sea, and I'm especially familiar with these men from Byzantium because of the time I've spent there. That was my situation, as I say, when this man arrived here more than two years ago, and with him a fellow-citizen of his, Parmenon, of Byzantine origin but exiled from there.²⁰⁸

It is based on this mutual Byzantine acquaintance that Parmenon and Apaturius approached the speaker for a loan. *Against Zenothemis* also mentions the use of a middle-man or agent, Aristophon, who was already acquainted with both Demon and Zenothemis. Though in this

²⁰⁷ As examples, explicitly stating the jurisdiction of the *dikai emporikai* (32.1), outlining the requirements of a written contract and terms therein (32.5), the recognition of Athens as a “home port” by foreign magistrates in order to uphold terms of contract (32.8), ability to hold someone in prison to avoid fleeing an emporic suit (32.29-30).

²⁰⁸ [Demosthenes] 33.5. Translation by MacDowell, *Demosthenes, Speeches* 27-38, 99.

case, Aristophon betrays Demon (32.11-12) adding to the risk of extending a maritime loan, rather than reducing it. In *Against Lacritus* as well, the speaker Androcles states that he only came to know the loan recipients because of mutual friends (35.6-7).²⁰⁹ Social networking is discussed more in Chapter 4, but it is an important consideration that many of the participants in the *paragraphikoi logoi* held metic or even *xenos* status in Athens.

Later in the speech, the speaker once again shows the personal connections by which he was embroiled in this conflict. “When both their cases had been initiated, they were persuaded by their supporters to go to arbitration, and they referred the case on written terms to one arbitrator nominated by them both—Phocritus, a fellow-citizen of theirs—and each of them nominated one other: Apaturius named Aristocles of Oe, and Parmenon named me” (33.14).²¹⁰ In this suit, private arbitration was undertaken, but ultimately failed, leading to the trial. However, the role of their social network, largely due to their Byzantine connections, looms large. Friends and associates were not drawn heavily from local Athenians (the Athenian Aristocles from deme Oe was an exception), but rather from the metics and *xenoi* with whom they more regularly associated.²¹¹ The use of private arbitration seems to have been exceedingly common. The speaker in *Against Apaturius* goes so far as to say “In cases of this sort, people

²⁰⁹ [Demosthenes] 35.6-7: “ἐγὼ γάρ, ὃ ἄνδρες δικασταί, αὐτὸς μὲν οὐδ’ ὅπωςτιοῦν ἐγνώριζον τοὺς ἀνθρώπους τούτους: Θρασυμήδης δ’ ὁ Διοφάντου υἱός, ἐκείνου τοῦ Σφηττίου, καὶ Μελάνωπος ὁ ἀδελφὸς αὐτοῦ ἐπιτήδειοί μοί εἰσιν, καὶ χρώμεθα ἀλλήλοισι ὡς οἷόν τε μάλιστα. οὗτοι προσῆλθόν μοι μετὰ Λακρίτου τουτουί, ὅποθεν δήποτε ἐγνωρισμένοι τούτῳ (οὐ γὰρ οἶδα) καὶ ἐδέοντό μου δανεῖσαι χρήματα εἰς τὸν Πόντον Ἀρτέμωνι τῷ τούτου ἀδελφῷ καὶ Ἀπολλοδώρῳ, ὅπως ἂν ἐνεργοὶ ᾤσιν... (I had no knowledge at all of these men myself, men of the jury, but Thrasymedes son of Diophantus—the well-known man of Sphettus—and his brother Melanopus are friends of mine, and we get together as often as we can. They came to me with this man Lacritus, having become acquainted with him somehow or other (I don’t know how), and asked me to lend money to Artemon, this man’s brother, and Apollodorus for a voyage to the Pontus, to set them up in business...)” Translation by MacDowell, *Demosthenes, Speeches 27-38*, 134.

²¹⁰ [Demosthenes] 33.14. Translation by MacDowell, *Demosthenes, Speeches 27-38*, 102.

²¹¹ MacDowell notes that the best extant illustration of private arbitration exists in this text (MacDowell, *Demosthenes, Speeches 27-38*, 96). For more information on private arbitration, see Virginia J. Hunter, *Policing Athens: Social Control in the Attic Lawsuits, 420-320 B.C.* (Princeton: Princeton University Press, 1994), 55–62.

always make requests before they prosecute” (33.26).²¹² In many ways, private arbitration was both part of and separate from the rest of the Athenian legal apparatus. As Virginia Hunter described, it was as “autonomous and self-regulating set of procedures” designed both to forestall conflict from taking up the courts’ time and resources, but also to reduce the transactions costs between actors. Private arbitration was further a unique procedure as once the arbitrator had made his decision, it was binding (as seen in speech 33.15 “In the terms they agreed that, if the three of us were unanimous, that decision was binding on them; otherwise they must abide by the decision of two”).²¹³ Court was time consuming and could be expensive, especially when one adds up the cost of hiring a logographer or paying the *epobelia* for the losing claimant or double damages on a loan.²¹⁴ Parties seem to have attempted commercial interactions to fulfill the contract even after disputes or resolve the matter in an equitable way in order not to breach trust between the parties or delay their next business opportunity by undertaking a trial.

Perhaps the most critical *paragraphe* speech for understanding maritime trade is *Against Lacritus*, for this speech contains the only extant written contract. While the requirement of a written contract for a maritime suit has been discussed previously, these contracts, in original form, have not been preserved. Fortunately, this speech seems to contain a legitimate copy – not a latter interpolation.²¹⁵ The speaker, Androcles, begins the speech with a brief description of

²¹² Translation by MacDowell, *Demosthenes, Speeches 27-38*, 105.

²¹³ Translation by MacDowell, *Demosthenes, Speeches 27-38*, 102. For more on the binding nature of private arbitration, see Hunter, *Policing Athens*, 56; Douglas M. MacDowell, “The Chronology of Athenian Speeches and Legal Innovations in 401–398 B.C.,” *RIDA* 18 (1971), 270-71; Demosthenes 21.94; Isocrates 18.11.

²¹⁴ Hunter, *Policing Athens*, 65-67.

²¹⁵ MacDowell, *Demosthenes, Speeches 27-38*, 131.

how he met the merchant brothers and the problems that he has had with Lacritus. However, before getting into the details of the voyage and the brothers' failure to deliver the goods, Androcles has the court read out the contract (35.10-13). In the first section (35.10) of the speech, both parties agree to the amount of the loan, the path of the voyage with alternate possible ports to be decided by the traders (likely based on market conditions and weather), the security for the loan (3,000 jars of Mendaean wine), and the captain of the ship, Hyblesius. The second section (35.11) concerns the terms of repayment. The borrowers agree that this loan will not be used to repay other debts or to purchase goods for another lender. They further agree to return with a load of cargo from Pontus which will be used to repay the loan and to repay the loan within twenty days of returning to Athens. This section of the contract also contains the provision for what to do in case of pirates.

The third section of the contract (35.12) lays out terms for the lenders to retrieve their money from the brothers, if they are not paid back according to the preceding section. Specifically, they (the lenders) can take the goods, sell them for the current market price, and extract from the brothers' other properties (on sea or land) the balance due. The final section (35.13) details alternative timelines for the return sailing and repayment. Because the sailing season was so strictly dictated by the Mediterranean climate, the final section allows that the borrowers could sell their goods in alternate (but still Athenian-friendly) ports if they were delayed in their travels. The repayment then would be in coin, instead of the pledged jars of wine. While this contract does not specify that a lost ship negated repayment of a loan (considered a fairly standard provision²¹⁶), it states that when a ship sank any saved goods will be split between lenders and borrowers. The final line of the contract, before the signature of the

²¹⁶ As seen in *Against Dionysodorus* and *Against Phormion* and discussed above.

witnesses, requires scrutiny. It states, “On these matters nothing else is to prevail over the written agreement.”²¹⁷ This seems to indicate, as mentioned before with Hypereides 3 and [Demosthenes] 56, that contracts were seen to be as important (and binding) as the other mercantile laws.

Androcles then outlines the many and various ways that the borrowers violated various aspects of this contract, such as not loading enough wine for the security (35.19-20), obtaining another loan using the same goods as security (35.22-23), and refusing to pay the loan within twenty days of their return (35.29). After laying out the wrongs done to him, he turns to Lacritus to explain his role and culpability in these actions. While the *paragraphe* was intended to argue whether or not Lacritus, who was not a merchant, could be prosecuted in mercantile court, Androcles argues both cases in this speech (the original dispute and against Lacritus’ objection). Androcles uses his arguments in sections 41-54 to protest the idea that mercantile laws and the power of the contract could be overturned by one man’s wily ability to twist facts.

However, we can see that the prosecution of someone not directly involved in maritime business, having not signed the contract nor engaged in trade, is something of a broader jurisdiction for the *dikai emporikai*. If Androcles was successful in his *paragraphe* defense and original prosecution, something we cannot know as the outcomes have been lost, then the *dikai emporikai* were open to business concerns beyond the immediate conflict of two actors. This particular case seems to more immediately concern inheritance issues and how to settle the estate of a deceased brother, rather than a strict violation of contract law. Androcles clearly believes that his rhetorical series of questions asking if he should bring the case before other magistrates

²¹⁷ Translation by MacDowell, *Demosthenes, Speeches 27-38*, 137: “κυριώτερον δὲ περὶ τούτων ἄλλο μηδὲν εἶναι τῆς συγγραφῆς.”

will prove his own point of view (35.47-48) and even goes so far as to name the Archon, who would normally oversee matters of inheritance. This would lead us to believe that the presence of a contract and roundtrip mercantile voyage from Athens was an overriding factor in where to lodge a complaint in the Athenian court system.

One final point of consideration must be noted in these speeches - the overwhelming prevalence of metics and *xenoi* speaking on their own behalf before the court. The rhetorical strategies often cast aspersions on the characters of these foreigners, such as in *Against Lacritus*, when Androcles (an Athenian) opens his speech with a condemnation of Phaselites for being greedy, untrustworthy, and litigious (35.1-2). He ends his opening with the description “They’re the most dishonest scoundrels in the world. Here’s proof of it: although many men come to your port, both Greeks and foreigners, the Phaselites by themselves always have more lawsuits than all the rest put together.”²¹⁸ But, as mentioned previously and will be dealt with in more detail in the section “Supranationality,” non-Athenian status was not a barrier to legal recourse, but rather a personal characteristic to be exploited as a rhetorical strategy. Fairly common when an Athenian spoke against a metic or *xenos* (such as in *Against Lacritus*), this strategy was used less often, or at least less overtly, when metics or *xenoi* spoke against one another (as in *Against Apaturius*). Whether this was due to an appreciation of each other’s foreigner status or a disinterest in reminding the Athenian jurymen that the speaker himself was foreign is unclear.

The *paragraphikoi logoi* provide valuable insight into the various conflicts and methods of reprisal which existed in maritime commerce. Moreover, they provide evidence for the incentivizing of Athens’ marketplace and port by the state apparatus. By providing merchants

²¹⁸ [Demosthenes] 35.2: “καὶ εἰσὶν πονηρότατοι ἀνθρώπων καὶ ἀδικώτατοι. τεκμήριον δὲ τούτου: πολλῶν γὰρ ἀφικνουμένων εἰς τὸ ὑμέτερον ἐμπόριον καὶ Ἑλλήνων καὶ βαρβάρων, πλείους δίκαι εἰσὶν ἐκάστοτε αὐτῶν τῶν Φασηλιτῶν ἢ τῶν ἄλλων ἀπάντων.” Translation by MacDowell, *Demosthenes, Speeches* 27-38, 133-34.

with a specialized and tightly controlled court, Athens could prove its accessibility to foreigners with commercial interests. As Edward Cohen persuasively argued in *Ancient Athenian Maritime Courts*, and has been discussed briefly above, maritime commerce required a different framework in order to resolve its problems and concerns most effectively. Athens could have simply persevered without specialized emporic courts, as they had done for hundreds of years, and relied on their large consumer market to attract traders.²¹⁹ But the nature of maritime commerce is far too reliant on matters outside of the control of single actors. As Cohen said, “the very existence, the very substance of maritime commerce is international. The solution of its problems, legal or otherwise, quite naturally demands international action, international access, international cooperation.”²²⁰ Because Athens, or even more simply an Athenian merchant, had no control over many of the factors that affect long-distance trade routes and the movement of goods, they had to find a way to cooperate within a larger system.

Especially after Athens lost its political and military supremacy over the Aegean, their economic predominance could only be maintained through actions which bolstered their port and

²¹⁹ In this market realm, multiple other “mechanisms,” to borrow E. E. Cohen’s word, existed which aided in reducing transaction costs and general hassle for traders and merchants. One such mechanism was the creation of the money testers or *dokimastes*, slaves who tested the quality and purity of Athenian or imitation coinage. “Official evaluation also would have reduced merchants’ and financiers’ transaction costs by eliminating the need for specialized private determination of the value of Attic currency and by reducing expenses for losses resulting from impaired valuation of coins ultimately found to be debased” (Edward E. Cohen, “Transformation of Athenian Economy: Maritime Finance and Maritime Law,” *Die Athenische Demokratie im 4. Jahrhundert: Zwischen Modernisierung und Tradition* (Stuttgart: Franz Steiner Verlag, 2016), 214).

Also, Athens was Mediterranean-renowned, far before the creation of the *dikai emporikai*, for its “extraordinary facilities for safely mooring ships, trapezai for the favorable procurement of the coins and currency critical to profitable maritime operations, and whole sale markets, such as the Deigma, for the expedition of commerce” (Cohen, “Transformation of Athenian Economy, 216). See also Darel Tai Engen, “‘Ancient Greenbacks’: Athenian Owls, the Law of Nikophon, and the Greek Economy.” *Historia: Zeitschrift für Alte Geschichte* 54.4 (2005): 359-381.

²²⁰ Cohen, *Ancient Athenian Maritime Courts*, 71.

markets in the eyes of others.²²¹ It seems that for this reason, the Athenians found ways to streamline their often cumbersome legal system. Moreover, due to the “international” nature of maritime commerce, Athens went one step further in molding the *dikai emporikai* into an effective institution to promote trade - the removal of a citizenship requirement to bring suit within an Athenian emporic court, sometimes called supranationality.

Supranationality

This term has a two-fold meaning for the *dikai emporikai*. On the one hand, supranationality applies to the varied citizenship statuses represented in the emporic courts. On the other hand, it recognizes the possibility that some aspects of interstate commercial agreements superseded the laws of the individual *polis*. Both of these descriptions, however, indicate the powerful differences separating *dikai emporikai* from other types of commercial suits - differences based on the complex negotiations implicit in long-distance multi-state trade. This form of trade, as preserved in Athenian sources, was largely populated by foreigners, both Greek and non-Greek,²²² and thus had special needs which transversed the traditional rules and laws of *poleis*.

Although the role of a *προστάτης* (*prostates*) for an Athenian metic in a court case continues to be under discussion,²²³ the surviving emporic forensic speeches seem to indicate an

²²¹ Cohen, *Ancient Athenian Maritime Courts*, 65.

²²² Todd, *The Shape of Athenian Law*, 197-98.

²²³ A *prostates* is effectively a patron for a foreign resident or metic in Athens. The *prostates* gives the metic the benefit of their protection and civil status in return for loyalty and, possibly, monetary benefit. For arguments against the necessity of a *prostates* for a metic in court, see P. Gauthier, *Symbola: les étrangers et la justice dans les cités grecques*. *Annales de l'est mémoire* 42 (Nancy: Université de Nancy II, 1972), 126-36; David Whitehead, *The Ideology of the Athenian Metic* (Cambridge: Cambridge University Press, 1977), 90-91; Deborah Kamen, *Status in Classical Athens* (Princeton: Princeton University Press, 2013), 44-45, 47; for arguments requiring a *prostates*, see Ugo E. Paoli, *Studi di diritto attico* (Milan: Bemporad, 1974 [1930]), 89 n.1; A. R. W. Harrison, *The Law of Athens*:

acceptance of all men, Athenian, Greek, and non-Greek, on the legal stage. As the Demosthenic forensic speech, *Against Lacritus*, states at 35.45, “οὐχ ἅπασιν ἡμῖν οἱ αὐτοὶ νόμοι γεγραμμένοι εἰσὶν καὶ τὸ αὐτὸ δίκαιον περὶ τῶν ἐμπορικῶν δικῶν; (Don’t we all have the same inscribed laws and the same rights with regard to mercantile cases?)”²²⁴ This statement would seem to indicate that *dikai emporikai* divorce personal characteristic from contractual obligation. It did not matter who you were, you were held accountable for your part of the agreed upon contract. From the speeches of the Demosthenic corpus alone (384-322 BCE) evidence for the presence of many foreigners - Massalian in *Against Zenothemis*, Kition and Bosporan in *Against Lacritus*, unknown metics of foreign birth, possibly Egyptian, in *Against Dionysodoros*²²⁵ - is represented without indication that their citizenship status is relevant to the proceedings.²²⁶

Metics in Athens came in two types - free and freed. However, once a slave was freed and enrolled as a metic under the protection of his former master, now *prostates*, the difference between free and freed was largely erased.²²⁷ One aspect of this differentiation has a more practical application for understanding the *dikai emporikai*. Free metics were mostly Greek

Volume 1 The Family and Property (Oxford: Clarendon Press, 1968), 190-92, Michel Clerc, *Les meteques atheniens* (Paris: Thorin, 1893), 260. I follow Gauthier, Whitehead, and Kamen’s school of thought on this issue.

²²⁴ Translation by MacDowell, *Demosthenes, Speeches 27-38*, 145-46.

²²⁵ There is some controversy over this identification (see Cohen, *Ancient Athenian Maritime Courts*, 118 and F. Blass, *Die attische Beredsamkeit* III.1, 3rd ed. (Leipzig, 1893), 583 for arguments for and against, respectively).

²²⁶ For an interesting discussion of a possible Athenian “underlying ideological assumption” of *barbaroi* as slaves (but again, not as a legal distinction), see Vincent J. Rosivach, “Enslaving ‘Barbaroi’ and the Athenian Ideology of Slavery,” *Historia: Zeitschrift für Alte Geschichte* 48.2 (1999), 129-57. Engen, *Honor and Profit*, 106-18 also argues that Athens had to reevaluate her Athenocentric mindset in order to meet trade needs.

²²⁷ For a discussion of the slight differences between free and freed metics (mostly “symbolically” important and social, not legal, in nature, see Kamen, *Status in Classical Athens*, 43-54.

xenoi, while freed metics were overwhelmingly non-Greek *xenoi* or *barbaroi*.²²⁸ However, there is no evidence to suggest that the difference between Greek and non-Greek played a legal role in these lawsuits. This is not to say that foreign birth or one's social standing as a freed slave was not used as a pejorative description only that is not legally relevant, in a strict sense. See the previously discussed example, Hypereides' exclamatory "τὸ δὲ μέγιστον, Αἰγύπτιον (and worst of all, an Egyptian!)" in *Against Athenogenes* 3.3.²²⁹ The speaker is clearly attempting to prejudice the jury, but through social manipulation, not legal classification.

Apart from the question of citizenship within the courts, supranationality also includes the multiplicity of "nationalities" and ethnicities involved in the trade of goods across the varied political states of the Mediterranean. As is immediately visible in *Against Lacritus*, Athenians, Phaselites, and a Halicarnassian, among others, were involved in the loaning of money for maritime trade. As such, if someone were inclined to break or cheat a contract, as Lacritus is accused in this speech, how could they be brought to justice if their home territory was far from the jurisdiction of an Athenian court? Moreover, when ships had cargoes moving to and from various ports and loans attached to multiple different merchants from different *poleis* and states,²³⁰ what laws held preeminent authority?

One interpretation of the ancient sources argues that maritime contracts were held as binding even beyond the laws of individual *poleis*. Such a primacy of maritime contractual agreement seems evident when the speaker states in [Demosthenes] 35.27:

ὅσα μὲν γὰρ ἀμφισβητήσιμά ἐστι τῶν συμβολαίων, κρίσεως δεῖται, ὃ ἄνδρες
δικασταί: τὰ δὲ παρ' ἀμφοτέρων ὁμολογηθέντα τῶν συντιθεμένων, καὶ περὶ ὧν

²²⁸ Kamen, *Status in Classical Athens*, 43-54 and Rosivach, "Enslaving 'Barbaroi' and the Athenian Ideology of Slavery," 129-57.

²²⁹ Hypereides 3 is not a *dike emporike*; however, the intent remains the same.

²³⁰ For example, Demosthenes 32, *Against Zenothemis* and [Demosthenes] 35, *Against Lacritus*.

συγγραφαι κεινται ναυτικαι, τέλος ἔχειν ἅπαντες νομίζουσιν, καὶ χρῆσθαι προσήκει τοῖς γεγραμμένοις.

Whereas any disputed points in contracts require a trial, men of the jury, the points that are accepted by both parties, and are written in maritime agreements, are considered by everyone to be valid, and it's right to abide by the documents.²³¹

In this section “τέλος ἔχειν ἅπαντες νομίζουσιν (all men consider to be valid)” may illustrate a sense of binding force that far surpasses the Athenian jurisdiction. While the ἅπαντες is likely exaggerated for rhetorical effect, if he did truly mean “all men, Athenian, foreign, and barbarian,” then it is possible that in this particular type of suit, private contracts outweigh the laws of individual *poleis*. Demosthenes adds to this interpretation when he mentions in speech 32.8-9, *Against Zenothemis*,

...σωθείσης εἰς Κεφαλληνίαν τῆς νεῶς διὰ τοὺς θεοὺς μάλιστα γε, εἶτα καὶ διὰ τὴν τῶν ναυτῶν ἀρετὴν, πάλιν μετὰ τῶν Μασσαλιωτῶν τῶν τοῦ Ἡγεστράτου πολιτῶν μὴ καταπλεῖν Ἀθήναζε τὸ πλοῖον ἔπραττε, λέγων ὡς αὐτός τε καὶ τὰ χρήματ' ἐκεῖθ' ἐστὶ, καὶ ὁ ναύκληρος εἶη καὶ οἱ δεδανεικότες Μασσαλιῶται. ἀποτυχῶν δὲ καὶ τούτου, καὶ τῶν ἀρχόντων τῶν ἐν τῇ Κεφαλληνίᾳ γνόντων Ἀθήναζε τὴν ναῦν καταπλεῖν, ὅθεν περ ἀνήχθη...

The ship was brought safely to Cephallenia, thanks mainly to the gods and also to the crew's good work. So next, Zenothemis and the Massaliots, Hegestratus' fellow-citizens, tried to prevent the ship from sailing on to Athens, saying that he and the money came from Massalia, and the skipper and the creditors were Massaliots. He failed in this too, and the officials at Cephallenia ruled that the ship should sail on to Athens, its home port.²³²

Here a man is trying to escape fulfilling his contract by entering a harbor of Kephallenia and claiming that neither he nor the crew were of Athenian citizenship, the ship lay outside of Athenian jurisdiction, and, thus, should not be bound by Athenian law. Clearly, the leadership of Kephallenia did not agree and forced the ship to return to Athens according to the terms of the

²³¹ Translation by MacDowell, *Demosthenes, Speeches 27-38*, 141.

²³² Translation by MacDowell, *Demosthenes, Speeches 27-38*, 88.

maritime contract. A positivist interpretation could determine that Kephallenia was bound to uphold some sort of international law protecting the power of maritime contracts and, thus, requiring them to send the ship back to Athens. However, the inter-state cooperation and magisterial organization that would be required to create and implement such an “international law” is far beyond the capabilities, and likely even interests, of the Classical Mediterranean polities. It seems much more likely that in cases where jurisdiction and application of law was murky, such as in the case of a merchant trying to escape the constraints of a maritime contract by fleeing to a third party region, *poleis* could, and would, bow out of the mess and try to return the parties to a different court. As Cohen argued, it seems likely that if *poleis* did not have laws directly relating to the issues at hand, then the contract would provide the framework for understanding any illegal actions.²³³

This argument is controversial, as evidenced by Dimopoulou and Cohen, who disagree over the intent and effect of legal validity and invalidity in Athenian legal terminology. But yet, as Cohen points out, the use of the term *κυριώτερον* (*kyrioteron*, with greater legal authority) is particular in that it is used almost exclusively in inter-state maritime and loan agreement contracts, since they are “both special situations where commercial considerations explain, and justify, the appropriateness of a contractual clause subordinating polis laws or decrees to private

²³³ Cohen, “Private Agreements Purporting to Override Polis Law,” 282. Athens, for example, famously has a law prohibiting the purchase and transport of grain by Athenians to any other port than Athens. No private contract could supercede this law (as the speaker himself notes later in [Demosthenes] 35.50). The speaker seems to argue against this moderated interpretation though when he states “ἡ μὲν γὰρ συγγραφὴ οὐδὲν κυριώτερον ἔῃ εἶναι τῶν ἐγγεγραμμένων, οὐδὲ προσφέρειν οὔτε νόμον οὔτε ψήφισμα οὔτ’ ἄλλ’ οὐδ’ ὅτιοῦν πρὸς τὴν συγγραφὴν (for the agreement allows nothing to have greater force than the things written, nor anyone to bring forth a law or decrees or anything else whatsoever in contravention of the written agreement)” (Dem. 35.39).

covenants.”²³⁴ Due to this rarity of usage, it does seem to imply a level of cross-*polis* cooperative interaction and agreement beyond that which is normally associated with the Classical, and even Hellenistic, *poleis*. However, the use of *symbola* or *symbolaia* between *poleis* shows that such inter-state cooperation was possible under the right conditions.²³⁵ In fact *symbola*, which will be discussed in more detail in the next chapter, may have acted as an early example of the types of institutions *poleis* could use to try to extend legal commercial protections outside of their immediate jurisdiction.²³⁶ Without some sort of standard to moderate the actions of merchants once they left a port, abuse, fraud, and manipulation of regional courts likely would have been rampant.

Conclusion

These institutions and their evolution sketch a legal world in which ideas of justice are based on equality of information exchange and, in some cases, mitigate differences in citizenship status. In a society where legal status was the gatekeeper to full political and social involvement in the community, this openness of the maritime courts indicates a need greater than to protect Athenians alone. The Athenian desire to retain its position as a center of trade and its

²³⁴ Cohen, “Private Agreements Purporting to Override Polis Law,” 279. See also Athina Dimopoulou, “ἄκυρον ἔστω: Legal Invalidity in Greek Inscriptions,” in *Symposion 2013: Akten der Gesellschaft für Griechische und Hellenistische Rechtsgeschichte* 24, edited by Michael Gagarin and Adriaan Lanni (Wien: ÖAW 2014), 249-276.

²³⁵ *Symbola* were official, legal agreements between states or between a state and an individual - usually a trader or merchant - intended to promote ease of commerce between the two parties. For an extensive discussion of the various types and examples of them, see P. Gauthier, *Symbola: les étrangers et la justice dans les cités grecques*. *Annales de l'est mémoire* 42 (Nancy: Université de Nancy II, 1972). See also, R. J. Hopper, “Interstate Juridical Agreements in the Athenian Empire,” *The Journal of Hellenic Studies* 63 (1943): 35-51.

²³⁶ *Symbola* began to be used heavily during the fifth century BCE, Gauthier, *Symbola*, 62-63.

overwhelming dependence on imported grain created pressure to find ways to attract traders and merchants to its ports season after season.

By the mid-fourth century BCE, the law courts had been revised to include specific practices to expedite and protect commerce within the Athenian jurisdiction. In addition, new ideas of supranationality were beginning to overcome strict state boundaries and expand Athens as a node for inter-state commercial networks. Evidence for the inclusion of non-Greek *xenoi* within these *dikai emporikai* speeches remains elusive; however, metics made up the majority of traders and merchants in Athens. In addition, the trade of goods which could not have been produced in any Greek *poleis*, such as frankincense, myrrh, and lapis lazuli, confirms the presence of non-Greek *xenoi* in Greek ports, or, at the very least, connections with non-Greek traders.²³⁷

In sum, institutions, such as magistrates, courts, and the granting of honors, which worked to enforce clear laws and provide recourse for Athenians and non-Athenians were a major underlying factor in the thriving trade conducted in the *agora* and the Piraeus. This system helped to reduce transaction costs for merchants, protected consumers from predatory traders, and created a space where a certain amount of protection could be expected by each party. And while Athens may be exceptional, evidence from the Hellenistic period, the focus of the next chapter, shows that more and more *poleis* began to follow her example in order to bolster their own inter-state commerce and to act as nodes in trans-Mediterranean trade networks.

²³⁷ These three luxury goods can be produced or found only in southern modern Yemen, eastern Ethiopia, and modern Afghanistan, respectively. As such, trade with those areas, even if by cabbotage and not direct trade, was requisite in order to explain their presence in the Mediterranean milieu. For further argumentation of *xenoi* in Greek ports, see Engen, *Honor and Profit*, 43 and 105-7 and C. M. Reed, *Maritime traders in the ancient Greek world* (Cambridge: Cambridge University Press, 2003).

Chapter 3 The “Unity” of Greek Trade Law and the Hellenistic Period

The previous chapter outlined the ways in which Athenian law worked to promote trade and the protection of traders. Certain Athenian institutions were created over centuries in order to promote international economic relationships and ensure the movement of necessary goods to and from the Piraeus and other ports. Specific inter-state laws also overlapped with other *poleis*, but to what extent can we argue that cross-*polis* interactions affected trade in other *poleis*? In particular, in the transformation from the Classical to the Hellenistic period, how were institutions adopted, changed, or adapted for the new political times? Trade continued. This is indisputable; but how did Athens and other *poleis* rise or fall in their ability to attract and retain trade partners through new and turbulent political times? Were the institutions that attracted trade to one powerful *polis* copied by other *poleis*? How did the most economically powerful of Hellenistic *poleis*, Rhodes and Delos, rise to this prominence? Was it a result of their individual strengths or through some form of inter-state commercial legal homogeneity?

In this chapter, I will investigate the idea of a Greek economic unity in the realm of commercial law and the areas in which institutions of the Hellenistic era overcame borders, found commonalities, and adapted to promote trade across the once rigid boundaries of the Classical *poleis*. Negotiation requires a baseline of agreement between two parties and as such promotes the idea that multiple *poleis* may have used common standards to mediate their commercial interactions and any conflicts arising therefrom. In addition, I will reexamine matters that are often grouped under the exceedingly general term “Hellenistic diplomacy,”²³⁸ as

²³⁸ John Ma, “Peer Polity Interaction in the Hellenistic Age,” *Past & Present* 180 (2003), 14. Ma gives the examples of “*syngeneia*, the language of kinship used to relate cities (as deployed so grandly, and so unsuccessfully, by the envoys of Kytention); inter-state arbitration; the recognition of a place's *asylia* (inviolability), freedom from

they apply to economic stability and trade attraction. These diplomatic mechanisms demonstrate the variety of methods by which the Hellenistic *poleis* resolved their encounters.

A Question of Unity in Greek Trade Law

An essential question for ancient Greek economic historians is whether or not we can say anything about *Greek* economics. Was there even enough similarity between *poleis* to classify such a thing? Finley argued that there was no practical overlap between the substantive laws of Athens and other *poleis*, particularly Gortyn.²³⁹ Thus, there was no analytical purpose to pursuing some fantasy of the “unity” of Greek law.²⁴⁰ In the years since his publication, however, arguments about procedural and institutional similarity among *poleis* have pushed back against this idea.²⁴¹

spoliation and reprisals, obtained by piecemeal negotiation between a community and the rest of the world; the dispatch of theoroi from cities with famous shrines and festivals in order to announce these festivals to other cities, where these envoys were received by specially designated local notables (*theorodokoi*); and the practice of Hellenistic cities asking for arbitrators ('foreign judges') from other cities.”

²³⁹ The only fully preserved, inscribed law code from a Greek *polis* was preserved at Gortyn. However, for the interests of this dissertation, the information preserved is of little interest as the inclusion of commercial law or institutional evidence is extremely limited.

²⁴⁰ M. I. Finley, *The Ancient Greeks* (London: Penguin Books, 1966). This was in direct contrast to much earlier authors who followed Ludwig Mitteis’ thesis that *poleis*’ substantive laws all stemmed from similar principles and “juristischen Anschauungen” (Ludwig Mitteis, *Reichsrecht und Volksrecht in den östlichen Provinzen des römischen Kaiserreichs, mit Beiträgen zur Kenntniss des griechischen Rechts und der spätrömischen Rechtsentwicklung* (Leipzig: Teubner, 1891), 62).

²⁴¹ For an in-depth summary of Finley’s contributions to the Great Debate and a recent example of anti-Finleyan argumentation, see Manning, *The Open Sea*, 17-38. Darel Tai Engen, representative of a more “middle ground” point of view, disagrees with Manning and states, “More concerning, however, is Manning’s confident dismissal of the scholarship and interests of the old debate. Flawed though it was, it did raise many important questions that helped to illuminate various aspects of the ancient economy. Manning implicitly acknowledges the debate’s contributions to such issues as the degree to which economies are cultural constructions, the wide variety of economic institutions and organizations, and the roles and interests of states in the economy. Moreover, identifying the continuities and defining characteristics of an economy is just as useful as investigating variations, complexities, and changes, albeit for different purposes. We can look at both the forest and the trees and should not be limited to just one or the other” (Engen, “J. G. Manning. The Open Sea: The Economic Life of the Ancient Mediterranean World from the Iron Age to the Rise of Rome,” *The American Historical Review* 124.3 (June 2019), 1129–1131, <https://doi.org/10.1093/ahr/rhz512>).

Theorists and economic historians have tackled this issue in a variety of ways. A precursor to Finley, Hans Julius Wolff, argued that

Greek law was the realization of an abstract spiritual unity (*geistige Gemeinsamkeit*) that bound together the legal systems of the different Greek *poleis* and that differed from the spirit underlying the laws of other people. Certain basic concepts (*Grundvorstellungen*) are thus evident, however much the positive laws may differ.²⁴²

These same concepts have come back to the fore of legal research in the years post-Finley.

Raphael Sealey, a self-described comparative jurist, has argued that the “rule of law” was a concept which Greeks from various *poleis* could understand and implemented in order to regulate their societies. And Athenians, as one example, established institutions which allowed them to better achieve this order within their society.²⁴³ But, Sealey, his studies focusing largely on the Classical period, does agree with Finley that the substantive portions of ancient Greek law codes varied wildly from *polis* to *polis*.

Michael Gagarin approaches the problem and these *Grundvorstellungen* from a slightly different point of view - that of a legal and economic historian. In two articles dealing with overlap between *poleis* laws, Gagarin argues along lines similar to, but distinct from, Sealey and Wolff. Substantive law between *poleis* is vastly different, especially during the Classical period. However, procedure and the ideology surrounding law, particularly commercial law, finds overlap between *poleis*. Moreover, this overlap grows during the Hellenistic period.²⁴⁴

²⁴² Summary efficiently and accurately presented by Michael Gagarin in “The Unity of Greek Law,” 30 (in *The Cambridge Companion to Ancient Greek Law*, edited by Michael Gagarin and David Cohen (Cambridge: Cambridge University Press, 2005)).

²⁴³ Raphael Sealey, *The Athenian Republic: Democracy or the Rule of Law?* (University Park: Pennsylvania State University Press, 1987), 146. However, Sealey does note that certain institutions, such as a “learned jurist,” never developed in Athens for an unknown reason, which limited the overall efficacy of their institutional processes (Raphael Sealey, *The Justice of the Greeks* (Ann Arbor: University of Michigan Press, 1994), 154 n. 49).

²⁴⁴ Gagarin, “Writing Greek Law,” 227.

In Gagarin’s chapter “The Unity of Greek Law,” he argues that if scholars focus on the procedural aspects of Greek law, instead of their substantive elements, then a common ideology becomes tentatively apparent. Even the two largely disparate laws codes of Athens and Gortyn “devote considerable attention to procedure and show less interest in setting precise penalties for offenses...It thus appears that Greek *poleis* largely shared the same general approach to the judicial process...”²⁴⁵ A more recent argument by David Phillips argues for legal unity for specific crimes, specifically *hubris*.²⁴⁶ Using comparative evidence from multiple *poleis*, Phillips shows that a common structure does exist in particular instances, especially where the situation is one that is of concern to the values of the polity,²⁴⁷ but also that “unity need not be an all-or-nothing proposition, and that the presence of one or a few nonconforming *poleis* that did not have a procedure for *hubris* does not rule out the possibility of a unity among other *poleis*.”²⁴⁸ There were hundreds of *poleis* and it would be beyond belief to expect all of them to conform to one specific standard. This does not, however, require us to throw in the metaphorical towel on finding certain aspects of commonality for a multiplicity of *poleis*.

In order for any argument about some form of unity in Greek law to be effective, it needs to be focused within clear parameters. Even though a unitarian may wish to take solace in

²⁴⁵ Gagarin, “The Unity of Greek Law,” 34-35.

²⁴⁶ David D. Phillips, “*Hubris* and the Unity of Greek Law,” in *Symposion 2013: Akten der Gesellschaft für Griechische und Hellenistische Rechtsgeschichte* 24, edited by Michael Gagarin and Adriaan Lanni (Wien: ÖAW, 2014), 75-97.

²⁴⁷ *Hubris* in the ancient Greek legal systems is notoriously hard to define and a clear definition is often left out of the legal speeches in which it is being prosecuted. However, *hubris*, in a general legal sense, is an act of violence against a person which also includes elements intended to dishonor the victim or to give the attacker pleasure (*LSJ*, s.v. ὑβρίζω). For further explanation, see Phillips, “*Hubris* and the Unity of Greek Law,” 84-86 and for ancient examples see Aristotle, *Rhetoric* 1378b14-30; Demosthenes 23.50; Demosthenes 54.8-9.

²⁴⁸ Adriaan Lanni, “The Need for Comparative Law in the Search for Greek Legal Unity: A Response to Phillips,” in *Symposion 2013: Akten der Gesellschaft für Griechische und Hellenistische Rechtsgeschichte* 24, edited by Michael Gagarin and Adriaan Lanni (Wien: ÖAW, 2014), 99-102, quote is from page 99.

Herodotus' assertion of a common Greekness, τὸ Ἑλληνικὸν,²⁴⁹ the reality of the remaining legal evidence is that differentiation is more prominent than unification.²⁵⁰ But under specific circumstances, unity may be evident. In Phillips' case, it was the substantive law for *hubris*. In the world of inter-state trade, Alain Bresson states that a common set of commercial laws, a *nomos agoranomikos*, was extant across "most" Greek *poleis*.²⁵¹ In the Hellenistic period, evidence remains that certain standards were put into effect in multiple regions. One such example is the standardization of maritime contracts for legal disputes found from second-century BCE Egypt, "which appears to be a direct descendant of the type of maritime contract used in fourth-century Athens."²⁵² The realm of trade demands an inter-state approach to understanding the complex mix of laws, jurisdiction, influences, and inter-state mobility.

This inter-state approach becomes even more central to the argument for the Hellenistic period. Michael Gagarin, in addition to his previous argument, advances the idea that the transition from the Classical to Hellenistic period brought about significant changes to commercial and trade law for many *poleis*. As the Hellenistic world grew more unified

²⁴⁹ Herodotus 8.144 "τὸ Ἑλληνικὸν ἐὼν ὁμαίμον τε καὶ ὁμόγλωσσον καὶ θεῶν ἰδρύματά τε κοινὰ καὶ θυσίαι ἡθεὰ τε ὁμότροπα;" also a concept repeated many centuries later in Dionysius of Halicarnassus 1.89.

²⁵⁰ A recent article by Edward Harris argues against this assertion to a certain extent. He highlights many areas of law which overlap, at least in through a common mentality and a "shared understanding of certain legal concepts in the common legal vocabulary" (192). Edward M. Harris, "Some Recent Developments in the Study of Ancient Greek Law," *JAC* 33.2 (2018), 187-226, particularly 188-94.

²⁵¹ Bresson, *The Making of the Ancient Greek Economy*, 240. The origin of the term *nomos agoranomikos* comes from scholia on Homer *Il.* 21.203 (Athens) and the mid-Hellenistic inscription *Milet I.3 (Delphinion)* 145, line 64 (Miletos).

²⁵² Gagarin, "Writing Greek Law," 227. Another analogy for this may come from Egypt, which had no coinage until the fourth century BCE. At that point, they began to imitate Athenian coins in order to tie their commercial realm to the powerful Athenian milieu (for more on common coinages, see pages 129-30).

politically, inter-state trade benefited.²⁵³ With fewer vastly diverse *poleis* to navigate, merchants and traders could move more easily between ports and kingdoms. Gagarin argues that trade and these cross-*polis* interactions spurred legal change and states

The expansion of trade would also have increased communication among cities and regions, and this may especially have affected commercial law. Laws affecting maritime commerce in particular became increasingly important, culminating in the Rhodian Sea law which probably originated in the Hellenistic period and remained the world-wide standard for centuries.²⁵⁴

And while this seems demonstrably true given the history and evidence of the Hellenistic period, foreigners, including traders and merchants, still held an outsider's position in Hellenistic *poleis* vastly limiting their direct impact on institutional change. Thus, I argue that in addition, a *polis* may have created new laws in order to drive more trade into its port when they saw such actions working for other *poleis*.²⁵⁵ These laws or institutions may then have spread as *poleis* with similar trading interests and needs imitated some of the successful changes.

²⁵³ "Unified" in this context may be a little problematic; however, in the Hellenistic period, the increased number of mutually amenable political relationships in the early Hellenistic period and then general acceptance of Roman authority in the later Hellenistic did result in a form of unification.

²⁵⁴ Gagarin, "Writing Greek Law," 227.

²⁵⁵ One main criticism of this point of view was addressed by Douglas North and reiterated by Alain Bresson. In a perfect world, effective institutions would be the rule without exception and the political economic realm would inevitably evolve to replace old institutions. This is obviously untrue. As Bresson remarks, "But above all, North stressed that it was the comparative efficiency of the new institutions that had caused the old ones to disappear. In short, whereas according to Gresham's law "bad money drives out good," here the opposite is the case: good institutions drive out bad. If that had been the case, we would have had the key to the development of societies...North himself quickly stressed the limits of this way of thinking. The conscious, voluntary replacement of less efficient economic institutions with others that perform better is possible only in the framework of societies that seek economic performance. The counterexamples of the maintenance of underperforming institutions (if we adhere to North's definition cited earlier) are so numerous that they invalidate *a priori* the idea that we could apply the neoclassical rule of comparative efficiency to forms of institutional change, and consequently to the performance of economic systems" (Bresson, *The Making of the Ancient Greek Economy*, 21). My argument is not that *poleis* adopted new institutions because they were the most economically effective. In fact, it is possible and even likely that *poleis* adopted ineffective institutions. My argument is that *poleis* adopted institutions that gave them the greatest advantage in negotiating with other *poleis* and with merchants, even if a modern understanding of economics would not categorize those decisions as the most efficient.

In the following sections, I will address and analyze a variety of institutions that drew the Hellenistic world closer together and promoted a fluidity in border regulation, resulting in reductions in the transaction costs for long distance traders. Common Hellenistic institutions which created an easing of tensions between groups of *poleis* often had clear economic and, specifically, commercial benefits. Finally, I will outline how, as a result of these reductions, commercial law, particularly as it intersects with foreign traders and merchants in Greek *poleis*, had similarities, and perhaps even unity, across multiple *poleis*.

“Hellenistic Diplomacy”: Cross-Polis Institutional Developments and Inter-State Negotiation

In the wake of Alexander the Great, great change was wrought upon the Classical *poleis*. In particular, an evolution occurred - softening some of the more abrasive inter-state dynamics and linking the polities together into a far-reaching network. As John Ma argues, a strengthening of inter-state civic engagement is visible even in the Hellenistic epigraphic and archaeological record.²⁵⁶ Still independent and with a clear sense of individual identity,²⁵⁷ the *poleis* now also opened new lines of communication and found new methods to settle inter-state disputes. Some such methods began in the Classical period, as with the use of συγγένεια (*syngeneia*, kinship)

²⁵⁶ John Ma, “Peer Polity Interaction in the Hellenistic Age,” 14: “The textual and material evidence is a mark of the broader system of civic interaction within and between communities...”

²⁵⁷ As described by A. H. M. Jones in 1964.

between *poleis* with common founding figures²⁵⁸ and arbitration,²⁵⁹ but blossomed during the Hellenistic period.²⁶⁰

The idea of “Hellenistic diplomacy” includes a variety of mechanisms by which states in conflict could find resolution, outside of military engagement. Examples of such diplomacy are arbitration, appeals to *syngeneia*, official protection from retribution, the engagement and dispatch of *theoroi* (priests or envoys to announce Hellenic festivals), and even agreements of territorial *asylia* (an agreement that one place would be considered inviolable by others).²⁶¹ In essence, these developments and implementations coalesced into a reduction in firm boundaries

²⁵⁸ Thucydides, *Peloponnesian War*, I.98.

²⁵⁹ On the use of arbitration since the sixth century BCE, see L. Piccirilli, *Gli arbitrati interstatali greci. Introduzione, edizione critica, traduzione, commento e indici. Vol. 1, dalle origini al 338 a.C.* (Pisa: University Press, 1973), Anna Magnetto, *Gli arbitrati interstatali greci. Introduzione, testo critico, traduzione, commento e indici, Vol. 2, dal 337 al 196 a.C.* (Pisa: University Press, 1997), and Sheila Ager, *Interstate Arbitrations in the Greek World. 337–90 BC* (Berkeley: University of California Press, 1996).

See also Angelos Chaniotis, “Justifying Territorial Claims in Classical and Hellenistic Greece: The Beginnings of International Law,” in *The Law and Courts in Ancient Greece*, 185-213, edited by E. M. Harris and L. Rubenstein (London, 2004) who argues that a common mentality concerning interstate regulation has existed since the Classical period for Greek *poleis*. His argument, while persuasive, does rely somewhat problematically on the *ex silentio* idea that commonly accepted practices, such as justice, are omitted from the sources entirely due to how well known the concepts must have been.

²⁶⁰ This concept of networked *poleis* operating within a less strict hierarchical structure and on more egalitarian footing is sometimes referred to as “peer polity interaction.” For further clarification about core-periphery vs. peer polity models of state interaction, see Colin Renfrew and John Cherry (eds.), *Peer Polity Interaction and Socio-Political Change* (Cambridge: Cambridge University Press, 1986) and Ma, “Peer Polity Interaction in the Hellenistic Age,” 23: “However, ‘peer polity interaction’ is also a specific concept, with precise questions of its own, as posed by the concept’s creators. Renfrew and Cherry developed this model to describe and, importantly, to account for interaction and change, as a self-conscious alternative to a ‘core-periphery’ explanation. Such explanations posit a strong centre dominating a set of subordinate communities; change occurs at the centre, radiating to the periphery. ‘Peer polities’, by contrast, are structurally homologous, autonomous states of the same size, linked by networks of concrete and symbolic interaction, where change occurs across the board rather than in top-down diffusionist waves.”

²⁶¹ For in-depth research on each of these varied mechanisms, see Olivier Curty, *Les Parentés légendaires entre cités grecques* (Geneva, 1995); Christopher P. Jones, *Kinship Diplomacy in the Ancient World* (Cambridge, Mass., 1999); see Sheila L. Ager, *Interstate Arbitrations in the Greek World, 337-90 BC* (Berkeley, 1996); 1908); Paula Perlman, *City and Sanctuary in Ancient Greece: The Theorodokia in the Peloponnese* (Göttingen, 2000); Louis Robert, ‘Les Juges Étrangers dans la cité grecque’, in *Xenion: Festschrift für Pan. J. Zepos*, edited by Ernst von Caemmerer et al., 3 vols. (Athens, 1973); and Michael Wörle and Paul Zanker (eds.), *Stadtbild und Bürgerbild im Hellenismus* (Munich, 1995).

between states through cross-*polis* laws, policies, and institutions. In particular, the formulation of intentionally inter-state institutions demonstrate a homogenizing pattern in the interactions of *poleis* in the Hellenistic period or a “mental map” of common “Greek” interactions.²⁶² The existing research on these topics is extensive,²⁶³ but in the following pages, I will be re-examining several of these institutions in light of their economic impact in order to better understand how these forms of diplomacy fomented inter-state commercial relationships.

The first institution I will examine here, which built a sense of commonality among the *poleis* of the Hellenistic Greek world, is *proxenia* and the position of the *proxenos*. A *proxenos* was a formally recognized friendly foreigner who has proved their worth to a *polis* through a history of providing public and private services to the *polis* and its citizens.²⁶⁴ This was a permanent position and expected that the *proxenos* lived, for the most part, in their city of origin as a private citizen and acted as “an intermediary figure who could be expected to help visitors from the granting city negotiate any difficulties or barriers in his own political community which their status there as strangers and non-citizens might cause them.”²⁶⁵ Decrees of proxeny, which first began in the Classical period, had become extremely formulaic by the Hellenistic period and the position itself was standardized to a significant degree across the whole of the Mediterranean.²⁶⁶ In many cases, the ties between *poleis* and *proxenoi* indicate economic

²⁶² Ma, “Peer Polity Interaction in the Hellenistic Age,” 15-23.

²⁶³ See fns. 202 and 204.

²⁶⁴ Polly Low, *Interstate Relations in Classical Greece: Morality and Power* (Cambridge: Cambridge University Press, 2007), 39. See also Engen, *Honor and Profit*, 33, 49, 52, 106, 122, 278-80, 282-3, 285-8, *passim*.

²⁶⁵ William Mack, *Proxeny and Polis: Institutional Networks in the Ancient Greek World* (Oxford: Oxford University Press, 2015), 24. The specific contributions of the *proxenos* to commerce (such as money lending and providing surety for credit) will be developed more below in the section “Market Enhancing Institutions.”

²⁶⁶ Mack, *Proxeny and Polis*, 12. Previous to Mack’s more recent and persuasive study, this standardization was taken as an indicator that the institution of *proxenia* had declined into meaninglessness during the Hellenistic Period (e.g. C. Marek, *Die Proxenie* (Frankfurt: 1984), 333-85, A. Aymard, “Les étrangers dans les cités grecques aux

relationships, as a standard benefit conferred along with the proxeny was the right of *eisplous/ekplous* (import and export, often with reduced or removed taxes) and *prodikia* (the right to accelerated access to courts).²⁶⁷

Proxenia could be granted for a variety of services, such as serving as *theoroi* or even *xenodikai* (judges of foreigners, discussed in more detail below). But the economic connections of these positions imply a vastly intertwined Hellenistic world which often honored, and perhaps even sought out, those individuals who could ease the transaction costs of long-distance exchange, by aiding and making introductions for foreigners in a new civic and economic space. This “hum and buzz” of the Mediterranean world,²⁶⁸ or what William Mack refers to as the

temps classiques,” in *L'étranger I. Recueil de la Société J. Bodin IX* Vol. 1 (Bruxelles 1958), 119-139, especially 178; contra A. Wilhelm, *Proxenie und Evergesie* (Attische Urkunden V, 1942), 30-35 and Philippe Gauthier, *Symbola: Les étrangers et la justice dans les cités grecques (Annales de l'Est, Mémoire number 42)* (Nancy: Université de Nancy, 1972), 18). But the pure number of inscriptions from the Hellenistic period, more than 1,500 or three-fifths of the known inscriptions, shows this to be extremely unlikely (Mack, *Proxeny and Polis*, 9). See also work done by Victor Cojocaru on proxeny and the Black Sea region, who argues that the practice continues in a meaningful way into the first century BCE: Victor Cojocaru, *INSTITUȚIA PROXENIEI ÎN SPAȚIUL PONTIC: DIE PROXENIE IM SCHWARZMEERRAUM* (Cluj-Napoca: Editura MEGA, 2016).

It should also be noted that inscribed proxeny decrees tend to highlight individuals who acted in some extraordinary way even for the position (especially given the cost of creating a public inscription). As such, we should understand that there is a bias in this information and that these types of links were much more common than even the high number of inscriptions would lead us to believe.

²⁶⁷ Mack, *Proxeny and Polis*, 123-26. These rights were sometimes referred to as *proxenikos nomos* (in a second century inscription from Ilion, *I.Illion* 53, lines 19-20) or *nomos emporikos* (in Miletos in the mid-third century BCE, *Milet I*³ 140A-B) which underscores the economic motivations. See also Engen, *Honor and Profit*, 146-55.

²⁶⁸ J. Fentress and E. Fentress, “‘The Hole in the Doughnut.’ Review of Horden and Purcell (2000),” *P&P* 173 (2001), 217; although they use the phrase in a more backhanded manner and not as a descriptor of vitality as I intend it. Mack uses this idea in conjunction with a Brownian model of interaction to emphasize the nearby regional ties of proxeny networks: “As the principal institution by which *poleis* sought to mediate and facilitate interaction with each other, networks of *proxenoi* were the most important means by which *poleis* understood and constructed their connectivity, emphasizing their links with particular *poleis* and regions, and their own position in relation to them. This complicates, but also enriches, our readings of proxeny networks, and especially the way in which they were organized and presented on monumental lists of *proxenoi*. In the ebb and flow in annual rates of proxeny granting, which some of these proxeny lists reveal, we see both the hum and the buzz of the Mediterranean world with its constant Brownian motion of interaction, and the deliberate efforts of *poleis* to assert their position within it” (Mack, *Proxeny and Polis*, 149). However, I think he undercuts the importance of long-distance trade relationships in his model of *poleis* interactions and relationships.

“indices of interaction” for “proxeny networks,”²⁶⁹ can be traced in some cases through the proxeny lists created by a *polis*. In the case of Anaphe, an otherwise unremarkable *polis* island in the Cyclades, more than twenty *proxenoi* were recorded on the three lists which remain from the fourth through second centuries BCE.²⁷⁰ While this number may not seem very large, it does seem to indicate an intentional attempt on the part of the inhabitants to extend their connections beyond the Cycladic Islands. As would be expected, Anaphe granted *proxenia* to the more populous and nearby *poleis* of Paros, Knidos, and Mykonos, all well-situated to gain access to the cross-Aegean trade routes at the end of the fourth century BCE.²⁷¹ However, the later chronological lists show that by the early second century BCE, this *polis* reaffirmed *proxenia* relationships with nearby *poleis* and extended grants to *poleis* farther away and connected with wider areas of Mediterranean trade, particularly Rhodes.²⁷² This reaffirmation of connections with Crete and Knidos, alongside the push to create new ties with Rhodes may show a slow but

²⁶⁹ Mack, *Proxeny and Polis*, 149. Not all of these networks were economic at their core; however, many of them had clear economic interests and interactions. Moreover, in this world, separating the economic from the political or social is nearly impossible given the evidence, but also ahistorical in nature.

²⁷⁰ *IG XIII*³ 252 and 254, respectively. This description of Anaphe seems apt as it was (and remains to this day) a small island, largely described by its geographical relationship to larger and more prosperous islands in its vicinity, particularly Thera. Even in the ancient sources, it gains little to no recognition except as an overnight stop for Jason and his crew in the myth of Jason and Medea’s return to Greece (Apollonius Rhodius, *Argonautica* 4.1694; Ovid, *Metamorphoses* 7.453) and as having a sanctuary to Apollo (Strabo, *Geography* 1.2.39 and 10.5.1). Even in geographical and nautical texts, it is listed without any identifying features, not even a harbor (Pliny the Elder, *Natural History* 2.89.1 and 4.23.3; Pseudo Scylax, *Periplus* 48), except that it, at one point, had a lot of pigeons (Athenaeus, *Deipnosophists* 9.63).

²⁷¹ *IG XIII*³ 251, dated to ca. 300 BCE. A citizen of Olous on Crete was also granted *proxenia* at this time. Thera was not granted a *proxenos* at this time, likely due to a war between the two *poleis* which probably lessened their friendlier interactions for a time. Anaphe also granted *proxenia* to the polis of Aspendos on the southern coast of Asia Minor in the late fourth or early third century BCE (*IG XIII*³ 250 line 2). While this is earlier than my argument for trade-interested growth, Anaphe had been linked to southern Turkey through the Jason and Medea myth for centuries, probably due to the flow of goods from southern Asia Minor across the Aegean to the Greek mainland.

²⁷² *IG XIII*³ 252 line 1. It should be noted, however, that Rhodes did not grant *proxenia* to any citizen of Anaphe.

expanding interest in developing connections to *poleis* with reputations as major trade entrepots.²⁷³

Even in cases where proxeny lists were not inscribed or have not survived, patterns of exchange and commerce appear in the multiplicity of individual decrees granted by specific *poleis*. Not surprisingly, Athens is very well-attested in the epigraphic record for its grants of *proxenia* and had many such relationships with *poleis* on the Greek Peninsula and around the edges of the Mediterranean. In addition, its grants span from the very end of the fifth century BCE until the mid-second century BCE, indicating that such practices were recognized as important factors in inter-state relationships regardless of Athenian imperial ambitions and current level of success. In contrast to this wide epigraphic variety, Rhodes seems to have granted very few proxenies, even when its abbreviated history of independence after its synoikism in 408 BCE is taken into account. Only eleven have been found so far and none were granted to the immediate region (for a full list see Figure 3.1). The nearest *proxenos* came from Erythrai, but was not granted until the late second century BCE at the earliest. As such, regional networking of the type argued by Mack (2015) cannot have been the motivating factor for Rhodes to engage in this “Greek” phenomenon. It seems instead that pursuance of economic interests, especially as Rhodian dominance waned in the second century BCE, may have been the main motivation. In its prime, Rhodes likely would not have had much need for establishing ties with nearby *poleis* as a form of inter-state cooperation, as it could confidently rest on its

²⁷³ It is interesting to note that several of the *poleis* which had *proxenoi* before were not renewed later on. This may be due to political tension or simple evolution of socio-economic relationships. For example, Aspendos was no longer connected to Anaphe by *proxenia* even given their history of interaction, but this may be because by the mid-Hellenistic period Rhodes had likely broken up this supply chain, diverting the goods into its own harbor, requiring a new pattern of networking for the Anaphanoi.

For a similar style of analysis, see Mack, *Proxeny and Polis*, 176-77 and 185-187 for Karathaia’s clearly economically-driven interest in the grain trade from the Hellespont and Propontis regions.

centralized position as a clearinghouse for trade goods. Merchants, traders, and foreigners came to Rhodes. However, after Rome came to dominate the Aegean, Rhodes lost much of its power as an economic authority. As such, it seems that Rhodes once again engaged in this method of forging links between communities, especially those which also played feature roles in Mediterranean trade, even going so far as to grant *proxenia* to two Romans in the first century BCE.

Figure 3.1: Proxeny Decrees from Rhodes²⁷⁴

Attestation	Date	Context of <i>Proxenos</i>	<i>Proxenos</i>
<i>I.Lindos</i> 16 (<i>Syll.</i> ³ 110)	409/8 BCE	Naukratis (IACP no. 1023)	[No Name], son of Pytheas
<i>IG XII</i> ¹ 25	mid-3rd c. BCE	Athens (IACP no. 361)	Glaukon, son of Eteokles
<i>I.Lindos</i> 130	c.220 BCE	Unknown	Pasion, son of Alexes
Clara Rhodos II n.61	3rd-2nd c. BCE	Kyrene (IACP no. 1028)	Antipatros, son of Asklepiades
<i>I.Lindos</i> 165	c.184 BCE	Kalchedon (IACP no. 743)	Boethos, son of Athanaion
<i>FD III</i> ³ 383	180/179 BCE?	Delphi (IACP no. 177)	Praxias, son of Eudokos
<i>Syll.</i> ³ 644/5	c.172-170 BCE	Seleukeia	Eudomos, son of Nikon
Maiuri, Nuova silloge epigrafica di Rodi, 8	2nd-1st c. BCE	Erythrai (IACP no. 845)	Menodoros, son of Dorotheos
Maiuri, Nuova silloge epigrafica di Rodi, 8	2nd-1st c. BCE	Berytos	Thruseas, son of Mnaseas
<i>IG XII</i> ¹ 48 (<i>Syll.</i> ³ 745)	82-74 BCE	Rome	Leukios Likinios, son of Leukios; Aulos Terentios, son of Aulos
<i>IG XII</i> ¹ 32	unknown	Arados?	Zenon, son of Naoumos

In many cases, *proxenia* inscriptions are fragmentary making an analysis of their language impossible. However, the decrees that can be read in full, or convincingly restored, show that, even in the grammatical formation of the decrees,²⁷⁵ there was a uniformity to this institution which permeated the entire Greek world. There was no explicit legal basis for this institution, but rather a shared set of societal expectations associated with the grant which bound

²⁷⁴ Information gathered from the online database “Proxeny Networks of the Ancient World,” sponsored by the University of Oxford and the University of Birmingham.

²⁷⁵ For more on the functions of the grammar, including specifically included motivation clauses, preceding acts of goodwill, and intended outcomes of granting the *proxenia*, see J. P. Rhodes with Lewis (1997), 4-5 and Marek, *Die Proxenie*, 333-34.

the activities of the *proxenos* and anyone seeking his aid. Mack likens this to the New Institutional concept of “logic of appropriateness,”²⁷⁶ but it speaks to Wolff’s *Grundvorstellungen* and Ma’s “mental maps” wherein Greeks were able to benefit from a common understanding of how, particularly in the close networking of the Hellenistic period, to navigate the complicated morass of jurisdictions, societal norms, and market manipulations.

In addition to this form of agreement between a private citizen and a state entity, there were also institutions between the states themselves. *Poleis* used formal treaties for a variety of situations, but one in particular had a strongly economic function - the σύμβολον. Σύμβολα (*symbola*, s. *symbolon*) have a long history in the Greek world. They first functioned as a method of personal identification as small physical tokens with identifying marks, allowing foreigners, often traders, to enter a Greek city and prove their connections with members of the community.²⁷⁷ Then, in the mid-fourth century BCE, they evolved into a more formulaic system of state to state agreement. In this context, foreigners were guaranteed protection and legal recourse under the court system of the granting *polis*.²⁷⁸ Instead of relying entirely on the graces

²⁷⁶ Mack, *Proxeny and Polis*, 24.

²⁷⁷ Gauthier, *Symbola*, 76-88, especially 85-87. Also in this chapter (pages 60-104), Gauthier argues that the difference in terminology, *symbolai* versus *symbola*, is not a simple linguistic shift, but rather a small differentiation between the fifth century Athenian imperial treaties of unequal status (*symbolai*) and the later treaties which reflect equal status between parties (*symbola*).

There is a further terminological issue between *symbola* (as discussed here) and *symbolaia* (“commercial contracts”). The former is discussed in this section, but are in some cases difficult to distinguish based on the state of the evidence), while the *symbolaia* will be discussed further under the section “Market Enhancing Institutions.” The LSJ less than helpfully equates the two terms thus, “σύμβολαιον, τό = σύμβολον.”

²⁷⁸ For a succinct description of the privileges guaranteed by *symbola*, see Michael B. Walbank, “Athens and Stymphalos: *IG II²*, 144+,” *Hesperia: The Journal of the American School of Classical Studies at Athens* 55.3 (1986), 349-353. He stated, “These *symbolai* and *symbola*, so far as we can tell, were primarily judicial in character; they thus had some, but by no means all, of the features that appear in modern treaties and trade agreements. Their primary function was to ensure that citizens of either of the contracting states in dealings with citizens of the other enjoyed legal rights equal to those available to them in their own city or to their adversaries in the other city” (350).

of a *proxenos*, assuming that one was in residence, the short-term visitor had another recourse to ensure that they completed their activities with as little trouble as possible.²⁷⁹

Phillipe Gauthier, author of the only monograph on the subject, argued that *symbola* were strongly economic in nature and, in the case of Athens, were intended to attract traders and merchants from nearby *poleis* to the Piraeus, especially after the fall of the Athenian Empire. He puts *symbola* in a contrasting partnership with the *dikai emporikai*, described in Chapter 2, as short-range and long-distance institutions for attracting trade to Athens.²⁸⁰ However, I believe that Gauthier under-appreciates the procedural requirements and rigor needed for a suit to qualify as a *dike emporike* (e.g. a written contract, movement to or from the Piraeus only, etc.). While it is true that *dikai emporikai* dealt with merchants from distant regions, there seems to be no need to use that information to circumscribe the usefulness of *symbola* in promoting long-distance trade. There likely were many instances where traders came from far distances to do business in Athens, without a written contract and without already having made specific connections within the local markets. The very existence of the *deigma* in marketplaces indicates that long-distance trade and pre-agreed written contracts did not always operate in tandem. As such, it seems appropriate to recognize that *symbola* covered a larger range of transactions than the specialized system of the *dikai emporikai*.²⁸¹

²⁷⁹ *Symbola* often included a variety of benefits for the members of each named community. These could include, for example, *asylia* and *isopoliteia*, the right not to be seized and the right of equal access to the benefits of citizenship. The overt expression of these rights could vary from inscription to inscription, however, and thus, if any universally guaranteed rights under *symbola* agreements existed is still unknown.

²⁸⁰ Gauthier, *Symbola*, 250: “Quand l’arkhè est ébranlée puis s’écroule, il devient nécessaire d’encourager les commerçants étrangers à ne pas oublier la route du Pirée. Dès lors on se préoccupe de mettre au point de nouvelles règles judiciaires, qu’on peut désormais qualifier d’« internationales ». Avec des buts et des modalités différentes, la création des *dikai emporikai* et la généralisation des *symbola* vont dans le même sens les premières portent sur un objet limité mais essentiel, elles intéressent surtout les commerçants venus de loin (cf. les plaidoyers du Corpus démosthénien); les seconds ont un contenu plus large, mais ils intéressent surtout les étrangers des cités voisines.”

²⁸¹ Even if Gauthier and Walbank are correct in their classification of *dikai emporikai* as engaged almost exclusively in the grain trade, for which the evidence is circumstantial, a vast amount of long-distance trade was almost

But *symbola* were not limited to Athens nor its fourth-century judicial developments.²⁸² For example, an inscription from Keos, dated to approximately 210 BCE, links the Keians with Naupactus, and through Naupactus to the Aitolian League. This *symbolon* guarantees that Naupactus will ensure that no Keian has their property stolen “on land or sea” (*asylia*) and that if they are the victims of such, they can prosecute their attackers in court and be repaid for their losses.²⁸³ While the language does not clearly indicate an economic component, only “an amphictyonic complaint or some other kind of complaint,”²⁸⁴ Naupactus’ role as an important port in the ancient world makes such considerations highly likely, especially as the *asylia* aspect of the *symbolon* refers to preventing piracy. Moreover, in this particular *symbolon*, an agreement

assuredly conducted that had little to do with the buying and selling of grain. These traders would have needed protections as well, likely the role filled by *symbola*.

²⁸² It should be noted here, however, that Athens does seem to pre-date most of the other *poleis* in its jurisdictional developments (although evidence shows a concept similar to *symbola* extant in Carthage and the Phoenician cities at a very early time as well, see R. Lacquer, “Σύμβολα περί του μή ἄδικεῖν,” *Hermes* LXXI (1937), 469-72 and Gauthier, *Symbola*, 102). These developments are often later found dispersed throughout the Mediterranean.

²⁸³ Inscription is part of the Schmitt collection; Schmitt, 508 III 1.4-7. The guarantee of *asylia* is often an integral part in *symbola* agreements. As Gauthier argued, *asylia* alone has no actual or practical judicial recourse, but combined with the judicial guarantees of a *symbola*, protection for the foreigner becomes tangible with access to magistrates and the court (“La mention de la symbole renvoie plutôt à la première partie, qui contient l'accord passé entre les deux cités et qui énonce les clauses applicables dans l'une comme dans l'autre. Dans ces conditions, symbolè serait à entendre d'une convention d'asylie : comme beaucoup de conventions du même genre, elle se contente d'énoncer ce qui est licite et ce qui ne l'est pas ; par là, elle favorise les relations entre les habitants des deux cités, notamment le commerce par mer (en assurant la sécurité des ports)...Mais, la procédure à suivre dans les litiges nés de la non-application de la symbolè (en somme ce qui fait l'objet des *symbola* au IV^e siècle et aux siècles suivants) est indiquée dans des clauses inscrites postérieurement, qu'il faut bien considérer comme une sorte d'appendice à la symbolè proprement dite. Le seul autre exemple de symbolè développée est bien postérieur à celui-ci, puisqu'il s'agit de la convention conclue entre Stymphale et Aigeira, qui date vraisemblablement du III^e siècle (*IG* V² 357). Tout ce qui en est conservé a trait à la procédure judiciaire, à la composition des tribunaux comme à la fixation des peines selon les différents délits. Il semble donc bien qu'ici le terme symbolè désigne une convention judiciaire stricto sensu” (93-94)).

²⁸⁴ *IG* XII⁵ 526, lines 3-4: μηθαμόθεν ὀρμώμενον, μήτε κατὰ γᾶν μήτε κατὰ θάλατταν, μήτε πὸτ Ἀμφικτυονικὸν μήτε πὸτ ἄλλο ἔγκλημα μηθέν.

to extend *isopoliteia* is also arranged so that Keians and Naupactians (and perhaps all Aitolians) have the privileges equal to that of full citizens.²⁸⁵

Unfortunately, *symbola* inscriptions are often highly fragmented, hindering modern identification and translation. One such example comes from the third century and involves an agreement between Delphi and Pellene. In this case, the only preserved section outlines the judicial response to law breaking and an assurance of a trial without delays.²⁸⁶ Another badly preserved example exists from approximately 200 BCE between Miletus and Priene.²⁸⁷ In the reconstructed part of this inscription, an *epimeletes tou emporiou* is named as a magistrate

²⁸⁵ This is not to say that Keos became a full member of the Aitolian *koinon* (as Gauthier seems to imply in his analysis (256); see also H. Benecke, *Die Seepolitik der Aitolier* (Hamburg 1934), 17-31; Lina G. Mendoni, "More Inscriptions from Keos," *The Annual of the British School at Athens* 84 (1989), 291; *contra* Gauthier later on page 265 and Peter Funke, "Die Aitoler in der Ägäis: Untersuchungen zur Sogenannten Seepolitik der Aitoler im 3. Jh. V. Chr.," in *Vom Euphrat bis zum Bosporus. Kleinasien in der Antike. Festschrift für E. Schwertheim zum 65. Geburtstag*, 253-76, edited by E. Winter (Bonn, 2008) who argues for a more conservative interpretation of this evidence), but rather that they had the same protection as a citizen versus an unattached foreigner. The argument against the Keian federation becoming a full part of the Aitolian *koinon* is supported by the interpretations of Wilfried Gawantka who wrote the monograph, *Isopolitie: Ein Beitrag zur Geschichte der zwischenstaatlichen Beziehungen in der griechischen Antike*, which remains the standard for the study of *isopoliteia*. He found that "The independence of each contracting state is maintained; no common citizenship or common institutions are established; only individuals may on their own initiative translate potential into actual citizenship and are admitted without first proving themselves benefactors of their new city" (summarized succinctly by Martin Ostwald in his extensive review of the work in *The American Journal of Philology* 98.1 (1977), 90-95). A federation by its very nature would require the establishment of common institutions.

²⁸⁶ FD III. 1.486 (285-280 BC): *Fouilles de Delphes, Vol. 3: Épigraphie; Fascicule III, Inscriptions Depuis Le Trésor Des Athéniens Jusqu'aux Bases de Gélon*. Gauthier, *Symbola*, 294-95, "Ensuite, le mode de désignation des juges est fonction de la manière dont s'engage la procédure: à Chaléion (de même à Latô), on envisageait le cas de l'étranger demandeur ou, à défaut, du tiers demandeur en lieu et place de l'étranger; dans les deux cas, le procès avait lieu dans la cité du défendeur. Au contraire, le symbolon delphien n'est pas compréhensible si l'on n'admet pas que les procès avaient lieu ordinairement là où le délit avait été accompli, donc soit dans la cité du demandeur soit dans celle du défendeur: dès lors, le système du tirage au sort par les magistrats a le mérite de s'appliquer aux deux situations il empêche le citoyen de se choisir des juges favorables (lorsque le procès a lieu dans la cité du demandeur), mais ne lèse pas l'étranger, pour qui les dieux choisissent (lorsque le procès a lieu dans la cité du défendeur). Rappelons enfin que si certaines procédures particulières sont prévues par la convention (notamment l'apagôgè pour le voleur pris en flagrant délit), en revanche nulle part il n'est question de conciliation ou d'arbitrage préalablement au jugement du tribunal."

²⁸⁷ *Inscr. Priene* 28; H. F. Hitzig, *Altgriechische Staatsverträge über Rechtshilfe, étude parue dans le Festschrift Regelsberger*, puis éditée à part (Zurich, 1907), number 34; Gauthier, *Symbola*, 306.

involved in ensuring order and, perhaps, bringing cases to trial.²⁸⁸ Although parallels to Athenian practice based on a few words of inscription are fraught, the decrease in trial delays, especially when dealing with traders and merchants, and magistrate similarities promised in these *symbola* is reminiscent of similarly economically-driven judicial choices in the Athenian *dikai emporikai*. Moreover, as Gauthier concludes, these conventions - these *symbola* - were an attempt to make a real inter-state judicial system which granted protections outside of the jurisdiction of any one authority.²⁸⁹ In this light, economic benefits from cross-*polis* agreements seem quite likely.

This phenomenon became even more prominent in the second century BCE when a change occurred in how *symbola* were adjudicated and coincided with the rise of a new institution concerned with the resolution of inter-state conflicts. This institution is the ξενοδίκαι (*xenodikai*, judges who tried cases involving foreigners). While discussion still surrounds the earliest origins of these figures, the earliest known inscriptions for *xenodikai* come from the *poleis* of Asia Minor and then spread and became popular in the rest of Greece by the second century BCE.²⁹⁰ *Xenodikai* were used in two major types of cases; the first, when a crime was

²⁸⁸ *Inscr. Priene* 28, lines 10-11.

²⁸⁹ Gauthier, *Symbola*, 265: "...les conventions cherchent à établir un véritable régime judiciaire, de façon à prévenir le droit de représailles, et a fortiori la piraterie. Il ne s'agit pas pour les ressortissants de ces cités d'être traités comme des Étoliens, mais à l'inverse comme des étrangers- des étrangers privilégiés qui peuvent être demandeurs et obtenir réparation."

I would like to note here that I do not intend to limit the possibilities of inter-state agreements only to the few kinds I have detailed here. Inter-state agreements came in a vast number of forms, up to and including peace treaties stemming from military engagements. Even trade-specific agreements came in other forms, such as the mid-fourth century "Pistiros Inscription" which seems to have guaranteed certain legal rights to traders operating within the bounds of Pistiros, but does not include any surviving reference to *symbola* (for more information see, Denver Graninger, "Documentary Contexts for the 'Pistiros Inscription,'" *Electrum* 19 (2012), 99-110 and A. Avram, "Notes sur l'inscription de l'emporion de Pistiros en Thrace," *Il Mar Nero* 3 (1997-98), 37-46). If anything, evidence such as this adds to my overall argument that cross-jurisdictional agreements were a central part of attracting and improving trade relationships; but the range of possibilities is simply too vast to undertake here.

²⁹⁰ Louis Robert, "Les juges étrangers dans la cité grecque," in *Xenion: Festschrift für Pan. I. Zepos*, edited by E. von Caemmerer et al. (Athens, Freiburg/Br., and Cologne, 1973): 765-782; D. Knoepfler, Eretria — Fouilles et

committed and, the second, when an economic issue arose, usually between a *polis* and a foreign citizen.²⁹¹ Rarely were *xenodikai* called upon to resolve internal issues of a *polis*, but focused rather, as their name suggests, on resolving disputes concerning foreigners.

The short and exceptionally formulaic nature of *xenodikai* decrees are a major hindrance to understanding specific information about the judiciary process or the specific nature of cases sent to these judges. One example of a text which indicates an issue arising that required the arbitration of the *xenodikai* is *IG XII*⁶ 1.95 (ca. 280 BCE) where problems with *symbolai* are directly mentioned.²⁹² In this case, judges from Myndos, Miletos, and Halicarnassus are requested to come to Samos to help resolve issues with “τὰ μετέωρα συμβόλαια” (“the pending ‘agreements’”), but little further information is given. Andreas Walser believes that this refers to issues of debt and its cancellation, similar to a cancellation of debts decreed by *xenodikai* in Ephesos.²⁹³ In another case, judges from Thasos, Miletus, Cnidus, Astypalea, and Kaunos were dispatched to Smyrna in order to aid in a case for which we have no specific details.²⁹⁴

However, the composition of the court of the *xenodikai* in both of these cases provides an

recherches, volume XI: *Décrets érétriens de proxénie et de citoyenneté, Eretria IX* (Lausanne, 2001), 407; and C. Crowther, “Foreign judges in Thessaly in the Hellenistic period: a second century phenomenon?,” in *Inscriptions and history of Thessaly: new evidence. Proceedings of the International Symposium in Honor of the Professor Christian Habicht*, edited by G. A. Pikoulas (Volos, 2006), 35.

²⁹¹ Robert, “Les juges étrangers dans la cité grecque,” 765–782 and Andreas Victor Walser, *Bauern und Zinsnehmer: Politik, Recht und Wirtschaft im frühhellenistischen Ephesos* (München: Verlag C. H. Beck, 2008), 258–272.

²⁹² *IG XII*⁶ 1.95, lines 2-4: “...ὅπως οἱ παραγερόμενοι δικασταὶ ἐπὶ τὰ μετέωρα συμβόλαια ἔκ τε Μιλίτου καὶ Μόνδου καὶ Ἀλικαρνασσοῦ τιμηθῶσιν.” And again in line 9. The translation here of “agreements” reflects our restricted understanding of the context of these *symbolaia*. These “agreements” could be commercial contracts or referring to issues pertaining to negotiations of *symbola* agreements. This is an exceptionally early date for *xenodikai* to be dispatched to resolve purely private matters, as was normally the case in commercial contracts.

²⁹³ Walser, *Bauern und Zinsnehmer*, 258-70.

²⁹⁴ *I. Smyrna 582*. See Patrice Hamon, “Juges thasiens à Smyrne: *I. Smyrna 582* complété,” *Bulletin de correspondance hellénique* 123.1 (1999), 175-194. Hamon argues that a date cannot be given as the inscription does include enough identifying information nor can be accurately compared with other dated inscriptions.

interesting possibility. First of all, a mixed panel of judges likely provided greater assurance of an impartial vote, as the links between individual judges or the group were much weaker.²⁹⁵

Second, and much more interesting, is the idea that these judges may have been picked based on their relationships, political and economic, with Samos and Smyrna. As Patrice Hamon argues, “Les Smyrniens prirent soin, en tout cas, de solliciter des cités différentes, dont leurs marchands fréquentaient sans doute les ports en familiers: Thasos au Nord et, sur la route maritime qui longe les côtes de l'Asie Mineure, Milet, Cnide, Astypalée et Caunos.”²⁹⁶ If this were so, it would indicate that economic and judicial motivations overlapped in this institution, leading to bolstered connections, public and private, between these communities.²⁹⁷

Though the information provided in decrees honoring *xenodikai* give us little practical information, there is much that we can tell about the inter-state judiciary interests of the Hellenistic *poleis*. In particular, the evolution of *symbola* in the second century now required that issues concerning foreigners be submitted to *xenodikai*.²⁹⁸ And while Gauthier argues that this is a sign of the collapse of internal *polis* law and the faith of the citizenry in their own institutions,²⁹⁹ more recent research has shown that the use of *xenodikai* speaks to even greater reductions in the borders between *poleis*. Anna Magnetto even goes so far as to claim,

In other words, has the use of foreign judges any implication for the broader question of the unity of Greek law? The answer is positive. On the one hand, the

²⁹⁵ Robert, “Les juges étrangers dans la cité grecque,” 765–782.

²⁹⁶ Hamon, “Juges thasiens à Smyrne,” 194.

²⁹⁷ In comparison, Athenian courts during the imperial period were considered partial to Athenian litigants, even when judging her “allies.” This bias poisoned any possible balance among Athens and the allied states, especially once Athens asserted her jurisdiction over previously independent *poleis* and court systems; an imbalance which had to be addressed once Athenian imperial power declined at the end of the Classical Era. See for example, Thucydides 1.77 and Pseudo-Xenophon (Old Oligarch), *Constitution of the Athenians* 1.16-18.

²⁹⁸ Also known as “leur irrémédiable décadence” according to Gauthier, *Symbola*, 346.

²⁹⁹ Gauthier, *Symbola*, 340-46.

use of foreign judges indicates that the laws of the Greek city states were similar enough that a judge from one community would understand and apply the laws of another. On the other hand, foreign judges were chosen among educated individuals that were capable of acquiring new knowledge abroad and of using it in promoting the interests of their city at all levels. Their experience abroad might form the basis of interventions in local law and, in the long term, make the laws of the different communities even more similar.³⁰⁰

And while this may seem to be a hopeful reading of the evidence, the existence of these types of institutions shows that inter-state legal options and jurisdictions were more common and more popular in the Hellenistic world.

An odd *polis* policy may substantiate the idea of *poleis* becoming more interested in how the use and honoring of *xenodikai* improves their own status in the Greek milieu. Priene was a great inscriber of *xenodikai* decrees, with over twenty currently known (of approximately 280 total). Patrice Hamon interprets this epigraphic habit thusly:

Si l'on prend à nouveau le cas de Priène, où les décrets étrangers pour des juges ont été retrouvés en grand nombre (une vingtaine), on observe que la cité prenait souvent, sinon systématiquement, à sa charge la gravure. Il est permis de penser que les Priéniens agissaient de manière délibérée, en pratiquant ce qu'on pourrait appeler une «politique d'affichage». Ils cultivaient ainsi l'image d'une cité ouverte et renommée.³⁰¹

The idea that Priene intentionally cultivated their image in order to seem more “international” is an interesting one. It would imply that such a policy and the use of the *xenodikai* was well-accepted enough (perhaps urbane enough) in the Greek milieu to accrue some benefit for the *polis*. Epigraphic inscriptions, especially to display so openly, were not inexpensive measures for a city to take and as such must have been deemed worthy of the effort to pay for quality

³⁰⁰ Anna Magnetto, “Interstate Arbitration and Foreign Judges,” in *The Oxford Handbook of Ancient Greek Law*, edited by Edward M. Harris and Mirko Canevaro (Oxford: Oxford University Press, 2016), 34. doi: 10.1093/oxfordhb/9780199599257.013.20.

³⁰¹ Patrice Hamon, “Mander des Juges dans la Cité: Notes sur l’Organisation des Missions Judiciaires à l’Époque Hellénistique,” *Cahiers du Centre Gustave Glotz* 23 (2012), 213.

materials and engraving. However, if it resulted in the *polis* being viewed as having “une politique active de contacts et d'échanges” then their benefit in attracting new contacts to their shores was likely well repaid.³⁰²

These institutions not only show the highly integrated nature of economics and politics within *polis* policies; they reveal that inter-state agreements and common institutions were prolific in the Hellenistic period, both in terms of legal jurisdiction and economic connections. Clearly, not every *polis* put into effect the same ideas and policies. But a trend does seem clear among the *poleis* that were the most interested in trade. However, a study of Greek institutions is incomplete when only looking at how individual *poleis* related to one another, as complex systems of alliance were often the norm in the Greek world. But as I will show in the next section, regional alliances faced many of the same issues as individual *poleis* when faced with the inescapable need to build bridges beyond their own borders.

Hellenistic Koina: Federalism, Economics, and Long-Distance Trade

The socio-political topography of the Hellenistic period was largely molded by the monarchies, political alliances, and *koina*, or federal states, that covered the map. Thus, any unity in the Greek world, and especially during the Hellenistic period, must feature a discussion of federalism and the many *koina* which included more than half of the Hellenistic *poleis*,

³⁰² Hamon, “Mander des Juges dans la Cité,” 219. In full, Hamon says: “Pour le dire autrement: arrive-t-il qu'une cité fasse venir des juges étrangers, non pas tant pour répondre à une nécessité judiciaire, mais parce que c'est un bon moyen pour elle de nouer et d'entretenir des relations diplomatiques avec une cité partenaire ? Quoi qu'il en soit, l'opération répond au souci permanent de la cité et de ses élites de participer à la vie de relation entre *poleis*, par une politique active de contacts et d'échanges. Par leur présence même, les juges « mandés », hôtes officiels venus de loin ou de fort loin, utilisant la *koinè* pour s'adresser aux justiciables, considérés par les notables locaux comme leurs homologues étrangers, renvoient la cité à la question de son identité et de sa place parmi l'ensemble des *poleis* du monde grec.”

bolstering the creation of a common mental framework within which *poleis* coalesced.³⁰³ *Koina*, directly translated as “commonalities” but more precisely called federal states, were political bodies which stretched across a region joining *poleis* together- a process seemingly at odds with traditional ideas about *polis* political independence. *Koina* formed to fend off political and military pressure from other organizational bodies, especially when the *poleis* were smaller and at risk while wholly independent.

Federal states were the center of bitter disputes throughout the fourth century BCE as Sparta, Athens, Thebes, and many other *poleis* argued and battled with one another about the legality and formality of leagues and political expansion after “autonomy” was demanded under the King’s Peace.³⁰⁴ Even the well-known Classical *koina* of Boiotia, Aitolia, and Achaia suffered from internal disputes and fractures, weakening their overall ability to withstand the turbulence of the period.³⁰⁵ However, even for their weaknesses, *koina* grew in size and strength

³⁰³ As is clearly outlined in Emily Mackil’s book, *Creating a Common Polity*, *koina* were a feature of the Greek world since the fifth century; however, they grew in frequency and organization in the Hellenistic period, particularly as a response to the Hellenistic Kingdoms in the Near East. “The creation of a common, regional polity was increasingly seen as a solution to the problem of how small *poleis* could survive in a world in which some states, and rulers, had grown exceptionally large, wealthy, and powerful. The story of the latter half of the fourth century, and indeed the Hellenistic period as well, can be seen as a story about the tremendous success of this solution, as well as about its limitations” (Mackil, *Creating a Common Polity: Religion, Economics, and Politics in the Making of the Greek Koinon* (Berkeley: University of California Press, 2013), 58).

³⁰⁴ The King’s Peace was a result of the Corinthian War in which Sparta battled with Athens, Thebes, Corinth, and Argos for control of the Corinthian Gulf. The Persian Empire originally entered the conflict on the side of the allied *poleis*, but reneged to Sparta’s defense after Athens claimed several Greek islands for herself. Coming to an end in 387 with the “King’s Peace,” this conflict resolved that Ionian *poleis* would remain under the control of Persia, a few small cleruchies would remain in the possession of Athens, and that the rest of the Greek *poleis* would be *αὐτονόμοις* or autonomous. Sparta was put in charge of preventing these forcibly independent states of reforming into alliances or *koina*. The terms were challenged almost immediately by the Boiotian *koina*, led by Thebes, and resulted in the defeat of Spartan military predominance in Greece and the Theban hegemony. Mackil, *Creating a Common Polity*, 58-70; Xenophon, *Hellenica*, Books 3-6, and for the terms of the King’s Peace in particular 5.1.31.

³⁰⁵ While all three *koina* survived through the fourth century, their forms drastically changed as their members broke away or were razed by external forces. For example, the Boiotian *poleis* of Koroneia, Tilphosaion, Chorsiai, and Orchomenos broke away from the *koinon* due to the pressures applied by Phokians (Diodorus Siculus, 16.33.4, 56.2, 58.1) and Thebes, the undisputed head of the Boiotian *koinon*, was razed to the ground by Alexander the Great in retaliation for their attempts to force out the Macedonian garrison (Arrian, *Anabasis*. 1.7.4–8.8, 9.6–10; Diodorus Siculus, 17.9–14; Plutarch, *Life of Alexander*, 11.6–12.6).

in the Hellenistic period as dozens of *poleis* voluntarily joined a larger conglomerate. Unlike the often forced enrollment of states into the Athenian Empire or the Peloponnesian League, *koina* were largely egalitarian structures which seemed to have prioritized a certain amount of equality between its members.³⁰⁶

The origins of federalism in Greece have been well analyzed in recent years,³⁰⁷ but their impact on the political and economic realms of the Hellenistic period are still central to current debates.³⁰⁸ As outlined above, economic motives are not entirely separate from political motives in the Greek world, and, thus, we can see how an initially political partnership may have also had profound economic benefits. *Koina* developed from regional interactions between small *poleis* of a single *ethnos* (so-called “ethnicity”) and grew, in part, as a protective mechanism by which smaller *poleis* could ensure their own autonomy from the threatening hegemony of larger entities.³⁰⁹ In addition, they facilitated intensification of regional trade, particularly between

³⁰⁶ The obvious exception to this was the stranglehold Thebes had over the rest of the Boiotian *koinon* from 371-346. But after Thebes’ destruction in the later fourth century and its later rebuilding and reinitiation into the *koinon*, Thebes was an equal partner with the rest of the Boiotian *poleis*. For more information see, Mackil, *Creating a Common Polity*, 71-84.

³⁰⁷ One of the earliest works to pursue the idea of federalism in Classical *poleis* for its own merits and not as an anachronistic, ethnically-exclusive, backwater political amalgamation was Jakob Larsen, *Greek Federal States* (Oxford: Oxford University Press, 1968). For a history of the “positive literature” on Greek federalism since the 19th century, see Hans Beck and Peter Funke “An introduction to federalism in Greek antiquity,” in *Federalism in Greek Antiquity*, edited by Hans Beck and Peter Funke (Cambridge: Cambridge University Press, 2015), 5-10.

³⁰⁸ See, for example, Jacek Rzepka, *Greek Federal Terminology. Akanthina, 12* (Oxford: Oxbow Books, 2017); Hans Beck and Peter Funke, eds., *Federalism in Greek Antiquity* (Cambridge: Cambridge University Press, 2015); P. Funke and M. Haake, eds.), *Greek Federal States and Their Sanctuaries: Identity and Integration* (Stuttgart: Franz Steiner Verlag, 2013); E. Meyer, *The Inscriptions of Dodona and a New History of Molossia* (Stuttgart: Franz Steiner Verlag, 2013).

³⁰⁹ Mackil, *Creating a Common Polity*, 405, where she summarizes that “the *koinon* developed in the Greek world against a background of intensive religious and economic interactions between communities within a region, which contributed to a sense of ethnic identity and regional cohesiveness and made the prospect of surrendering partial autonomy to a newly created regional state more palatable to the *poleis* that participated. Religion became central to the structure and stability of the *koinon*, because it provided a means of legitimating the existence of this new power and of articulating and reinforcing the integration of the entire region while at the same time protecting the distinct identities of its constituent *poleis*. The protection and promotion of old patterns of regional exchange and economic

poleis with highly specialized production capabilities and little hope of internal *autarky* or self-sufficiency.³¹⁰

Regional economies were hampered in the Greek world by significant fragmentation in the political and geographical realms. The micro-environments of the Greek peninsula and the Mediterranean more generally largely precluded self-sufficiency for any individual state, at least one similar in scale to a *polis*.³¹¹ *Koina* worked to overcome these limitations and reduce the transaction costs within their boundaries through policies of economic cooperation. Unlike independent *poleis*, *koina* often offered the rights of *epigamia* and *enktesis* (intermarriage and land ownership) broadly across all member states.³¹² In addition, the *koinon* promoted transactions and commerce between member cities, such as in *IG VII*³ 171 which records loans between two members states, Eubolos and Orchomenos, but with a third party from the *koinon* arbitrating. The arbitrator, a man from Chaironeia, seems to hold a federal position and facilitated the exchange of money for services between the two *poleis*.³¹³ The end result of this unification was a reduction in the firm boundaries between citizens of a single *polis* and the improvement of regional mobility and interaction.

mobility by the *koinon* may have offered a material incentive for *poleis* to join...and this motive can be seen in the history of the expansion of *koina* beyond their original ethnic boundaries.”

³¹⁰ For more expansive explanation on the regional economic benefits of *koina*, see Emily Mackil, “The economics of federation in the ancient Greek world,” in *Federalism in Greek Antiquity*, edited by Hans Beck and Peter Funke (Cambridge: Cambridge University Press, 2015), 487-502.

³¹¹ An analysis of this fragmentation and its impact on the development of Mediterranean states is the main thesis of Peregrine Horden and Nicholas Purcell, *The Corrupting Sea: A Study of Mediterranean History* (Hoboken: Wiley-Blackwell, 2000).

³¹² Xenophon, *Hellenica* 5.2.16–19. For an in-depth analysis of *koina epigamia* and *enktesis* see, Mackil, *Creating a Common Polity*, 237-260; for another point of view on the inter-regional economic benefits of *koina*, see Josiah Ober, *The Rise and Fall of Classical Greece* (Princeton: Princeton University Press, 2015), 241-42

³¹³ Leopold Migeotte, *L'emprunt public dans les cités grecques: Recueil des documents et analyse critique* (Quebec-Paris: Éditions du Sphinx-Les Belles Lettre, 1984), no. 12 and Mackil, *Creating a Common Polity*, 237-260.

The impact of supra-regional economics, however, is less clearly visible in the extant evidence.³¹⁴ But the political formation of *koina* may allow us a few assumptions concerning long-distance trade. First, *koina* often reproduced the same political institutions of the autonomous *poleis*. As Athanasios Rizakis stated, “Greek federalism is characterized by a duality of identity and a duality of political power between the federal and the local level, although the dividing line between the two is not always clear.”³¹⁵ Representation was one of the major aspects in the establishment of federal institutions. Independent *poleis* were divided into *μέρη* (*mere*, s. μέρος, divisions) and from these divisions were “calculated the privileges and contributions of the actual member-communities to the central government.”³¹⁶ In addition, *koina* had federal laws,³¹⁷ *ekklesiai* (assemblies), *dikasteria* (courts), archons, *strategoí* (generals or commanders), and federal armies - plus the associated taxes.³¹⁸ These were not in place of the same institutions for each *polis*, but in addition.³¹⁹ As such, we may be able to theorize that the

³¹⁴ And in fact, Emily Mackil argues that supra-regional institutions were undercut by the *koina*. She says, “The economic and legal institutions of the polis tended to favor and promote internal exchange while creating hurdles and increasing the costs of transactions involving imported or exported goods. This can be seen in the production of local currency, always of local type but often on local weight standards as well; in the extraction of taxes on goods both imported into and exported from the territory of the individual polis; and in the often disadvantageous legal position of foreigners who might need access to local courts in order to resolve a commercial dispute” (Mackil, *Creating a Common Polity*, 244).

³¹⁵ Athanasios Rizakis, “The Achaian League,” in *Federalism in Greek Antiquity*, edited by Hans Beck and Peter Funke (Cambridge: Cambridge University Press, 2015), 128.

³¹⁶ Beck and Funke, “An introduction to federalism in Greek antiquity,” 16.

³¹⁷ Anna Magnetto, “Interstate Arbitration and Federal Judges,” 23: “The existence of federal laws that could be used to solve internal disputes is documented by a small number of inscriptions, which also reveal the imposition of fines. A decree from Messene, recounting the history of a long dispute with Megalopolis, adds further details. The league was not content to pursue the peaceful resolution of disputes; it also tried to regulate the process. Rules were established, according to which it was possible to decide whether a legal dispute and arbitration between members were admissible. At the same time, a requirement was imposed on members to submit to [external] arbitration if certain conditions obtained.” Forms of Hellenistic diplomacy permeated the boundaries of the *koina*, but often as a second step after trying to use the federal institutions.

³¹⁸ Beck and Funke, “An introduction to federalism in Greek antiquity,” 14-19.

³¹⁹ Although each *koinon* acted and organized differently, certain aspects of federalism find some commonality across political boundaries, for examples of this generalized behavior, see many chapters of Beck and Funke, eds.,

economic institutions were also replicated, such as the magistracy of the *agoranomos* and taxation of import/export goods. At least in the case of the Akarnanian *koinon* and the Aitolian *koinon*, this holds true. Both *koina* had *agoranomoi* put in place on the federal level and for the member *poleis*.³²⁰

Second, the creation of common federal coinage demanded cooperative behavior.³²¹ This was a demand clearly met, as common monetary realms were a distinguishing feature of the Hellenistic period. Instead of being forced to negotiate value or currency exchange at every border, a wider “monetary landscape” promoted and facilitated economic mobility to the benefit of each individual *polis*, as well as the whole *koinon*.³²² While many argue that such federal coinages were predominantly for military expenditure,³²³ they also had economic importance.

As Emily Mackil explains,

The production of a common coinage requires a significant degree of coordination by multiple communities, and when it occurs outside the context of federation it can only be taken as evidence for an intention to promote and facilitate exchange

Federalism in Greek Antiquity, where case studies are presented of a variety of *koina*. For example, but not limited to Beck and Funke, “An introduction to federalism in Greek antiquity,” 14-19, Rizakis, “The Achaian League,” 131, Peter Funke, “Aitolia and the Aitolian League,” 107, Giovanna Daverio Rocchi, “The Lokrians and their federal leagues,” 192-94, and Sheila Ager, “Peaceful conflict resolution in the world of the federal states,” 471-72.

³²⁰ Klaus Freitag, “Akarnania and the Akarnanian League,” in *Federalism in Greek Antiquity*, edited by Hans Beck and Peter Funke (Cambridge: Cambridge University Press, 2015), 83 and *IG IX*¹ 2.1 line 188, regarding the Aitolians.

³²¹ Peter van Alfen and Emily Mackil, “Cooperative Coinage,” in *Agoronomia: Studies in Money and Exchange Presented to John H. Kroll*, 201-247 (New York: American Numismatic Society, 2006).

³²² Fleur Kemmers, “Money as Mediator. Systems of value in colonial contexts,” lecture, An den Ufern des Bugs: Internationale Fachtagung anlässlich des Jubiläums: Fünf Jahre deutsch-ukrainische Ausgrabungen in Olbia Pontike, Goethe-Universität, Frankfurt am Main, Germany, October 9, 2019.

³²³ Barclay Head, *Historia numorum, 2nd edition* (Oxford: Clarendon Press, 1911); C. M. Kraay, *Archaic and Classical Greek Coins* (Berkeley: University of California Press, 1976), 82-87, 235-37; J. H. Kagan, “Epidamnus or Ephyre (Elea): a note on the coinage of Corinth and her colonies at the outbreak of the Peloponnesian War,” in *Studies in Greek numismatics in memory of Martin Jessop Price*, edited by R. Ashton and S. Hurter, 163-173 (London: Spink, 1998); Francois de Callataÿ, “Guerres et monnayages à l’époque hellénistique. Essai de mise en perspective suivi d’une annexe sur le monnayage de Mithridate VI Eupator,” in *Économie antique. La guerre dans les économies antiques, entretiens d’archéologie et d’histoire*, edited by J. Andreau, P. Briant, and R. Descat, 337-364 (Saint-Bertrand-de-Comminges: Musée archéologique départemental, 2000).

between the participating communities...cooperative minting practices tend to become more regular with formal federation; in the Hellenistic period, when federal institutions were most robust, the production of a coinage in the name of the entire *koinon* was standard.³²⁴

For example, an overarching common Achaean coinage did not appear immediately alongside the integration of the Achaean *koinon* in the early-third century BCE.³²⁵ But while small denominations, such as silver triobols (Figure 3.2) and bronze coins, were produced by individual *poleis*, the larger silver and gold denominations were under the control of the *koinon* institution.³²⁶ All of the coinage however, from the third century through the mid-second century, employed a wreath on the reverse and conformed to the Aiginetan standard.³²⁷ The importance of these standardizations is in their ability to reduce the transaction costs and promote trust that some form of overarching mechanism is ensuring the quality of the coinage. Coins, thus, do not have to be weighed for every commercial exchange and can traverse a larger region before losing their accepted value.³²⁸ Thus, the monetary landscape for the Achaeans spans the length of the *koinon* instead of being restricted to the immediate boundaries of each *polis*.

³²⁴ Emily Mackil, “The economics of federation in the ancient Greek world,” in *Federalism in Greek Antiquity*, edited by Hans Beck and Peter Funke (Cambridge: Cambridge University Press, 2015), 490.

³²⁵ Catherine Grandjean, “Internal Mechanisms, External Relationships of the Achaians: A Numismatic Approach,” in *Ethnos and Koinon: Studies in Ancient Greek Ethnicity and Federalism*, edited by Hans Beck, Kostas Buraselis, and Alex McAuley (Stuttgart: Franz Steiner Verlag, 2019). *Contra* (the dating of the common coinage) Mackil, *Creating a Common Polity*, 250-51.

³²⁶ Mackil, *Creating a Common Polity*,” 251. For examples of bronze coins and triobols, see: *SNG Copenhagen Phlissia-Laconia* 145–46; *SNG Copenhagen Phlissia-Laconia* 209–10; *SNG Lockett* 2350; *SNG Fitzwilliam* 3567–69; *SNG Manchester* 1069; *ANS* 1944.100.39485; and *ANS* 1944.100.37614.

³²⁷ The standard did change on occasion after the re-formation of the *koinon* after 146, sometimes aligning with the Attic or Rhodian standard (Grandjean, “Internal Mechanisms, External Relationships,” 197).

³²⁸ While silver and gold coinage can be accepted based on weight alone, bronze coinage is commonly fiduciary and, thus, has no real value beyond the boundaries of the issuing authority. The *poleis* in the *koinon* may have been able to expect a certain amount of trust in the value of this coinage due to the monetary alliance implied by the use of a common icon, the wreath in this case.



Figure 3.2: Pellene Silver Triobol, bearing the Achaean wreath - ANS 1944.100.39485

Even though Mackil delineates between non-federal and federal minting practices, the benefits of federal minting in terms of inter-regional exchange may also be evident. When a new common coinage is produced specific decisions must be made, including style and material. The choice of weight standard most especially speaks to an inter-regional understanding of economic mobility and the monetary landscape within which a *koinon* wishes to interact. While a unique and independent local standard could be (and sometimes was) used, this restricted the usefulness of the coinage if it was not exchangeable outside of the bounds of the issuing authority. As Catherine Grandjean argues for the aforementioned Achaian coinage, “The Peloponnese did not form a limited monetary zone...but was connected to a kind of monetary *koine* stretching from Thessaly to the Peloponnese and from western Greece to Euboea (with the exception of Attica).”³²⁹ This zone likely functioned almost entirely on the reduced Aiginetan standard.³³⁰

³²⁹ Grandjean, “Internal Mechanisms, External Relationships,” 197.

³³⁰ The “reduced Aiginetan” standard is so-called as it was based on the original Aiginetan standard of the fifth century in which a drachm weighed ca. 6 grams, but in the Hellenistic period the standard became somewhat lighter as the drachm weighted c. 5 grams. “Reduced” standards are rarely an official policy, but rather a function of the use of older worn coins and new coins minted to match the worn down weight of the old coins at the same time.

By the late fifth and fourth centuries BCE the two most popular weight standards were that of Athens and Aegina, called the Attic and Aeginetan standard respectively.³³¹ After Alexander the Great's conquests, silver "Alexanders," struck on the Attic weight standard, became a cross-Mediterranean triumph of standardizing coinage weights and styles. Alexanders often acted as the common coinage for much of the third and second centuries, but never entirely replaced locally minted coinages in Greece.³³² In the Hellenistic period, a significant amount of monetization was commonplace throughout the Mediterranean and adherence to one of the other prevailing standards on local civic coinages could signal economic, and political, priorities.³³³ While coin hoards show that common civic coinages rarely traveled outside of the bounds of the *koinon*,³³⁴ aligning a common coinage with, as an example, the Aeginetan standard was a *de facto* demonstration of alliance. In doing so, merchants and long-distance traders would be able to reconcile local currencies with the more wide-spread Aeginetan coins, as seems to have been the case with the common coinage of Keos.³³⁵ And while regional common coinage was not in high

³³¹ For an overview of the development of these standards, specifically that of Aeginetan, see Selene E. Psoma, "Choosing and Changing Monetary Standards in the Greek World during the Archaic and the Classical Periods," in *Creating the Foundations of Market Exchange*, 90-115, edited by Edward M. Harris, David M. Lewis, and Mark Woolmer (Cambridge: Cambridge University Press, 2015), 95-99. For an overview of the transition after Alexander the Great, see Peter Thoneman, *The Hellenistic World: Using Coins as Sources* (Cambridge: Cambridge University Press, 2015).

³³² Thoneman, *The Hellenistic World: Using Coins as Sources*, 3-23, 45-46. Alexanders were used across state boundaries from Greece to Bactria and imitations and posthumous Alexanders were minted for more than 100 years (and until the first century BCE in some regions, such as the Black Sea). Many local civic coinages of Asia Minor turned entirely to minting imitation Alexanders, but in Greece many *poleis* continued to mint their own coins.

³³³ See for example, Manning, *The Open Sea*, 201: "Coinage was especially important for Hellenistic and the Roman economies. Coinage facilitated trade, and the widespread usage of a general currency was recognized as an important element of political power. The use of coined money expanded during the Hellenistic period, along with banking institutions." This is not to undercut the reality that many *koina*, especially in the Classical period, did mint on their own local standards. However, this was not easily conducive to inter-state trade and connections.

³³⁴ See for example the Classical period Boiotian hoards, *CH* 1.27, *CH* 1.33, and *CH* 7.43, or the Hellenistic era Achaean hoards, *CH* 8.147 and *CH* 8.254.

³³⁵ Athenian "owls" and Aeginetan "turtles" were commonly accepted across the Mediterranean due to their consistent weight, fabric, purity, and overall quality. For further information about Keos, see Mackil, "Economics

demand outside of the *koinon*, its equality in exchanges along the borders and in ports allowed for a further reduction of transaction costs. The “great currencies circulating on the international markets” could be brought into ports and used with ease within a *koinon* and not require repeated exchanges or negotiations.³³⁶

Finally, *koina* buy into several features of the inter-state focus of “Hellenistic diplomacy,” just as do the independent *poleis*. *Koina* entered into *symbola* agreements and made use of *xenodikai*, such as the *symbolon* enacted between the Boitia *koinon* and Athens in the mid-third century BCE, which later required the adjudication of Lamian judges.³³⁷ In another case,

of federation in the ancient Greek world,” 490, who states, “Three of the four *poleis* of Keos (Ioulis, Karthaia, and Koressos) issued coins on the Aiginetan standard with a common dolphin type...The early common coinage of Keos has been explained as an attempt to facilitate inter-*polis* trade on the island and to engage successfully in trade with Aigina, including the export of the island’s famous *miltos* (ochre) and possibly grain (Sheedy 2006: 32-33)...” These coins were struck as early as the sixth century BCE, but continued largely uninterrupted, and always on the Aiginetine standard, through the second century BCE. This seems to be a partially political choice as well, considering that Keos was forcibly enrolled in the Athenian Empire and then failed at seceding from the Second Athenian League in the mid-fourth century BCE, for which they were then punished through an establishment of an Athenian *miltos* export monopoly (Mack, *Proxeny and Polis*, 172 fn. 74).

³³⁶ Bresson, *The Making of the Ancient Greek Economy*, 275. In other cases, *poleis* sometimes used a lower-weight standard or coins of poorer quality in order to force an “exchange rate” in their own favor. A few areas even enforced a closed monetary system (such as the attempts made by Olbia in the mid-fourth century and the Hellenistic Attalid Kingdom). However, this type of policy was in direct contradiction to policies attempting to lower transaction costs and promote trade. These examples raise questions about short- versus long-term motivations (immediate profit for the state or building trade relationships for the long-term). Even more complicated are the occasional cases where a *koinon* produced coinage using multiple weight standards, such as Aitolia in the Hellenistic period. “It was only, however, after 240 that the Aitolians began to mint high denomination silver and gold coins, evidently to be associated with their war against Demetrios, bearing types associated with the Aitolian victory over the Gauls in 279. Unlike the rest of the Aitolians’ silver coinage, struck on the reduced Aiginetan or Kerkyraian standard common to northwest Greece, these issues were minted on the Attic standard and were clearly produced to meet large extraregional expenses” (Mackil, *Creating a Common Polity*, 253). However, I would argue that this production even more explicitly aligns with my argument for *koina* choosing a “monetary landscape” within which to interact, as the Aitolians choose the far more wide ranging Attic standard for their “extraregional” needs, rather than continuing only with the more locally popular Aiginetan standard.

³³⁷ *IG II² 778*; for a more in-depth analysis of this fragmentary text, see Philippe Gauthier, “Symbola athéniens et tribunaux étrangers à l’époque hellénistique,” *Bulletin de Correspondance Hellénique* 123.1 (1999), 157-174, particularly 158-164.

I do not wish to undermine the vast differences between the formation, organization, and policy choices that existed between the various *koina* (for examples of such, see multiple essays in *Ethnos and Koinon: Studies in Ancient Greek Ethnicity and Federalism*, edited by Hans Beck, Kostas Buraselis, and Alex McAuley (Stuttgart:

the Aitolian *koinon* was the mediator of the creation of a *symbolon* between Messene and Phigalea.³³⁸ The role of proxeny in particular was observed in *koina*, as evidenced by the Aitolian chronological lists of *proxenoi*.³³⁹ Because a *proxenos* was defined in large part by their personal contacts within a *polis*, the regional spread of *koina* prevented an individual from being well-known across the whole territory. As such a minor modification was required. *Koina* listed *engouoi* (guarantors) for each *proxenos* - someone to personally vouch for the *proxenos* so that they could be accepted for the whole *koinon*.³⁴⁰ However, once this condition was met, the *proxenoi* functioned the same as for independent *poleis*, including bolstering trading and economic possibilities outside of the local region.

A variety of institutional options became available in the late Classical and early Hellenistic period - including private citizens and states in many possible partnership formulations. While *symbola* created state-to-state partnerships, *xenodikai* and *proxenia* facilitated state-to-private citizen interactions. But the question remains: why does the state have

Franz Steiner Verlag, 2019)). However, there are overlapping similarities in some of their foreign policy choices and economic institutions, which is the focus of this dissertation.

³³⁸ IG V² 419. For further information, see Sara Saba, “‘Epigamia’ in Hellenistic Interstate Treaties: Foreign and Family Policy,” *Ancient Society* 41 (2011), 93-108.

³³⁹ Mack, *Proxeny and Polis*, 288-291 and IG I² 1.13, 17, 21, 24, 25, 29, and 30. Aitolia is not the only *koinon* to observe the tradition of *proxenoi*, but its chronological list (eight stelae listing all of the *proxenoi* and their native *poleis* from the third to early second century BCE) is the best preserved, especially from the Hellenistic period. For more information on proxeny and federal states, see F. Gschnitzer, “Proxenos,” *RE Suppl.* XIII (1973), 667-70.

One interesting difference between the federal states and independent *poleis* is the reluctance (but no prohibition, as it did happen, but rarely) of a *polis* to grant *proxenia* to someone from another *polis* in the same *koinon*. Mack argues that this is because “Decrees of *proxenia* thus emphasized the foreign status of the community from which the recipients came. They implied an ‘othering’ of the recipient community, or rather made a distinction between two states that seems sometimes to have appeared incompatible with particularly close relations, especially where the citizen bodies were co-extensive (i.e. where they had granted citizenship *en masse* to the other community) or shared a federal citizen identity” (Mack, *Proxeny and Polis*, 209).

³⁴⁰ Mack, *Proxeny and Polis*, 102-03 and 103 fn. 52.

a strong interest in what are essentially private issues, especially in economic matters? Of course the state is responsible for the protection of its citizens, but these institutions often are directly aiding foreigners within their own territories. These individuals have no direct political influence within the boundaries of the *polis*. Grain, and other necessary goods, could have been imported only by citizens or the rules limited only to those foreigners engaged in such activities as benefited the state. But the guaranteed benefits do not seem to be circumscribed by such constraints. As such, one interpretation seems to be that states recognized the importance of their commercial partners, both on a state and individual level. And in the Hellenistic period, this importance was rewarded by a wide-spread attempt to link people together into vast common networks and overcome the strongly divisive boundaries between citizen and foreigner which defined the Archaic and Classical periods.

The reality that so many *poleis* accepted and integrated these inter-state mechanisms into their political and economic milieu seems to indicate a similarity, if not unity, of Greek “international” law. As I argued in the previous chapter, commercial interactions and the institutions which sustain them have a supranational quality inherent in their creation and implementation. As such, strict state boundaries and court systems with little protection for foreigners were overcome in this period by judges with inter-state jurisdictional powers, the honoring of foreign citizens with state honors and reciprocal relationships, and agreements between states to protect the economic interests of locals and foreigners alike.

“Market Enhancing Institutions” : Common Responses to Common Commercial Needs

As the preceding pages have shown, a significant number of institutions were created or expanded during the end of the fourth century and the Hellenistic period which allowed for more

inter-state relationships and commercial access. Hellenistic diplomacy was one step in reducing the hard boundaries between *poleis* and *koina*, but more porous boundaries alone do not promote trade between strangers. To improve their own presence in the world of trade, as argued in Chapter 2, many *poleis* used the same forms of taxation in order to find an equilibrium level, or rather not over-tax their visitors and, as a result, lose the competitive edge in inter-state trade. Some *poleis* went so far as to organize their markets to be as effective a commercial machine as was possible. In the following pages, I will be analyzing specific “market enhancing institutions” and how their presence benefited those cities, harbors, and ports which used them most effectively.³⁴¹

But first, what is a market enhancing institution? A seemingly very modern term, it is simply the way in which market exchange is facilitated by providing for the needs of buyers and sellers. In this particular case, I am looking at the variety of ways in which the state authority protects the immediate and practical needs of those in the market, whether they were citizens or foreigners. Therefore we must also answer another question: what are the needs that market participants have? The most basic of these needs is security in their ownership of goods, guarantees that goods for sale are of acceptable or standard quality, that prices are generally fair, and that the magistrates of the market have the authority to ensure these conditions. And, finally, as detailed previously, when conflicts inevitably arise, one last need is a way in which to resolve issues in an egalitarian way, commonly through a court system which has resolved jurisdiction issues for foreigners. But market enhancing institutions also include methods by which

³⁴¹ Ober, *The Rise and Fall of Classical Greece*, 248 and Manning, *The Open Sea*, 233 use this term and have discussions of the fourth century Athenian developments (such as the *dikai emporikai*) intended by this phrase, as well as rare instances of similar laws in Olbia and Delos. Ober in particular extends the use of this term to many categories of Classical period Athenian state finance, reaching far beyond the realm of trade (in particular from pages 223-50). Engen avoids such terminology, but recognizes the role of certain elements to encourage trade, Engen, *Honor and Profit*, 62, 68-9, 110, and 218.

exchange and economic transactions are improved beyond simply meeting basic needs. As such, the opportunity to use credit and the presence of banking systems are also directly tied to this iteration of the market. In comparison with theoretical models of economic rationality and “markets,” I will use the term much more narrowly to show the fulfillment of trading interests by states which resulted in lowered transaction costs. Without extrapolating from the known data, I will show that these state institutions are have some characteristics of “market economies” without ideological interest in creating and maintaining “markets.” With these practical considerations in mind, I believe that we can successfully apply this idea of “market enhancing institutions” to the facilitation of inter-state trade among a wider variety of Hellenistic poleis. In the following pages, I will outline how the major trading *poleis* of the Hellenistic Greek world integrated these types of institutions into their markets in order to promote trade and the patronage of long-distance merchants.

According to Alain Bresson, “Private ownership of goods was the very foundation of civil society.”³⁴² And while this is not to say that the ancient Greeks intentionally envisioned property rights and protections,³⁴³ the ancient evidence supports this general assertion, especially as protection of private ownership is the basis for *asylia* - a clear priority in inter-state agreements, as discussed previously. In the world of economic transactions, this is especially important, as exchange cannot be completed securely if ownership is in doubt. Exchange, and by extension private ownership, in fact promoted each citizen’s attempt to live self-sufficiently, as

³⁴² Bresson, *The Making of the Ancient Greek Economy*, 226.

³⁴³ In this, I agree with Ian Morris, “Economic Growth in Ancient Greece,” *Journal of Institutional and Theoretical Economics (JITE)* 160.4 (December 2004), 732: “There is no sign that Greeks consciously thought along these lines, but institutions and ideologies did combine to create secure property rights, and geopolitical factors encouraged large-scale inter-regional trade.” He is specifically referring to the early Classical period, but I believe that the description continues through the Hellenistic period and it would be anachronistic to attribute modern economic terminology to this period of history.

argued by Aristotle in his *Nicomachean Ethics* and *Politics*.³⁴⁴ And while metics and foreigners were forbidden from owning land in a particular *polis* (unless they received special dispensation), they retained ownership of their movable goods. This then allowed them to borrow money against their property,³⁴⁵ to make contracts, to sell the goods in the market, or to take them to another port.

In conjunction with this primacy of private ownership is the states' role in ensuring an owner's rights and the ability to seize privately owned goods as punishment for wrong-doing.³⁴⁶ As can be seen in an inscription from late second century Athens, the seizure of goods from a private individual was the stated penalty for anyone caught contravening the laws of the *agora* (*IG II² 1013*, lines 1-4).³⁴⁷ These goods were then sold off and the profits returned to the state. This system of interaction or "civic framework"³⁴⁸ was likely prevalent throughout the Greek world for any *polis* particularly engaged in the regulation of its marketplace. Unlike disputes

³⁴⁴ For example, Aristotle, *Politics* 3.5.13 or *Nicomachean Ethics* 1097b, "φαίνεται δὲ καὶ ἐκ τῆς αὐταρκείας τὸ αὐτὸ συμβαίνειν: τὸ γὰρ τέλειον ἀγαθὸν αὐταρκες εἶναι δοκεῖ. τὸ δ' αὐταρκες λέγομεν οὐκ αὐτῷ μόνῳ, τῷ ζῶντι βίον μονώτην, ἀλλὰ καὶ γονεῦσι καὶ τέκνοις καὶ γυναικί καὶ ὄλωσ τοῖς φίλοις καὶ πολίταις, ἐπειδὴ φύσει πολιτικὸν ὁ ἄνθρωπος." Aristotle argues that self-sufficiency is not living a life alone and entirely independent, but rather engaging with the community in order to fulfill human needs. He goes on to talk about different types of tradesmen and the role they play within the community.

³⁴⁵ For one example, see the distribution of loans on Delos in the second century BCE, where foreigners seem to have taken loans out against their houses, as they were not allowed to own property directly. While this does not apply directly to trade, most of these individuals were *proxenoi* or had trading interests on the island. See, Gary Reger, "Private Property and Private Loans on Independent Delos (314-167 B. C.)," *Phoenix* 46.4 (1992), 322-341, in particular 331.

³⁴⁶ This should not, however, encourage modern scholars to overstate the efficacy of the state in ensuring the ownership rights of an individual, especially as under-enforcement here as in other realms of law was likely a common issue.

³⁴⁷ This penalty is specifically in reference to a free person, but the inscription also includes penalties for any magistrates (such as the *agoranomos*) who did not enforce the laws - 1,000 drachma fine and judgment of the *boule*. For slaves, the penalties were much more physically severe - fifty lashes - and then the measure of the goods was also taken away.

³⁴⁸ As Alain Bresson describes the system of a *polis* and the individuals operating with it (Bresson, *The Making of the Ancient Greek Economy*, 227).

between individuals, which were usually regulated through the court system, someone caught by a magistrate defrauding the marketplace was subject to more immediate action. This was likely due to the need of the *polis* to be seen as a swift protector of buyers' and sellers' rights and a preventative tactic for allowing any lawbreakers, especially traders from foreign ports, from slipping away.

One way in which governments were able to enforce regulation of private ownership was through the variety of magistrates entrusted with overseeing different areas of the *polis*. As mentioned in the previous chapter, the *agoranomoi* were one such type of magistrate. However, in many cities, *agoranomoi* also controlled areas of the market which, in Athens, had fallen under the jurisdiction of the *sitophulakes* (grain magistrates), *metronomoi* (magistrates in charge of weights and measures), and sometimes even the *astynomoi* (city guards). They could delegate these responsibilities to lower level workers, but the end result was to ensure the stability of the city and protect the citizens therein.³⁴⁹ While these magistrates could change name (and sometimes function), depending on their city of origin, those assigned to market areas tended to have one main goal - to guarantee that goods for sale were of acceptable or standard quality.³⁵⁰ One aspect of this guarantee is the standardization of weights and measures or containers for specific goods. Weights and measures seem to have been under the purview of the *agoranomoi*

³⁴⁹ For comparison see the Athenian Law of Nikophon from 375/74 BCE in Stroud, "An Athenian Law on Silver Coinage," particularly lines 18-19 and 22-23 versus the *agoranomos*' concern for grain prices on Delos, *ID* 647, lines 4-10. Often in a religious fair, a *panegyricus*, a magistrate in charge of the regulation of the commercial market and all exchanges therein was named. The title of the *ἐκλογιστής* or *eklogistes* (market accountant) or more broadly the *πανηγυριάρχης* or *panegyriarch* (leader of the panegyris) could fulfil very similar roles, as in first-century Andania (*Sylloge*³ 736, line 99) and first-century Mylasa, Caria (*Mylasa* I.108, lines 7-9).

³⁵⁰ While specific laws from the Hellenistic period have rarely survived, reference to their existence and regulation are preserved in honors for magistrates, such as on Delos (*IG* XIII⁵ 129, lines 11-14, ca. first half of the second century) and Astypalaia (*IG* XII³ Suppl. 169 and 170, ca. second century).

and often stored in their building, the *agoranomion*.³⁵¹ While not every transaction was overseen by these magistrates or their underlings (as specific *metronomoi* existed in some of the larger cities and markets), any transaction under suspicion by either party could be mediated by the magistrates. Weights could take many forms, from shaped rocks of certain heft to the more intricate *sekomata* (s. *sekoma*). *Sekomata* were stone tables with inset recesses with pluggable holes at the bottom which could be filled to measure the volume of liquid goods (such as wine and oil; Figure 3.3) and have been found, among other *poleis*, in Athens, Thasos, and Delos.³⁵²

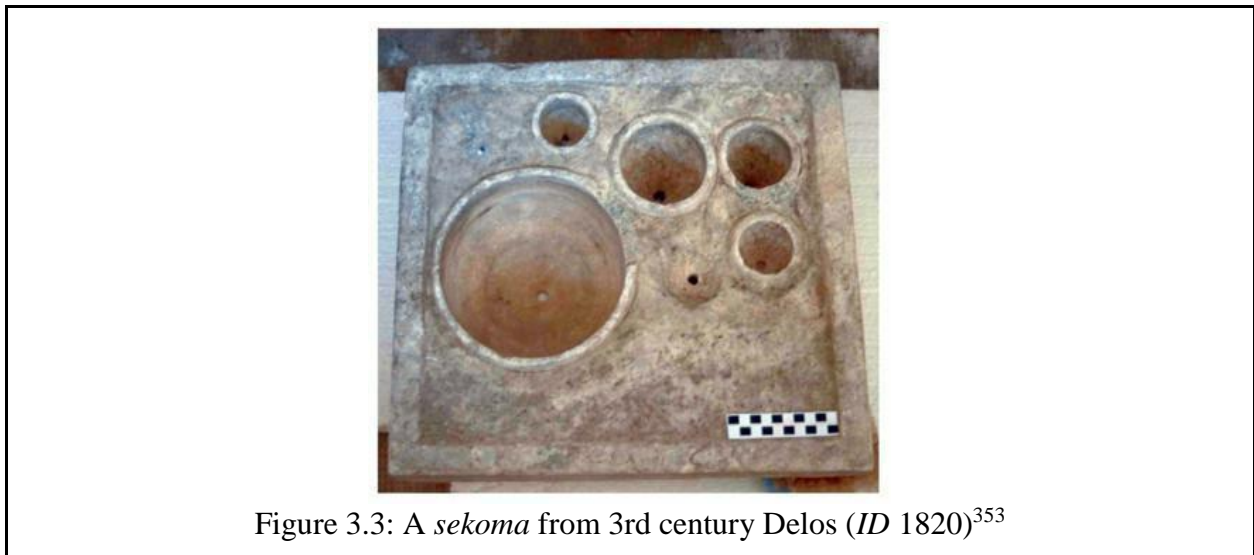


Figure 3.3: A *sekoma* from 3rd century Delos (ID 1820)³⁵³

³⁵¹ Archaeological and inscriptional remains of an *agoranomion* exist in Delos (IG XI² 287B, lines 142–43), Egypt (P.Hib. 29 = C.Ptol.Sklav. 6, lines 9–10), and Paros (IG XII⁵ 129, lines 44–45). See also Alain Bresson, *La cité marchande* (Bordeaux: Ausonius, 2000), 166, and L. Capdetrey and C. Hasenohr, “Surveiller, organiser, financer: fonctionnement de l’*agoranomia* et statut des agoranomes dans le monde égéen,” in *Agoranomes et édiles: Institutions des marchés antiques*, edited by Laurent Capdetrey et Claire Hasenohr (Bordeaux: Diffusion De Boccard, 2012), 21–23.

³⁵² There is still ongoing debate about specific terminology, but for the present study, this description will suffice. For more information on *sekomata*, see Carla Cioffi, “Documenting, measuring and integrating *sekomata*: An example from Naxos,” *Dialogues d’histoire ancienne* S12 (2014), 42: “The only measuring table that bears the idiom *sekoma* carved on it was found on Delos: its inscription refers to an *epimeletes*, who donated a *sekoma* of an hemimedimnon of grain to the god Apollo (ID 1820). In epigraphic and papyri documents, *sekoma* means simply « a measure of », a standard measure, often meant as measure of capacity. As a consequence, the term may refer to a measuring table for capacity, but not exclusively. For this reason, it could be correct to call an ancient block with a carved standard measure a *sekoma* today; however, it is uncertain whether for the Greeks the term meant the entire table or, more likely, whether the table was called *trapeza* or *lithos*,” Gerald Finkielsztejn, “The *Sekoma*: A Volume Standard for Liquids,” *Maresha III, IAA Reports 45* (2010), 193–203.

³⁵³ Photo Credit: Deonna, *Le Mobilier délien*, 175 n. 5.

This variety of weighing systems conformed to standards set in each market as decided by state and market authorities. Carla Cioffi argues that finds of *sekomata* became more common in the Hellenistic period, as a result “of the growth of economic and cultural influences between different ethnicities.”³⁵⁴ It is also possible that the standard weights could be borrowed or rented from magistrates by foreigners who did not have access to them otherwise or whose personal scales conformed to another *polis*’ standard.³⁵⁵ If accurate, this would indicate that integration of foreigners into the marketplace was a usual and accepted part of doing business - so much so, that the magistrates were prepared to aid in the fine details of the process.

In addition, certain goods were put into specific types and sizes of containers, such as wine and olive oil amphorae. They tended to be regulated, and before their sale and transport were stamped by magistrates to ensure that their quantity met the local standard before being sold.³⁵⁶ The stamps were originally based on the states’ coin iconography, but soon evolved into the name of the magistrate (usually the *agoranomos*) or a less complicated symbol (such as the

³⁵⁴ Cioffi, “Documenting, measuring and integrating *sekomata*,” 52.

³⁵⁵ This intriguing idea was put forward by Alain Bresson, *The Making of the Ancient Greek Economy*, 241-42, when he said, “Dishonest merchants might be tempted to use weights from other cities, which looked much the same but weighed less than the legal weight. They might also be tempted to use counterfeit weights. Local merchants were probably expected to keep the weights and measures that had been given them, and to have them regularly checked by the *agoranomoi*. As for foreign merchants—who might also have access to the agora, as is shown by Aristophanes (*Acharnians* 720–22), they may have been expected to return the weights and measures when they left.”

However, an inscription from Delos, ca. 275-225, supports this claim. *I. Délos* 509 (also numbered *SIG*³ 975) states in lines 37-44 that if a merchant did not follow the newly created laws instituted by the *agoranomos* he would be denied access to weights and scales and thus, prevented from trading. It seems that this sort of demand would only work if foreigners could usually have fairly free access to locally provided weights.

³⁵⁶ For the wide ranging disbursement of stamped amphora, see Nikoline Sauer, “Transport amphoras as interlinks in the ancient world,” *Skyllis* 18.1 (2018), 33-41; Kalin Madzharov, Totko Stoyanov, Anelia Bozhkova, “New Evidence about the Sinopean Amphora Import in Northeastern Thrace,” in *International Symposium on Sinope and Black Sea Archaeology: “Ancient Sinope and the Black Sea” Proceedings* (Baskı Yeri ve Tarihi Sinop: Baskı, 2019), 65-76; H. A. Kızıllıslanoğlu and E. Alkaç, “Hellenistic Amphora Stamps from Elaiussa,” *Anatolia Antiqua, Eski Anadolu* XXVI (2018), 45-68.

Rhodian rose).³⁵⁷ However, the intent was the same, to instill a sense of trust in the value of the product through an authoritative mark. While the quality of the goods inside each individual transport amphora could not be ensured, as Gerald Finkielsztein has persuasively argued, amphorae and other containers, such as jars of dried fruit, were marked with the same authority as the weights and measures in the physical marketplace, thus ensuring their value to buyers.³⁵⁸ Moreover, although these amphorae varied in size and shape depending on their *polis* of origin and the type and value of the goods stored inside, by the end of the fourth century BCE, regionalization had begun to work upon these physical differences. Several *poleis* created new amphora styles in common,³⁵⁹ leading to a reduction in transaction costs as certain types of stamps and amphorae forms were recognized more widely. This spread of marketplace guarantees once again eased the negotiation process and promoted exchange.

A key factor in the modern understanding of market exchange is the pursuit of profit. In the ancient world, this too was a clear motivation for the buying and selling of goods. This in turn led to the *polis* exercising some concern over the aggressive pursuit of wealth when it was to the detriment of the citizen populace. This seems to have resulted in a few cases of laws regarding maximum prices in the ancient marketplaces, such as the setting of retail prices of

³⁵⁷ Gerald Finkielsztein, "Production et commerce des amphores hellénistiques réipients, timbrage et métrologie," *Entretiens d'Archéologie et d'Histoire* 7 (2006), 24 and for clear examples of the Rhodian rose stamp, see Virginia Grace, "Stamped Amphora Handles Found in 1931-1932," *Hesperia: The Journal of the American School of Classical Studies at Athens* 3.3, The American Excavations in the Athenian Agora: Fourth Report (1934), 197-310 and Christian Habicht, "Rhodian amphora stamps and Rhodian eponyms," *Revue des Études Anciennes Année* 105.2 (2003), 541-578.

³⁵⁸ Finkielsztein, "Production et commerce des amphores hellénistiques," 25.

³⁵⁹ Finkielsztein, "Production et commerce des amphores hellénistiques," 28: "Cette «accord» aurait pu correspondre à une perception du moment d'une politique commune dans les relations commerciales en Méditerranée, notamment à la fin du IV^e et au début du III^e siècles. L'évaluation de la capacité «utile» d'exemplaires d'amphores dusud-est égéen (coniques puis globulaires, à lèvre en «champignon») de cette époque pourrait, peut-être, permettre de vérifier cette hypothèse."

grain in Athens (*Ath. Pol.* 51). One of the best examples comes from Akraiphia in the late third century BCE (*SEG XXXII* 450). This inscription lists a variety of fish, both saltwater and fresh, the price for a whole fish, large or small, and cuts of various types, such as tuna belly.

Unfortunately, little else about the exact intention of this law was preserved - all we know is that the *agonarches* (the Boiotian magistrate synonymous with the *agoranomos*) made a decision about seafood and based the information on local weights (lines 1-7, left column).³⁶⁰ In Delphi, a contemporaneous inscription (*SEG XXIII* 326), also lists a variety of fish and possible prices, although only by the weight of the fish, not by piece. Ephraim Lytle makes a strong argument, however, that these prices were intended to set a maximum limit, in order that times of crisis or any other fluctuations in the market could not result in a grossly out of hand mark up on these products.³⁶¹

A similar law is recorded in Hellenistic Athens, where the *agoranomos* erected two stelae for the price of tripe within 15 years (34/3 and 18/7 BCE). Alain Bresson argues that these prices “were therefore fixed.”³⁶² Evidence for the control over prices also exists in fourth century Athenian forensic oratory, particularly pseudo-Aristotelian *Athenian Constitution* 51 and Lysias’ *Against the Grain Dealers*, which prohibited dealers to make more than one obol per

³⁶⁰ For a strong interpretation of this inscription and its role in the economics of Akraiphia, see Ephraim Lytle, “Fish Lists in the Wilderness: The Social and Economic History of a Boiotian Price Decree,” *Hesperia* 79.2 (2010), 253-303.

³⁶¹ Lytle, “Fish Lists in the Wilderness,” 286-87 and F. Salviat and C. Vatin, “Le tarif des poissons à Akraiphia,” *Inscriptions de Grèce centrale* (Paris, 1971), 95-109. *Contra* Alain Bresson, *L'économie de la Grèce des cités des cités (fin VI^e-I^{er} siècle a. C.): II. Les espaces de l'échange* (Paris: A. Colin, 2008), 99-109. Bresson argues that a merchant would have to declare his intended prices to customs agents before even setting up in the market, thus essentially eliminating the ability to haggle and only allowing merchants to sell below that price point. I agree here with Lytle that this seems unlikely (275-76).

³⁶² Bresson, *The Making of the Ancient Greek Economy*, 257. *Contra* Raymond Descat, “L’agoranome et les prix de la triperie au Pirée (fin I^{er} s. a.C.),” in *Agoranomes et édiles: Institutions des marchés antiques*, edited by Laurent Capdetrey and Claire Hasenohr (Bordeaux: Diffusion De Boccard, 2012), 101-08, who argues that these were observed prices and only listed as a way to make tax collection easier.

drachma of grain sold (Lysias 22.8: δεῖν γὰρ αὐτοὺς ὀβολῶ μόνον πωλεῖν τιμιώτερον). This limited sellers to an approximately 16% profit and no more.³⁶³ However, while it may be possible that Athens was able to introduce more “interventionist” policies in the marketplace, it seems strange that it would only rarely do so and only on particular goods, particularly tripe, grain, and fish.³⁶⁴ Another well preserved law comes from Delos between 275-225 BCE (*ID* 509). In this law, the *agoranomos* must be informed of a merchant’s intended selling price for any charcoal or wood brought onto Delos before he reaches the market. The maximum selling price was also set by market magistrates and anyone found selling above this price would be fined a penalty of 50 drachmae. However, it should be noted that this law was put into effect at a time of economic change in Delos - specifically Delos’ increasing number of foreign merchants demanding necessities while in port and a corresponding price increase on rarer goods.³⁶⁵

The limits of such laws are clear. First of all, they could not be broadly applied, as under-enforcement within the marketplace was more common than not. These laws instead were restricted only to those goods with short shelf lives, such as fish or tripe, or which were critically important to the health of the community at large and could not be produced within the *polis*. In general this applies across *poleis* to grain, but can also be applied more specifically, such as Delos’ need for wood. The greatest concern of the state was that prices were generally fair, as can be seen in the dedicatory inscription for an *agoranomos* from Astypalaia which reads, “he

³⁶³ Bresson, *The Making of the Ancient Greek Economy*, 255.

³⁶⁴ It should be noted here that according to *Ath. Pol.* 50.2, the *astynomoi* were also tasked with ensuring that girls playing the lyre or harp were not hired for more than two drachmae; however, this has little to do with trade directly.

³⁶⁵ Given the geography and size of Delos, the *polis* would have not been able to produce enough wood for its own citizens, nevermind the vastly increasing number of consumers as traders poured into the city. According to Bresson, *The Making of the Ancient Greek Economy*, 327, there was a corresponding increase in the prices of other goods as well, such as hogs (see his Figure 12.1).

looked after the people with much enthusiasm, and took care of the affairs of the market place and saw to it that goods were sold as cheaply and justly as possible” (SIG³ 946).³⁶⁶ The pairing of “cheaply and justly” here does not mean with a fixed price, but rather without inflation to the point of harming buyers. In addition, the goods under question have something in common. They are often staples of the diet of the lower classes and price gouging directly affects the stability of the civic community. As such, implementing laws to prevent or, at least, curtail such profit mongering may have been out of concern for the *polis*’ poorer citizens, but was at least in part so that they did not revolt. As Ephraim Lytle surmised,

The proposals attributed to Aristonikos³⁶⁷ seem to acknowledge that it was impractical for the state simply to fix fish prices. Indeed, they recognize and make allowances for the fact that the price of fish will fluctuate from day to day, week to week, and season to season. As at Delos, where the regulation of wood and charcoal imports stopped short of simply prescribing a price, Greek lawmakers and market officials seem to have been willing to regulate sales, but hesitant, at least under most circumstances, to simply fix prices.³⁶⁸

Poleis were undeniably concerned with the actions of merchants and the resultant ripple effects that overly aggressive market prices could have upon the people and the state. As such, it seems clear that supervision was used in order to guide exchanges,³⁶⁹ but not to such an extent that traders would be dissuaded from visiting the market.

³⁶⁶ John Salmon, “The Economic Role of the Greek City,” *Greece & Rome* 46.2 (1999), 159 argues that this should be used as evidence for price fixing; however, I think that this is overstating the intent and word choice of the inscription.

³⁶⁷ Aristonikos of Marathon was a politician in the fourth century BCE and was named as a character by the poet Alexis. While his years of service pre-date the wider Hellenistic period laws, Lytle accurately represents the struggles that any *polis* would have in aggressively attempting to fix prices.

³⁶⁸ Lytle, “Fish Lists in the Wilderness,” 288.

³⁶⁹ This argument is bolstered by an inscription from Andaia (*Sylloge*³ 736, line 102), where the *agoranomos* was strictly forbidden from interfering with prices (and also from collecting taxes on merchants).

Understanding *polis* concerns should not lead modern scholars to overstate the idea that price setting was in fact normal or even really possible in the Classical and Hellenistic *poleis*. Honorary inscriptions sometimes cited as evidence of price control in the marketplaces often do not explicitly mention laws for price setting. Most of these documents instead reveal that the magistrates were praised for working to keep the prices low, but there does not seem to have been widespread rules in place to ensure that prices did not rise to too great a degree. In addition to the inscription from Astypalaia above, inscriptions to honor the *agoranomos* for conducting his duties fairly, justly, for the benefit of the people and as a good man should occurred in Paros and Istros, among other *poleis*.³⁷⁰ None of these inscriptions though include any specific references to price-setting laws or their adjudication.

The *agoranomoi* had several options by which they could affect price in the market on their own authority, without additional legislation. One was to negotiate directly with merchants and exchange information about supply and demand in the market. Another was to utilize public funds in order to stabilize prices,³⁷¹ but this rarely occurred for products without direct impact on the health of the community. In the Hellenistic period, a third option became more popular, especially as the position of *agoranomos* came to be filled by wealthy elite citizens, rather than an elected private citizen as in earlier times.³⁷² This option was the subsidizing of the purchase, almost always grain, with personal funds or buying the grain directly. As was in the case of Polycritos of Erythrea, who in the early to mid-third century BCE used his own money to pay

³⁷⁰ Paros, *IG* XII 5.129, lines 4-7; and Istros, *Sylloge*³ 708, lines 38-39.

³⁷¹ Bresson, *The Making of the Ancient Greek Economy*, 332–38 and 384–92.

³⁷² Léopold Migeotte, “Les pouvoirs des agoranomes dans les cités grecques,” in *Symposion 2001. Vorträge zur griechischen und hellenistischen Rechtsgeschichte* (Evanston, Illinois, September 5-8, 2001), edited by R.W. Wallace and M. Gagarin (Vienne, 2005), 35.

grain merchants so that they would return to the city.³⁷³ The shortage was the result of unrest due to war with the Galatians, but it is interesting to note that merchants had largely decided that Eritrea was not a good market to visit. Polycritos, the *agoranomos*, used his influence and his money in order to attract them back. Similar examples occurred in a variety of cities across the Greek world, including third-century Parion, late third- or early second-century Astypalaia, late third-century Ios, second-century Paros, and first-century Istros.³⁷⁴ With the exception of the *agoranomos* of Istros who also purchased wine, these inscriptions are limited to honoring the *agoranomos* for purchasing grain on behalf of the people out of his own pocket during times of crisis. The very existence of this evolution of the *agoranomos* to a direct purchaser of grain seems to indicate that explicit laws for price setting were not effective. Such laws may have been to the benefit of the state and its citizens, but they drove away merchants who had many options to sell their goods. Instead, the *agoranomos* came to fulfill an intermediary role, buying grain at a price that was agreeable to merchants and selling at a price agreeable to citizens.³⁷⁵

As such, and for goods less critical to the survival of the citizenry and the state, price setting was generally not utilized as a market enhancing institution. Rather more commonly, the magistrates oversaw the functioning of the market, tracked general prices of goods, and stopped sellers from using false measurements in order to increase their own profit. In addition, the magistrates may have been in charge of the physical organization of the marketplace, ensuring

³⁷³ *I. Erythrai* 28.

³⁷⁴ Parion, *Sylloge*³ 596 and *I. Ilion* 3, in particular lines 11-18; Astypalaia, *IG XII* 3.169 and *Sylloge*³ 946, in particular lines 8-9; Ios, *IG XII* 5.1011; Paros, *IG XII* 5.129, in particular lines 10-20; and Istros, *Sylloge*³ 708. The Paros and Istros inscriptions are the same as fn. 123, but here focus on the reason for the honorary inscription rather than the personal attributes of the *agoranomos*.

³⁷⁵ Cf. Migeotte, "Les pouvoirs des agoranomes dans les cités grecques," 34-39 who argues that through its evolution, the position of *agoranomos* became a form of eurgerism and a prestige position.

that fish sellers were all located in one area, grain sellers in another, perfumeries in a third, and so forth.³⁷⁶ In this way, prices could be regulated more easily as anyone selling far above or below the norm would be easily identifiable. Those trying to gouge their customers in particular would surely lose business due to the numerous other nearby dealers in similar wares. This would likely have created something of a self-regulating system, by which merchants did their best to make a good profit, but without selling too far above their neighboring competitors and the state was able to have a well-functioning market without scaring away potential traders through strict regulation.

One final market enhancing institution under consideration here is the role of banking and credit in financing trade. Unfortunately, as with many other aspects of the ancient Greek economic structures, the evidence for this institution is inconsistent and fairly rare. The seminal work of modern scholarship remains Edward E. Cohen's *Athenian Economy and Society: A Banking Perspective* which focuses on the developments in fourth-century Athens and their effect on maritime trade, with specific attention paid to maritime loans. In this work he argues that loans could generally be extended in two ways - between private individuals based on their personal relationship or through τράπεζαι (*trapezai*, banks).³⁷⁷ In these ways, either loans or an

³⁷⁶ See, for further interpretation of the divided and regulated layout of the *agora* T. R. Martin's argument that within the *agora* there were sections of a "concentrated, centralized market for one commodity, which is peopled by various dealers trying to sell the same thing" (T. R. Martin, *Sovereignty and Coinage in Classical Greece* (Princeton: Princeton University Press, 1985), 211) and Capdetrey and Hasenohr, "Surveiller, organiser, financer," 13-34.

While the organization of the *agora* may have been separated by buyer and seller preference, this interpretation of the *agoranomos*' role seems possible in light of Aristotle's description of the *agoranomos* as tasked with keeping the *agora* "εὐταξίαν καὶ κόσμον" (*Politics* 1631b). This is an interesting juxtaposition as one of *kosmos*' meanings is an actual physical orderliness, though this is more often associated with construction or a dwelling, rather than a public space.

³⁷⁷ The basic definition of τράπεζαι is actually "tables"; however, it specifically refers to the money-changers' tables which evolved into the Classical era banks in the fourth century. The term *trapezitai* are the "bankers" themselves.

extension of credit could aid in financing a range of commercial transactions, including maritime trade.³⁷⁸

Personal private exchange has gone largely unrecorded in Greek history, as it was completed on a small scale and rarely resulted in the kinds of honors that inspire epigraphic inscriptions. In a few cases, however, proxeny inscriptions reveal that a *proxenos* could loan money to the granting state or individuals acting on the *polis*' behalf.³⁷⁹ In one example from the Demosthenic corpus, the speaker states that in addition to other funds, he collected 300 staters from the Mytilenian *proxenos* and other friends of the *polis* (Athens).³⁸⁰ Inscriptional evidence from Thebes, Athens, Paros, Philippi, Chalkis, and Gytheum also show instances in which *proxenoi* aided various public needs through offering loans.³⁸¹ In keeping in line with the nature of the evidence, however, individual aid has not been recorded. It may be possible that *proxenoi* also provided personal loans to individuals or introduced them to local bankers and loan-makers

Cohen's argument is based on a clear reading of several Demosthenic speeches and the acknowledgement that Athenian law did not recognize *trapezai* as different from individuals during a *dike*. This analysis is logically similar to the courts' disallowance of *koinonia* to be prosecuted as a group, instead of as individuals. Edward E. Cohen, *Athenian Economy and Society: A Banking Perspective* (Princeton: Princeton University Press, 1992), 122-29.

³⁷⁸ Cohen, *Athenian Economy and Society*, 144. Cohen resoundingly denounced the idea that *trapezitai* were not involved in maritime trade and finance, contrary to the prevailing opinions of his time. "Hence, the great disquiet expressed by those scholars who have felt compelled, despite their awareness of the close connections between bankers and marine activity, to accept allegedly scientific studies asserting the total absence of bank lenders from sea commerce."

³⁷⁹ Mack, *Proxeny and Polis*, 10 fn. 24 and 64-70.

³⁸⁰ Demosthenes 40.36 "ἐκ Μυτιλήνης παρὰ τοῦ ὑμετέρου προξένου Ἀπολλωνίδου καὶ παρὰ τῶν φίλων τῆς πόλεως λαβὼν τριακοσίους στατήρας Φωκαϊᾶς."

³⁸¹ For Thebes *IG* VII 2418, 355-51 BCE; for Athens, *IG* II² 835, ca. 229-201 BCE; for Paros *IG* XII⁵ 112, fourth century BCE; for Philippi *SEG* 43.448, ca. 180-170 BCE; for Chalkis *IG* XII⁹ 900A c, second century BCE; and for Gytheum *IG* V¹ 1146, 71/70 BCE.

as part of their duties.³⁸² In general, personal loaning networks as a whole, become more predominant in the Hellenistic period and will be discussed in more detail in Chapter 4.

Bankers, those who owned or ran the *trapezai*, on the other hand, were more formal and professional in their efforts - often occupying a set space in the market and employing slaves and agents in their business. They engaged in many sectors of economic need, but in particular they worked to ease some of the issues that arose from long-distance movement and exchange. Instead of carrying a large amount of silver coinage or other heavy metal bullion for purchases in foreign ports, *trapezai* were able to provide “bank money” for exchange in far off ports where they had representatives.³⁸³ In fourth-century Athens, it seems that the banker Pasion held the accounts for all the merchants who did business in the *agora* and Piraeus. While this may seem incredible due to the number of transactions which must have passed through his bank, it would have effectively reduced the transaction costs between merchants as their money, loans, and “book-entry settlements” were handled by a single entity.³⁸⁴

Banks were, as they are now, an indispensable tool for traders and merchants. As Cohen argued,

Even beyond utilization as collateral for complex credit extensions, deposit of funds was a precondition to a bank's provision of payment services to third parties. Because the Greeks did not use paper money or receipts, transfer of funds outside a bank might entail enormous physical effort, inconvenient and possibly costly meshing of personal schedules, complex measures to confirm proof of

³⁸² For more on this aspect of proxeny, see Mack, *Proxeny and Polis*, 24, 64-76.

³⁸³ Cohen, *Athenian Economy and Society*, 15. “Bank money” is the institution wherein banks collected money from clients and provided them with sureties or “credit-enhancement devices that utilized bank deposits in place of coins” which could be used in other locations where banks also had partners. This could be letters of credit for deposits, as an example.

³⁸⁴ Demosthenes 52.3 “Λύκων γὰρ ὁ Ἡρακλεώτης, ὃ ἄνδρες δικασταί, οὗτος ὄν καὶ αὐτὸς λέγει, τῆ τραπέζῃ τῆ τοῦ πατρὸς ἐχρήτη, ὡσπερ καὶ οἱ ἄλλοι ἔμποροι;” Cohen, *Athenian Economy and Society*, 17-18. The idea of “book-entry settlements” is in correlation to deposits and loans that Pasion must have handled for each client. Instead of paying out silver coinage or whatever property had been used to secure the loans, transactions were tallied in the banking records instead of requiring physical exchanges of material objects.

payment, and significant risk of losing the monies in transit, to the elements or to marauders, problems especially daunting to merchants and traders actively engaged in overseas commerce. Making payments through a bank mitigated or avoided these difficulties. Not surprisingly, then, bank handling of such payments was so routine that standard procedures had been developed: in effectuating third-party transfers, we are told, "all the bankers" were accustomed to make formulaic entries in their records setting forth the name of the person providing the funds, the sum involved, and the name of the recipient (if the person were known to the bank) or the name of the individual who would identify the payee if he were not personally known to the banker.³⁸⁵

This system must have eased transactions a great deal, especially for those of large values and wholesale import/export business which covered great distances. As preserved in oratory, well-connected banks, such as Pasion's, could support transactions from the Black Sea to Libya.³⁸⁶ Ports with such an apparatus would have inevitably been much more attractive to traders, as they would have had to struggle much less in all aspects of their dealings.

Evidence for banking in the Hellenistic period, however, is less well attested. While evidence of banks come from Athens, Tenos, Cos, and Miletus, inscriptions which directly indicate that banking continued to take place in the Greek world remain rare.³⁸⁷ Many of the extant inscriptions come from Delos. One such inscription honors a Rhodian banker in the late third century BCE (*IG XI 4.1055*, ca. 230-20). In 188 BCE, the League of Islands honored a Delian banker for his aid to the *koinon* (*IG XII 5.817*). Two others honor a banker named Philostratus, a man from Askalon, who later gained Neopolitan citizenship (*I.Delos 1717* and *1718*, ca. 100 BCE). The inscriptions unfortunately lack more explicit detail about their banking operations.

³⁸⁵ Cohen, *Athenian Society and Economy*, 144.

³⁸⁶ For further details of this exchange, see Demosthenes 52, specifically section 3.

³⁸⁷ Léopold Migeotte, *The Economy of the Greek Cities: From the Archaic Period to the Early Roman Empire* (Berkeley: University of California Press, 2009), 127.

One final inscription preserves an amphictyonic decree concerning the “οἱ ἄρχοντες [οἱ ἑναρχοὶ ἐν ταῖς πόλεσι ἢ ἐν ταῖς πανηγύρεσιν] (the leaders in charge of the cities and the panegyreis; *Sylloge*³ 729, lines 10-11)” from the second century BCE. This inscription reveals a great inter-state concern with the number of currencies being used at religious festivals and goes on to mention “[ὁμοίω]ς δὲ καὶ ἐὰν οἱ τραπ[εζίται οἱ καθίζοντες ἐν ταῖς πόλεσιν καὶ ταῖς π[ανη]γύρεσιν μὴ πειθαρχῶσιν τῷ [δόγ]ματι, ἐξουσίαν ἔχε[ιν τὸν βουλόμενον ἄγειν αὐτοὺς ἐπὶ τοῦ]ς ἄρχοντ[ας] (in the same way, if the *trapezitai* seated in the *poleis* and the *panegyreis* do not obey the orders/resolutions, it shall be allowed for anyone who wishes to bring them before the magistrates, lines 13-14).” From this reference to the *trapezitai*, we may be able to conclude that they were a fairly common sight, at least for their money changing purposes, in markets. Whether they were able to offer other banking opportunities or credit though still remains unknown.³⁸⁸

In addition to this slight evidence, general interpretations can be posited. We know from the fourth-century Athenian evidence that banking institutions had representatives in the most popular and well-placed *poleis*, such as Tenedos which was poised on the Hellespont and was the most popular port for ships waiting on wind shifts (Demosthenes 50.56). We also know that maritime trade only increased during the Hellenistic period.³⁸⁹ The need for bankers, who

³⁸⁸ As Christophe Chandezon argues, this question has a great impact on economic history, but is currently unanswerable (C. Chandezon, “Fôires et panégyries dans le monde grec classique et hellénistique,” *Revue des Études Grecques* 113.1 (2000), 70-100). “Les trapézites devaient effectivement être nombreux à se rendre dans les foires pour proposer leurs services comme changeurs. Pratiquaient-ils leurs autres activités habituelles, le dépôt et le crédit ? Il est impossible de répondre à cette question, faute de documents. On sait que dans l’Italie romaine, les localités où sont organisées des *nundinae* sont souvent aussi celles où l’on connaît également la présence de manieurs d’argent no. La question n’est pas sans enjeux pour l’histoire économique, car, s’il était avéré que les trapézites profitaient des panégyries pour pratiquer le dépôt et le crédit, cela confirmerait une diffusion plus large des pratiques bancaires...” (95-6).

³⁸⁹ For more information about the many examples of these banks from the end of the Archaic period through the Roman period, see R. Bogaert, *Banques et Banquiers dans les cités grecques* (Leiden, A. W. Sijthoff, 1968).

“routinely provided loan-related fiduciary services to persons engaged in overseas trade, maintained representation in important foreign *emporía*, personally engaged in maritime trade, and were themselves frequently of foreign origin,” likely did not diminish in opposition.³⁹⁰ That Hellenistic period bankers somehow abandoned trading ports or gave up on making connections is illogical especially as other forms of inter-state relationships grew in this time period.³⁹¹ Moreover, epigraphic honors for bankers pick up again in Delos, following the common Hellenistic trend. This result was Italian bankers becoming popular recipients and inscribers of epigraphic honors after the mid-second century BCE. They seemed to have joined other groups taking advantage of the commercial interactions on Delos. As such, I argue that credit and banks continued as a nearly invisible force in the market, especially in light of the increasing quantity of trade in the Mediterranean and its expanding scope, which now included the Italian Peninsula to a much greater degree.³⁹²

Although I do not agree with all of his conclusions, this book includes a vast amount of evidence for private banking, the possibility of public loans, and the institution of credit in *poleis*.

³⁹⁰ A succinct and effective description of Athenian bankers, as provided by Cohen, *Athenian Society and Economy*, 144.

³⁹¹ Though not directly connected with commercial transactions, Thoneman uses an inscription from the Panhellenic sanctuary of Apollo at Didyma to show that monetary conversion was a fairly standard part of inter-state exchange. He says, “The plethora of different weight-standards and local currency systems which thus characterized the third-century Greek world might seem like a recipe for muddle. In fact, it need not have been anything of the sort. If a foreign coinage was not accepted at its nominal face-value, it could always simply be exchanged at its bullion weight. A list of donations to the sanctuary of Apollo at Didyma near Miletus, dating to 177/6 BC, includes a silver bowl described as weighing ‘100 Rhodian drachms, or 62 drachms of Alexander’ (SEG 29, 1091). The bowl must have weighed around 270 g, the equivalent of 100 Rhodian drachms at c. 2.70 g or 62 Attic-weight ‘drachms of Alexander’ at c. 4.36 g. Hellenistic money-changers (*trapezitai*) must have been very used to making this kind of ad hoc conversion between the bullion values of dozens of different local civic currencies” (Thoneman, *The Hellenistic World*, 121). While *trapezitai* are not explicitly mentioned, their role seems implicit.

³⁹² Cohen argued that the role of the banks even in fourth century Athens was largely hidden (Cohen, *Athenian Society and Economy*, 8) and as we can see from the types of evidence left, without forensic oratory, we would have as little, if not less, evidence for banking and credit in the fourth century as we do for the Hellenistic period. In this I agree with Alain Bresson, who says of the Classical and Hellenistic periods, “Beyond the case of Athens, the “hunger for money” we find in the Greece of the city-states and the desire to find sources of loans at any price, through foundations or possibly by making use of the sanctuaries’ reserves, as in Delos, show that credit was very

However, it is important to note that unlike the other institutions mentioned above, *trapezai* and credit functioned outside of state control. The *polis* did not generally lend money and they did not control who did, at what interest rates, or who could receive loans.³⁹³ This system was based almost exclusively on wide networks of agents sent out as representatives and other private contacts of the banker. One banker went as far as to claim that his father could conduct business throughout all of “Hellas” (Demosthenes 50.56). As such, these business connections existed outside of *polis* jurisdiction. In many ways, this well aligns the bank and merchants’ need for credit for engaging in long-distance trade - each could expand where there was the most opportunity for profit. The risk inherent in such endeavors, however, was mitigated on the personal level, by trust in personal connections, which is the subject of the next chapter.

Rhodes: The Exemplum of a Hellenistic Trading Polis

Rhodes was an exceptional *polis* in the Hellenistic period. Situated perfectly on the north-south and east-west crossroads of trade in the Mediterranean and with good harbors near the main city, it was able to command the attention and the patronage of merchants - buyers and sellers - from around the Mediterranean. A little imperialistic and fully self-confident, Rhodes

widespread and constituted a key element in economic activity” (Bresson, *The Making of the Ancient Greek Economy*, 280).

³⁹³ In fact, the *polis* was even further removed from this process by its own inability to receive a standard or long-term loan from private institutions. As E. E. Cohen stated, “Unlike bankers of later times and other places, the Athenian trapezitai could not generate revenues by providing funds, with relative safety, to the government. Because of their perceived lack of commitment to repay loans, the city-states, including Athens itself, did not enjoy a favorable credit standing and consequently were able to borrow funds only “short term, accompanied by heavy security, [at] high interest, and [in] strange forms” (Cohen, *Athenian Economy and Society*, 143). He also argues, “Despite occasional modern suggestions that the Athenian bankers provided substantial funds to the state (e.g., Calhoun [1926] 1968: 104—5; Hasebroek 1920: 162), there is not a single case known of a loan to the state from any Greek banker” (143, fn. 134).

controlled the area around its original borders in part to promote its own economic opportunities.³⁹⁴ In doing so, much like Athens had in the fifth and fourth centuries, Rhodes created institutions which protected the many traders that came to its ports and facilitated the interactions which filled its coffers.

As early as 338 BCE, evidence shows Rhodes actively working to protect merchant ships and to market itself as a replacement for the Athenian Piraeus. In Lycurgus' speech, *Against Leocrates*, he notes that after the Battle of Chaeronea, when the Piraeus port was falsely reported as closed and under siege, Rhodian ships were dispatched to safely usher merchant ships into their own ports.³⁹⁵ In the century following, after Rhodes finally established its independence from foreign powers,³⁹⁶ Rhodes grew more and more powerful as an independent mediator of the Hellenistic Mediterranean and a clearinghouse for the goods, especially grain, of the eastern Mediterranean from Egypt to the Black Sea.³⁹⁷ As Sheila Ager described,

Rhodes was dedicated to preventing any one of the monarchies from gaining an overwhelming preponderance of power in the Mediterranean region. Having established her own sphere of interest in southwestem Asia Minor and the Aegean, she also developed a policy of minimizing any interference within that

³⁹⁴ While not as aggressively imperialistic as Athens, Rhodes also practiced taking over small cities, ports, and *poleis* in its immediate vicinity in order to ensure its own power. In particular, Rhodes established a protectorate over the islands surrounding it, see H. H. Schmitt, *Rom und Rhodos*, Münchener Beiträge zur Papyrusforschung und antiken Rechtsgeschichte, Heft XL (Munich: C. H. Beck, 1957), 72; P. van Dessel and Hans Hauben, "Rhodes, Alexander and the Diadochi from 333/332 to 304 BCE," *Historia: Zeitschrift für Alte Geschichte* 26.3 (1977), 307-339, in particular 312-13; and P. M. Fraser and G.E. Bean, *The Rhodian Peraea and Islands* (Oxford: Oxford University Press, 1954).

³⁹⁵ Lycurgus, *Against Leocrates*, 18. For a longer history of Rhodian development, see Richard M. Berthold, "Fourth Century Rhodes," *Historia: Zeitschrift für Alte Geschichte* 29.1 (1980), 32-49.

³⁹⁶ While the exact process of establishing independence is unknown, it was finished by Alexander's death in 323 BCE: *Polybius* 27.4.7; *Diodorus Siculus* 20.93.7; Cicero, *de Republica* 1.31.47; Tacitus, *Dialogus* 40.3; Dio Chrysostom 31.6; *Sylloge*³ 581; and *SGDI* 3749.

³⁹⁷ See also Lionel Casson, "The Grain Trade of the Hellenistic World," *Transactions and Proceedings of the American Philological Association* 85 (1954), 168-187, for a comparison of Rhodes and Delos as grain giants in the Hellenistic period. He argues that Rhodes was much more prominent than Delos even after the creation of Delos' free port: "From the middle of the second century B.C. to the annexation of Egypt, Rhodes does not lose her position in the grain trade although other forms of her commerce suffer" (187).

sphere, hence her dedication to maintaining the independence and loyalty of the smaller states of the Aegean and Asia Minor. Rhodes' motives were, of course, chiefly economic. As a premier trading nation of the Hellenistic period, and the carrier of products...she had a special interest in the freedom of the seas and peace in the Mediterranean.³⁹⁸

In the next few pages, I will identify some of the ways in which Rhodes managed to control this region and the basis by which we can use its history to show a similarity in major trade center responses to economic needs.

As previously mentioned in Chapter 2 and above, magistrates were one of the most effective and visible ways for *poleis* to regulate market spaces. The *agoranomoi*, in particular, cared for the market and enforced the states' laws. Rhodes, like every other major trading *polis*, inscribed honors to its *agoranomoi*, spanning public spaces from Lindos to the Rhodian Peraia.³⁹⁹ But, as in Athens, the extent of regulation did not end with a single magistrate for the market. For foreigners, an inscription of yearly magistrates from the mid-second century BCE indicates that Rhodes created a board of five ἐπιμεληταὶ τῶν ξέ[νων] (*epimelitai ton xenon*, supervisors of foreigners).⁴⁰⁰ These magistrates were likely in charge of controlling non-citizens, as well as providing them aid.⁴⁰¹ And as evidenced by the first-century BCE inscription, *NSER* 20, lines 7-12, Rhodes also employed “...ἀστυνόμοι...ἀγορανόμοι, ἐμπορίου ἐπιμεληταί...σιτοφύλακες...” (...city-guards...*agoranomoi*, magistrates of the *emporion*....grain

³⁹⁸ Sheila Ager, “Rhodes: The Rise and Fall of a Neutral Diplomat,” *Historia: Zeitschrift für Alte Geschichte* 40.1 (1991), 10.

³⁹⁹ *Lindos* 221 and *NSER* 21, both dated to the second century BCE (for more detail, see Bresson, *The Making of the Ancient Greek Economy*, 237 fn. 64) and Rhodian Peraia 106, ca. 188/167 BC (see Jeanne Robert and Louis Robert, *La Carie, II. Le Plateau de Tabai et ses environs* (Paris, 1954), no. 2).

⁴⁰⁰ *IG XII* 1.49, lines 50-56.

⁴⁰¹ For further examination of merchant cities with similar practices, see Marie-Françoise Baslez, “La question des étrangers dans les cités grecques (V e -I er siècles). Immigration et partenariat économique,” *Pallas* 74, *Économies et Sociétés: en Grèce classique et hellénistique* (2007), 226-27.

magistrates). This inscription, like others mentioning these magistracies, give little evidence about the explicit duties of each position. However, if we can use Athens as a model, then Rhodes also created a thorough system of regulation in order to handle the inter-state, high-volume traffic in and out of its commercial spaces.

Unfortunately, specific laws concerning commercial interactions are absent from the Rhodian literary and epigraphic record. Unlike Athens or even Delos, we have little contemporary evidence on which to base an analysis of an economic legal policy. However, we may be able to pursue two lines of inquiry. The first arises from a significantly later legal code, *The Digest of Justinian* (compiled in the 6th century CE), which credited Rhodes with a comprehensive set of commercial maritime laws.⁴⁰² In *Digest* 14.2.9, Volusius Maecianus's work *From the Rhodian Law* is cited and Emperor Antoninus Pius (r. 138-161) is reported to have said, "I am master of the world, but the law of the sea must be judged by the sea law of the Rhodians where our own law does not conflict with it."⁴⁰³ Apart from *Digest* 14.2, little is known about this law or if it was based on Hellenistic precedents. It would, at first analysis, seem unlikely, as the span of time was great and Rhodes in the Imperial period was able to renew its position of importance under Roman auspices. However, the differentiation between a "Rhodian" law and "our own [Roman] laws" is an interesting one. It is possible that a set of commercial and maritime laws lingered from Rhodes' once predominant maritime position and

⁴⁰² There is of course also the problematically name *Rhodian Sea Law, or Nautical Law of the Rhodians* which was first written between 600 and 800 CE (Walter Ashburner, *The Rhodian Sea-Law: Edited from the Manuscripts* (Oxford: Clarendon Press, 1909), liii and cxii). The likelihood that this is accurately related to actual historical precedent is slim and the matter, I believe, was adequately dealt with in Robert D. Benedict, "The Historical Position of the Rhodian Law," *The Yale Law Journal* 18.4 (1909), 223-242.

⁴⁰³ Alan Watson, *The Digest of Justinian, Volume 1* (Philadelphia: University of Pennsylvania Press, 2009), 421 (Book 14.2.9).

Rome, as was its standard practice, adopted this precedent, especially as it relates to the jettisoning of cargo, even after reducing the city to a subordinate position.

Aside from this point, we may also be able to theorize about the likelihood of Rhodian laws concerning commerce, trade, and exchange in the *agora*. As Alain Bresson stated, a set of laws he categorized as a *nomos agoranomikos*, existed in other major trading cities, such as Athens and Miletus, and, therefore, “must have been the case in most cities.”⁴⁰⁴ As Rhodes was effectively the center of eastern Mediterranean trade for one hundred years, it must have created a set of laws by which it could regulate the personalities within its boundaries. Other *poleis* continued to have ports which were well-placed for trade. Grain could be purchased from other *poleis*. And while Rhodian wine was a popular export, other regions produced wine of good quality as well.⁴⁰⁵ Thus, Rhodes could have relied on its central position to a certain extent, but without also finding ways to make itself attractive to traders, such as through protection and regulation, it risked being replaced by other ports.

Rhodes’ central place in the economic patterns and inter-state relationships of the Hellenistic Mediterranean also was manifest in its involvement in Hellenistic diplomacy. Rhodes was a regular mediator in various types of conflicts, whether they be between a Hellenistic Kingdom and smaller *poleis* or between two independent *poleis*. Short of going to war, Rhodes extended itself to aid in its overall goal of peace and stability in the region. One

⁴⁰⁴ Bresson, *The Making of the Ancient Greek Economy*, 240. Evidence for *nomos agoranomikos* exists for Athens in *Scholia* on Homer, *Iliad* 21.203 and for Miletus in a 206/5 BC inscription *Milet I.3 (Delphinion)* 145, line 64 (see Bresson, *The Making of the Ancient Greek Economy*, 240 fn. 78).

⁴⁰⁵ For more information on Rhodian wine, see Nicholas K. Rauh, “Rhodes, Rome, and the Eastern Mediterranean Wine Trade, 166-88 BC,” in *Hellenistic Rhodes: Politics, Culture, and Society*, edited by Vincent Gabrielsen, Per Bilde, Troels Engberg-Pederson, Lise Hannestad, and Jan Zahle, 162-86 (Aarhus: Aarhus University Press, 1999).

way in which it did so was through the dispatching of *xenodikai*.⁴⁰⁶ While this was common practice for many *poleis*,⁴⁰⁷ Rhodes was able to parlay this involvement into bolstering its own reputation as a neutral party in Hellenistic politics. However, its motivations were not entirely without self-interest and, as Sheila Ager argues, Rhodes often involved itself in cases which directly impacted its own economic stability and the general stability of the eastern Mediterranean.⁴⁰⁸ Being viewed as a neutral and powerful arbitrator increased its standing as a fair commercial center, especially in conjunction with its magistrates and laws to create a fair marketplace.

However, it should be noted that in several areas of Hellenistic diplomacy, the aforementioned self-confidence of Rhodes is readily apparent - specifically in its own use, or lack thereof, of *xenodikai* and *proxenoi*. Like Athens before, Delos later on, and unlike nearly every other *polis*, Rhodes refused to use *xenodikai* in order to adjudicate its own internal conflicts.⁴⁰⁹ No explicit reasoning is given for this deviation from standard Hellenistic practice; however, we might be able to infer that since Rhodes prided itself on its role as a leading interstate arbitrator, it refused to weaken that stance by accepting the arbitration of other states or by

⁴⁰⁶ For inscriptional evidence of Rhodian *xenodikai*, see Sheila L. Ager, "Foreign Judges and δικαιοδοσία: A Rhodian Fragment," *Zeitschrift für Papyrologie und Epigraphik* 117 (1997), 123-125; P. Frisch, *Die Inschriften von Ilion* (Bonn 1975), no. 51; W. Blumel, *Die Inschriften von Iasos I* (Bonn 1985), no. 76; M. Cetin Sahar, *Die Inschriften von Stratonikeia I* (Bonn 1981), no. 9; *IG XII 5.652*; H. Engelmann and R. Merkelbach, *Die Inschriften von Erythrai und Klazomenai I* (Bonn 1972), no. 119.

⁴⁰⁷ And indeed Rhodes was not the most prolific, for several other *poleis* sent as many or more *xenodikai* to resolve conflicts, such as Priene, Miletos and Magnesia (for evidence of these *poleis*' involvement, see *IG IX² 1.417*; Hiller von Gaertringen, *Inschriften von Priene* (Berlin, 1906), no. 24, 44, 47-50, 53, 54, 58-63, 71; G. Kawerau and A. Rehm, *Das Delphinion in Milet* (Berlin: De Gruyter, 1914), no. 152a, 153, 154; and O. Kern, *Die Inschriften von Magnesia* (Berlin, 1900), no. 15, 90, 101, 104).

⁴⁰⁸ Ager, "Rhodes: The Rise and Fall of a Neutral Diplomat," 10-12.

⁴⁰⁹ Robert, "Les juges étrangers dans la cité grecque," 777 and Gauthier, *Symbola*, 345-46. In the specific case of Rhodes, this may have also had to do with the lingering memory of foreign domination which marked the first 100 years of the Rhodian state. In its history, letting outsiders make decisions had only led to war and internal instability (for more information, see Berthold, "Fourth Century Rhodes," 48-49 in particular).

appearing to need outside arbitration instead of being able to settle conflicts with its own judicial apparatus. In the case of Athens, the *polis* certainly saw itself as the head of the hierarchy of subordinate *poleis* and, thus, unequal to the states for which it decided conflicts. It is likely going too far to say that Rhodes had a similar point of view given its generally less imperialistic stance towards the rest of the Greek *poleis*, but Rhodes may have held itself to a different standard in order to maintain its illusion of strength and neutrality.

In addition, as is visible in Figure 3.2, Rhodes only infrequently invested in the Panhellenic institution of *proxenoi* and made grants of this sort perhaps only a handful of times during its domination of Hellenistic trade. An interpretation of this information again includes an appreciation for the self-confidence of Rhodes. This time, confidence in its centrality and predominance in matters of trade and economic interactions. *Proxenoi* were not particularly necessary for Rhodes, because its citizens were not dependent on going to other states in order to find the goods they needed. Foreigners came to Rhodes; Rhodians did not need to go elsewhere.⁴¹⁰

To this end, the status of foreigners in Rhodes is also an integral part of the conversation. Athens seems to have had two main categories of foreigners, *metoikoi* and *xenoi*, those who paid a tax to live full-time in Athens and those who traveled through (on a business trip for example), respectively. In Rhodes, the division between metics and foreigners became even more

⁴¹⁰ Moreover, if Rhodian neutrality was a central aspect of its economic prosperity, then close connections with other states could be seen as taking sides in an argument. While *proxenoi* were individuals and, thus, not immediate detriments to overall state alliances, they were often rich and well-connected citizens in their own *poleis*, which could have serious implications for associated states.

Rhodian citizens, however, were granted *proxenoi* many times by other *poleis* (i.e. *IG XI 4 683* in Delos, ca. 230; *IG II³ 1179 (=IG II² 1024)* in Athens, ca. end third century BCE; *IG XII 3 252* in Anaphe, ca. mid-second century BCE; *IG XII 7 31* in Arkesine, ca. mid second-century BCE). As will be seen in the next chapter, however, this was likely due to the personal connections and associations which were so prominent in trading networks and not under the control of the Rhodian state.

complicated, through the identification of foreigners “in residence.” These foreigners held an elevated status within the community, but also paid a higher tax for the privilege. As Marie-Françoise Baslez argues, “à Rhodes, en volume global, l'apport des métèques est quinze fois inférieur à celui des citoyens; celui des étrangers «en séjour», qui ne sont que quatre, est trois fois supérieur à celui des métèques et deux étrangers notables sont capables à titre individuel de versements très importants de 500 ou 600 drachmes.”⁴¹¹ What this division of foreigners may reveal is that certain individuals or groups were willing (and allowed) to engage more fully in the community or chose to remain on the periphery.⁴¹² Diasporic nodes, under consideration in much more detail in the next chapter and Chapter 6, occupied such liminal spaces in order to participate in their new communities, but without surrendering their particular ethno-cultural individuality.⁴¹³ Rhodes seems to have accepted this diversity within its population, likely making it even more attractive to those looking to spread their own network into or across the Mediterranean.

The specific inner workings of the Rhodian marketplaces likely functioned much the same as other trade focused *poleis*. Market enhancing institutions must have abounded in order

⁴¹¹ Baslez, “La question des étrangers,” 221. Evidence for these tax rates is from Léopold Migeotte, *Les souscriptions publiques dans les cités grecques* (Genève: Droz, 1992), inscription 38.

⁴¹² Baslez also notes the element of choice in this difference and says, “À Rhodes, le statut particulier d'étranger «en séjour» ne constitua pas une étape préalable à la naturalisation, puisque sur les 23 familles connues, seules trois d'entre elles sont devenues rhodiennes; il faut d'ailleurs exclure l'hypothèse de «citoyens de seconde zone», appartenant à la communauté civique sans être inscrits dans un *dème*, car la désignation par l'ethnique à l'intérieur de la cité ne correspond pas à une discrimination statutaire, mais exprime un choix personnel” (Baslez, “La question des étrangers,” 224).

⁴¹³ The example of a Phokian network is one such trade network which seemed to have planted diasporic nodes in prominent trading cities, of which Rhodes was one, although it generally operated much earlier than the period under discussion here. For a brief discussion, as part of a larger understanding of connectivity across the Mediterranean, see Denise Demetriou, “What is an Emporion? A Reassessment,” *Historia: Zeitschrift für Alte Geschichte* 60.3 (2011), 263. For a much more detailed account of the development of Phokis and its evolution into a *koinon*, see Jeremy McInerney, “Phokis,” in *Federalism in Greek Antiquity*, edited by Hans Beck and Peter Funke (Cambridge: Cambridge University Press, 2015), 199-221.

to regulate the mass of commerce in the ports. This would likely include the tools of *agoranomoi* and *epimeletai tou emporiou* regulation, such as weights, scales, and the *sekomata*. Unfortunately, there is as of yet, no published evidence of such archaeological finds.⁴¹⁴ However, reference to a *deigma*, such as the ones in Athens and Olbia,⁴¹⁵ is preserved in Demosthenes *Against Lacritus* (35.29), Diodorus Siculus (19.45.4), and Polybius (5.88.8). Diodorus, in particular, helps to position the *deigma* near the port - “τοῦ δ’ ὕδατος παραδόξως ἀθροιζομένου πᾶς μὲν ὁ περὶ τὸ δεῖγμα καὶ Διονύσιον τόπος ἐπεπλήρωτο” - its location near the water was one of the reasons it flooded.⁴¹⁶ Thus, while archaeological remains of market institutions remain elusive, it seems likely that within Rhodes they were put into use in a similar fashion as other trading *poleis*.

In addition, outside of Rhodes, evidence is commonplace. In the case of transport amphorae, Rhodes may provide the most evidence for standardization and control of any *polis*. Figure 3.4 is a drawing of a Rhodian amphora stamp from a wine jug, marked not only with the instantly recognizable Rhodian rose, but also the name of the eponymous magistrate, the priest of Helios. Stamped, and unstamped, amphora such as these have been found in enormous quantities from nearly every Rhodian eponym and stretch across the Mediterranean and

⁴¹⁴ Excavations on Rhodian cities and ports have been ongoing since before WWII, but have met with a variety of setbacks, such as the loss of the excavation report of the Italian team in 1940-41 (David J. Blackman, “The Rhodian fleet and the Karian coast,” In *Hellenistic Karia* [online] (Pessac: Ausonius Éditions, 2010) (generated 06 décembre 2019). <<http://books.openedition.org/ausonius/2810>>). More recent excavations have focused on aspects other than marketplace accoutrement.

⁴¹⁵ The *deigma*, according to Alain Bresson, was an area within a market where wholesale buyers could see a sample of the products they wished to purchase in bulk (Bresson, *The Making of the Ancient Greek Economy*, 309-10). Evidence for a *deigma* in Athens exists in a variety of forensic speeches, such as *Against Lacritus*, and inscriptions (*IG II² 1103*, lines 12-13: “ἐν Πειραιεὶ στήσατε πρὸ τοῦ δείγματος”) fn 19 and in Olbia an inscription remains which references the gate to the *deigma* (*IosPE I² 32*, line 48-49: “τὸ μ πωλῶνα τὸν ἐπὶ τοῦ δείγματος.”)

⁴¹⁶ Diodorus Siculus 19.45.4: “...and with the water unexpectedly collecting, everything around the *deigma* and the *topos* of the temple of Dionysus flooded...”

surrounding environs.⁴¹⁷ Moreover, a study of these transport amphora shows that just before 300 BCE, the amphora were standardized in size and volume. P. M. Wallace Matheson and M. B. Wallace argue that “The Rhodian state had then, we suppose, promulgated official standards of capacity... By 300 B.C. the practice of stamping Rhodian amphoras was beginning...at the same time the actual capacity norm appears to have risen somewhat to the point where the average jar could be lined and sealed and still really hold a good 26 liters plus of wine...”⁴¹⁸

This standard remained basically unchanged.

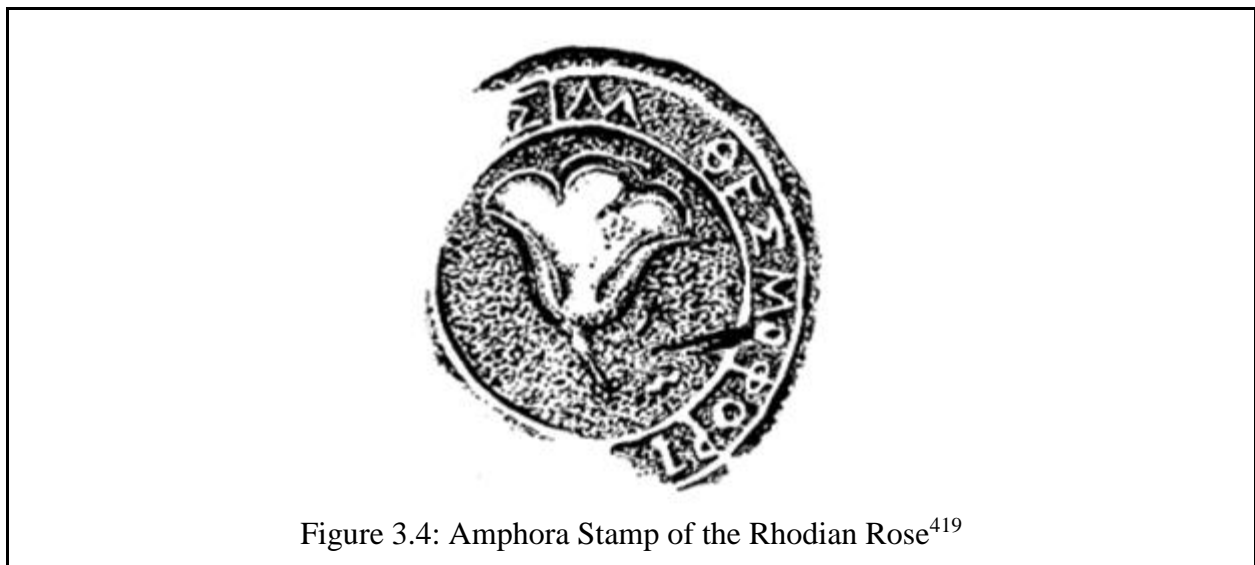


Figure 3.4: Amphora Stamp of the Rhodian Rose⁴¹⁹

In addition, Rhodes minted a variety of coinages in the Hellenistic period, including posthumous Alexanders and “autonomous type” drachms on the Attic standard.⁴²⁰ This is not

⁴¹⁷ Habicht, Christian “Rhodian amphora stamps and Rhodian eponyms,” *Revue des Études Anciennes Année* 105.2 (2003), 541-578 and John Lund, “Rhodian Amphorae in Rhodes and Alexandria as Evidence of Trade,” in *Hellenistic Rhodes: Politics, Culture, and Society*, edited by Vincent Gabrielsen, Per Bilde, Troels Engberg-Pederson, Lise Hannestad, and Jan Zahle, 187-204 (Aarhus: Aarhus University Press, 1999).

⁴¹⁸ P. M. Wallace Matheson and M. B. Wallace, “Some Rhodian Amphora Capacities,” *Hesperia: The Journal of the American School of Classical Studies at Athens* 51.3 (1982), 301.

⁴¹⁹ Example 85 in Virginia Grace, “Stamped Amphora Handles Found in 1931-1932,” *Hesperia: The Journal of the American School of Classical Studies at Athens* 3.3 (1934): 197-310.

⁴²⁰ The argument and analysis of the Rhodian weight standard has come full circle since Barclay Head’s first argument for an Attic standard in the last 1800s. For more on the intervening arguments and state of the evidence,

completely surprising, given the close Rhodian and Athenian interactions over the years and the use of the “reduced” Attic standard for Alexanders. However, Rhodes also minted coins on the Rhodian “Plinthophoric” standard, which circulated mostly in the Near East, after 190 BCE.⁴²¹ The multiplicity of standards is an interesting phenomenon, but may speak to an understanding that their choices operated within a larger network of interactions. Rhodian economic interactions crossed political and cultural boundaries and thus, they seemed to have used currency in the same way. The early coinage worked to integrate Rhodes into the Mediterranean milieu, where changing the Attic-Alexander standard, especially after people had become used to the wide-ranging Attic drachms was needlessly complicated.⁴²² Later coinage seems to have announced Rhodian primacy in the Eastern Mediterranean and, if it was produced in order to facilitate a war with Antiochus III, the Seleucid King, it also announced that their attention now was directed towards a region that did not generally operate on the Attic standard.⁴²³

Like other ports and markets where multiple coinages could be found, *trapezai* were also evident in Rhodes.⁴²⁴ While seemingly still under the ownership of private individuals, Rhodian

see R. H. J. Ashton and A. P. C. Weiss, “The Post-Plinthophoric Silver Drachms of Rhodes,” *The Numismatic Chronicle* 157 (1997), 1-39, particularly 20-21 and 35-36.

⁴²¹ R.H.J. Ashton, “Recent Epigraphic Evidence for the Start of the Rhodian and Lykian League Plinthophoroi,” *The Numismatic Chronicle* 165 (2005), 85-89.

⁴²² The standard continued to be wide ranging even under the Romans, at least until the eventual introduction of the denarius (see more in “The Coming of Rome” section).

⁴²³ Peter Thonemann, *Attalid Asia Minor: Money, International Relations, and the State* (Oxford: Oxford University Press, 2013), 258 fn. 31. See also, G. K. Jenkins, “Rhodian Plinthophoroi - A Sketch,” in *Kraay- Morkholm Essays*, edited by G. Le Rider, G. K. Jenkins, N. Waggoner, and U. Westermark, 101-19 (Louvain-La-Neuve, 1989): “It is possible to say that old type drachms are widely found outside Rhodes and notably in mainland Greece and in Crete” (102). He contrasts this with *plinthophoroi* which circulated internally. *Contra* Alain Bresson, “La circulation monétaire rhodienne jusqu'en 166,” *Dialogues d'histoire ancienne* 19.1 (1993), 119-169, who argues for a closed Rhodian monetary system.

⁴²⁴ Manning, *The Open Sea*, 247 goes as far as to call Rhodes a “major banking center” and Donato Morelli, “Gli Stranieri di Rodi,” *Studi Classici e Orientali* 5 (1956), 126-190 argues, somewhat problematically, if likely

markets likely benefited tremendously from foreign merchants having easy access to money changers and other banking abilities. Inscriptions honoring the owners of such banks, as for Herakleitos, son of Pausanias, and his son Apollodotos (ca. 200 BCE),⁴²⁵ have been found in Rhodes. In addition, Rhodians were connected with networks of bankers and merchants in many foreign port cities, such as a Rhodian banker honored on Delos (*IG XI 4.1055*, ca. 200 BCE). As noted above, personal connections were one of the main methods of extending banking networks between *poleis*, and while the evidence for any direct state intervention in banking remains unknown, Rhodes was a thriving hub for private associations and business relationships.

In one other aspect as well, Rhodes worked to ensure that trade and economic connections flourished and made the reputation of Rhodes premiere in the Mediterranean - the control of pirates. Just as Athens was famed for its navy during its height, Rhodes enforced a sense of safety and neutrality in the areas under its protection by assuring that merchant ships could travel unmolested from port to port.⁴²⁶ This was done in part in order to ensure its monopoly over Egyptian grain, but also to maintain peaceful relationships as far as Crete. For example, one treaty dating to ca. 200 BCE between Rhodes and the Hierapytna, a dominant Cretan *polis*, explicitly deals with conflicts against pirates. It reads, “And if during a campaign which the Hierapytnians are waging with the Rhodians to destroy a pirate base, any of those who

accurately, that we can assume that many of the foreigners in Rhodes were wealthy business people, traders, and bankers.

⁴²⁵ A. Maiuri, *Nuova Silloge epigrafica di Rodi e Cos* (Firenze: Le Monnier, 1925), 19. Lionel Casson, “The Grain Trade of the Hellenistic World,” 172 fn. 26, describes these as a “family of bankers,” which, if true, adds even more strength and longevity to their presence.

⁴²⁶ Manning, *The Open Sea*, 247: “And perhaps the strongest force against Mediterranean piracy, although the effectiveness of this is debatable, Rhodes certainly gained from its reputation as a fighter of pirates.” For a thorough analysis of how the Rhodian state and aristocracy used their personal warships in order to protect shipping routes and funnel trade into Rhodian ports, see Vincent Gabrielsen, *The Naval Aristocracy of Hellenistic Rhodes* (Aarhus: Aarhus University Press, 1997).

provided shelter or assistance to the pirates wage war on the Hierapytnians because of this campaign, the Rhodians shall come to the help of the Hierapytnians with all possible strength, and anyone who acts in this way shall be an enemy of the Rhodians.”⁴²⁷ By this time, the Rhodian navy was a premiere force in the Mediterranean and, largely, turned that power towards protecting her own economic prosperity.

The place of Rhodes in the economics and politics of the Hellenistic Mediterranean is undisputed. It was a powerful force for organizing and facilitating the cross-cultural, inter-state relationships that drove this period. Its zenith was short lived, though, as Rome pushed across millennia old boundaries and began to forge a new Mediterranean world. And while for a short time between the late 200s and 170 BCE, it seemed that perhaps Rhodes would be able to mediate Roman attention and aggression,⁴²⁸ the Roman desire to incorporate the known world into its sphere of influence persisted, and it punished Rhodes for its support of Perseus of Macedon,⁴²⁹ leaving Rhodes a shadow of its former power by the mid-second century BCE.

The Coming of Rome: Continuation and Change

If Livy is to be believed, Romans interacted with Greek institutions for hundreds of years before decisive military victories ceded control of the peninsula to Rome. Mythic Roman King Tarquinius Superbus sent an embassy to Delphi (Livy 1.56– 57), another was sent during the war with Veii (Livy 5.15), and a third trip to Delphi was undertaken by Furius Camillus, when he

⁴²⁷ *SdA* III.552, cited in Philip de Souza, *Piracy in the Graeco-Roman World* (Cambridge: Cambridge University Press, 2002), 83.

⁴²⁸ For arguments about interactions between Rhodes and Rome, see perspective understandings of Hellenistic negotiations by Richard M. Berthold, “The Rhodian Appeal to Rome in 201 B.C.,” *The Classical Journal* 71.2 (Dec., 1975 - Jan., 1976), 97-107 and Ager, “Rhodes: The Rise and Fall of a Neutral Diplomat,” 10-41.

⁴²⁹ Potter, *The Origin of Empire*, 99.

dedicated a golden mixing bowl to Apollo (Livy 5.25 and 28).⁴³⁰ Even the Athenian law code of Solon was copied and brought back during the time of the Decemvirate (Livy 3.32). However false these stories may be, Rome was adept at modeling its institutional behavior on the foundations of whichever society with which it was currently interacting. As Erich Gruen argued in *The Hellenistic World and the Coming of Rome*, “Hellas ultimately fell under Roman authority not because the Romans exported their structure to the East, but because Greeks persistently drew the westerner into their own structure - until it was theirs no longer.”⁴³¹ Ultimately, the coming of Rome was not so much a question of how Roman governance changed the institutions and relationships of the Greek *poleis*, but how the *poleis* changed Rome.

After Rome’s victory against the Seleucid Kingdom in 189 BCE and fracturing Macedonian control of Greece into four territories in 168 BCE, it was the sole major power in the Mediterranean, apart from the Ptolemaic Kingdom. But Rome had also spread much further afield than it could support given its own lack of bureaucratic infrastructure. In order to hold this vast territory and effectively quell revolts and restlessness in the newly formed provinces (such as that of Macedonia after 146 BCE), Rome did not invest an exceptional amount of time or manpower into reorganizing the institutions of the conquered states. As they would continue to do for hundreds of years, Rome usually replaced the leadership of a kingdom or *polis*, but left the

⁴³⁰ This event was also recorded in Diod. 14.93.3-5 and Plutarch’s *Camillus* 8.3–8 and is probably the only one with some truth to it. Appian also records in *Italica* 8.1 that the base was still in residence at Delphi in his day, even though the bowl had been destroyed in the Third Sacred War (356–347).

⁴³¹ Erich Gruen, *The Hellenistic World and the Coming of Rome* (Berkeley: University of California Press, 1984), 730. An in-depth analysis of the many and varied ways that Rome did not extensively change the structure of Greek relations in the first hundred years of its control over the Greek peninsula extends from pages 13-200.

rest of the infrastructure intact, including legal institutions.⁴³² For the Greek *poleis*, this meant apart from a new Roman governor, they were able to continue in much the same manner as they had before, especially for the hundred years immediately following Rome's conquest.

Hellenistic diplomacy, in particular, continued in much the same manner under the auspices of Rome as it had for the previous 150 years. According to Polybius (21.43.24–26), unless Rome specifically felt that its own power was being threatened, it supported the use of the third-party states to settle the conflicts between two *poleis*. *Xenodikai* continued to appear in inscriptions as arbitrators of inter-state conflict until the second century CE, even though honorary inscriptions for their deeds slowly fade.⁴³³ Perhaps the most significant change to this process was the understanding across *poleis* that Rome was now the final authority on disagreements.⁴³⁴ As in the example of a disagreement between two *poleis* in Thessaly (*SEG*³ 674, ca. 140 BCE), Rome was asked to arbitrate and settle the issue of a boundary dispute between Narthakion and Melitaia. They were told by the Roman Senate that they should abide

⁴³² This is not to say that things did not change in the Greek world - evidence of declining epigraphic traditions speak to overall evolutions in the socio-political contexts of the late Hellenistic period - but jurisdictional, economic, and other day-to-day occurrences in Greek *poleis* were not aggressively reorganized.

⁴³³ Magnetto, "Interstate Arbitration and Foreign Judges," 27-28 and 32-33. See also Crowther, "Foreign judges in Thessaly in the Hellenistic period: a second century phenomenon?", 31–48, who argues that this fading of inscriptions was due to the commonality and, thus, banality of the institution no longer eliciting interest in the institution. *Contra* 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* (Athens, 2010): 536–542), who argues that Roman governors took over this role and ended the institution.

⁴³⁴ Rome, however, was unwilling to be a participating party in arbitration, reinforcing the mentality of a hierarchical relationship between it and the Greek *poleis*. This was not a unique position, though, as demonstrated in the above section about Rhodes and in the histories of Athens, Sparta, and the Macedonian Kings. It would seem that, at their height, none of these parties thought that they should engage in this inter-state institution from the position of an equal in regards to other *poleis*. For more information, see Anna Magnetto, "Interstate Arbitration as a Feature of the Hellenistic Polis: Between Ideology, International Law, and Civic Memory," in *The Polis in the Hellenistic World*, edited by H. Börm and N. Luraghi (Stuttgart, 2018), 85-107; E. Badian, "Hegemony and Independence: Prolegomena to a Study of the Relations of Rome and the Hellenistic States in the Second Century B.C.," *Actes du Vjje Congres de la F. I. E.* (Budapest, 1983), 401-403; and A. M. Eckstein, "Rome, the War with Perseus, and Third Party Mediation," *Historia: Zeitschrift für Alte Geschichte* 37.4 (1988), 414-444.

by the decision given by Flaminius fifty years previously.⁴³⁵ This shift had the effect of changing inter-state relationships from largely egalitarian in nature to hierarchical, with the *poleis* operating under the umbrella of Roman power. In addition, the use and honoring of *proxenoi* continued to proliferate across the Greek world in the late Hellenistic period. Romans were often granted proxeny status in Greek *poleis* (see Appendix A) through the end of the first century BCE⁴³⁶ and evidence exists from the second century BCE that Rome granted at least one proxeny to a citizen of Brentesion/Brundisium.⁴³⁷

If these institutions underwent significant change, it lay more with the socio-political understanding that public, performative inscriptions were no longer the most effective way to gain honor. Elite culture began to sway to Roman ideological preferences, even though Roman institutions were not systematically implemented.⁴³⁸ As William Mack argues, “The Greek cities were too useful in reducing the administrative burden of empire for the Romans to want to attempt to impose constitutions which the Greeks would not accept, or which might impair the institutional efficiency on which that usefulness depended.”⁴³⁹ While Mack is speaking directly

⁴³⁵ For more information, see Ager, *Interstate Arbitrations in the Greek World, 337–90 BC*, 425-28. She states, “The choice of Rome as arbitrator at this stage is to be connected to the new position of Rome with respect to the Greek states. Ever since the Second Macedonian War Rome had been increasingly the focus of Greek requests for settlement of disputes; after the Roman victory of 146 this trend intensified...A common pattern adopted by Rome in the second century when the Greeks turned to Rome more and more to settle their conflicts was to make a general ruling and then request another Greek state to carry out the details of the arbitration” (427). See also, David Armstrong and Joseph J. Walsh, “SIG³ 593: The Letter of Flaminius to Chyretiae,” *Classical Philology* 81.1 (1986), 32-46.

⁴³⁶ *IG IV* 853 seems to be the last known *proxeny* decree. It honors Lucius Licinius Anteros and dates to ca. 1 BCE. For more information see, Mack, *Proxeny and Polis*, 252.

⁴³⁷ This mention comes from Appian, ἐκ τῆς Μακεδονικῆς 7 (Hist. Mac. 7): “Ἐρέννιον δὲ τὸν ἐν Βρεντεσίῳ ...Ῥωμαῖον ὄντα καὶ φίλον ὑμέτερον καὶ πρόξενον.”

⁴³⁸ There were cases of Roman institutions being imposed as a punitive measure, but this was not a common approach to governing. There were of course also punitive and violent measures taken on occasion, such as the destruction of Corinth and its ports. But these remained unusual occurrences.

⁴³⁹ Mack, *Proxeny and Polis*, 272.

of peer-polity inter-state interactions, the thrust of his argument remains true for economic institutions as well.

In the shift from the early Hellenistic to the later Hellenistic period, trade goods and their taxation continued to move over and around the Mediterranean Sea. And while the Romans imposed a tithe upon the Greek East which may have added significantly to the tax burden of the local populace,⁴⁴⁰ across most *poleis*, taxation upon trade seems to have remained largely as it was before the coming of Rome. While the city may have passed along part of its tithe to merchants and traders, there is little evidence to support this argument. Moreover, the tithed amounts, until the end of the Republic, remained almost entirely in Greece and the eastern provinces. It was reintroduced into the local economies as payments for goods and services or as gifts to local leaders.⁴⁴¹ Even the minting of coinage was largely unaffected by the presence of Rome. Apart from the very rare, golden T. Quintus Flamininus stater, which was made in an entirely Hellenistic style, no “Roman” coins were struck in any quantity for the first 75 years of Rome’s presence in Greece and Asia Minor.⁴⁴² Latin is not even used on local coins until the

⁴⁴⁰ This may have been especially true due to the involvement of the *publicani* or “tax-farmers.” These were men or groups of men who bid on tax collection in the hopes of making a personal profit. While there were laws in place to limit the *publicani* profits (such as the *lex Hieronica* in Sicily), the system was ripe for abuse. Michael H. Crawford, “Rome and the Greek World: Economic Relationships,” *The Economic History Review, New Series* 30.1 (1977), 45: “The imposition of tribute directly affected the finances of the Greek cities, documenting in the process the relationship between Rome and the upper classes in the cities. The practice early became established whereby the revenues which accrued normally in a city, from local monopolies, dues of one sort or another, public lands, were used to pay part of the tax obligations of the citizens to the Roman state.” See also the PhD dissertation submitted by Kyle McLeister, “Publicani in the Principate,” (PhD Diss., McMaster University, 2016).

⁴⁴¹ Crawford, “Rome and the Greek World: Economic Relationships,” 42-52 and Laura Pfunter, “Cooperation and Conflict between Governor and poleis in the Verrines,” *Phoenix* 69.3/4 (2015), 355-375.

⁴⁴² “Roman” here means coins that were distinct in style from standard Hellenic models, such as those from Rome bearing the helmeted head of the patron goddess Roma. The first “Roman” coins were still largely Hellenic in character, but began by the 90s to add the name of the Roman Quaestor on the reverse. The rest of the type remained the same for another half century.

late 120s BCE, and even then rarely.⁴⁴³ Continuity of Greek norms seems again to be the only interpretation of the evidence through the middle of the first century BCE, when Republican denarii first start to appear in significant numbers in Greece.⁴⁴⁴ The Attic standard remained the inter-state standard of choice, with “New Style” Athenian owls (Figure 3.5) replacing Alexanders as the “international coinage” and civic coinage proclaimed independent local identities and affiliations, not subjugation to Roman imperialism.⁴⁴⁵



Economic changes under the Romans largely took the form of reorienting the focus of Mediterranean trade to the West, specifically to the Roman homeland. This ran counter to the south-easterly pull which had dominated the earlier Hellenistic period as Rhodes and its connection to the Ptolemies dominated long-distance trade. But, as Athens, Rhodes, and other

⁴⁴³ For more on coinage under the Republic, see Saskia R. Roselaar, *Italy's Economic Revolution: Integration and Economy in Republican Italy* (Oxford: Oxford University Press, 2019), 138-46.

⁴⁴⁴ Thoneman, *The Hellenistic World*, 184-85 and Michael H. Crawford, *Coinage and Money Under the Roman Republic: Italy and the Mediterranean Economy* (London: Methuen & Co., 1985), 197.

⁴⁴⁵ For more on continuities, see Thoneman, *The Hellenistic World*, 169-90: “Silver and bronze coinage continued to be struck in large quantities in the Aegean and Asia Minor in the second and first centuries BC, but virtually none of it explicitly proclaims the change of regime...This continuity is a crucial and often neglected aspect of Rome’s conquest of the Greek East. Whatever the real character of the political regimes in place in Macedonia and Greece after 146 BC, and in Asia Minor after 129 BC, the official story presented on coins was one of a restoration of Greek freedom, not of subjugation to Rome” (170).

poleis with maritime interests had done before, Rome worked to protect the safety and mobility of traders, in order to benefit from the resources they provided. This included the hunting of pirates,⁴⁴⁶ negotiations to settle inter-state conflicts, and the creation of a tax-free port of call, Delos.

Delos under Rome: A Free Port in the Hellenistic Economic Milieu

One immediately transformative change resulted from the arrival of Roman power and its westerly origins in the eastern Mediterranean, namely the massive development of Delos as a free port and, as a result, the center of Mediterranean trade - much to the crippling detriment of Rhodes. As evidenced in earlier sections, Delos retained and utilized many of the same market enhancing institutions as the other great Greek trading cities. In particular, the employment of *agoranomoi*, standardized weights and measures (see Figure 3.3), signed and witnessed contracts,⁴⁴⁷ banking and credit opportunities, and the honoring of *proxenoi* feature prominently in the island's epigraphic record. But the elimination of taxation launched it to the center stage of the later Hellenistic period.

Rome's decision to make Delos a free port, particularly one under the control of Athens, deserves explanation. One of the first questions may be: why Delos? This answer likely lies in a combination of politics and geography. In terms of politics, Delos opened itself up to a grand

⁴⁴⁶ Philip de Souza, "Rome's Contribution to the Development of Piracy," *Memoirs of the American Academy in Rome. Supplementary Volumes, Vol. 6, The Maritime World of Ancient Rome* (Ann Arbor: University of Michigan Press, 2008), 77: "This First Illyrian War furnishes the earliest example of an historian portraying the Romans as suppressors of piracy for the benefit of other states. That historian is Polybius, writing in the second half of the second century B.C...While he says little about the strategic implications of the war, Polybius makes it clear that in his view the Romans were protecting the interests of traders and the coastal cities of western and southern Greece by tackling the piratical Illyrians, whom he describes as "the common enemies of all peoples" (Polyb. 2.12.6)."

⁴⁴⁷ Denis van Berchem, "Commerce et écriture: L'exemple de Délos à l'époque hellénistique," *Museum Helveticum* 48.3 (1991), 129-145.

conflict with Rome during the Third Macedonian War (171–168 BCE). In its history as a free *polis*, Delos generally allied with Rhodes and attempted to mimic Rhodes' neutral political stance.⁴⁴⁸ However, Rhodes and Delos both suffered in the aftermath of that conflict, seemingly for their perceived lack of loyalty to Rome and intervening in Rome's plans for Greece.⁴⁴⁹ Rhodes was forced to cede control over several areas of land and Delos was returned to the possession of Athens (a much stauncher Roman ally). But Rome mandated a strict provision, that Athens could not charge import or export taxes.⁴⁵⁰ No port under the control of a single *polis* or even several small *poleis* would be able to compete with a market charging no taxes. As such, Rhodes very quickly lost approximately 85% of its revenue from importation (Polybius 30.31.10-12), sending the economy into steep decline with severe implications for its ability to maintain a navy and a strong inter-state presence.⁴⁵¹

In terms of geography, Delos has, since antiquity, been considered the center of the Greco-Aegean world and an exceptionally convenient way-station for Roman ships.⁴⁵²

⁴⁴⁸ For more information, see Eleanor G. Huzar, "Roman-Egyptian Relations in Delos," *The Classical Journal* 57.4 (1962), 169-178. Also, Corinth, another prominent trade city with an important harbor, fought against Rome - leading to its destruction in 146 BCE. Bresson argues that only at this time did Delos rise to prominence (Bresson, *The Making of the Ancient Greek Economy*, 95).

⁴⁴⁹ For a full account of the conflict, see Polybius, *Histories* 30 and Livy, *History of Rome*, 33.30 for the terms of the end of the war.

⁴⁵⁰ The question should be asked here: why give the island back to Athens, but restrict its benefit to Athens? Why would Athens agree? Rome clearly benefited as it did not have to control the island, but could use its harbors and merchants whenever it wanted. But Athens could derive essentially no profit from the territory, and was required to expend money and effort to govern and control the island and its commerce. Thus, which was the more compelling factor, the slight return of imperialistic stature or a more immediate fear of crossing Rome?

⁴⁵¹ According to Lionel Casson, however, Rhodian grain imports from Egypt and the Black Sea remained fairly steady and the monopoly continued basically until Egypt was annexed by Rome in 30 BCE ("The Grain Trade of the Hellenistic World," 181-87), with occasional dips due to war in Egypt and the Pontic region.

⁴⁵² Strabo, *Geography* 10.5.4 "ἐκεῖσε γὰρ μετεχώρησαν οἱ ἔμποροι, καὶ τῆς ἀτελείας τοῦ ἱεροῦ προκαλουμένης αὐτοῦ καὶ τῆς εὐκαιρίας τοῦ λιμένος: ἐν καλῷ γὰρ κεῖται τοῖς ἐκ τῆς Ἰταλίας καὶ τῆς Ἑλλάδος εἰς τὴν Ἀσίαν πλέουσιν: ἢ τε πανήγυρις ἐμπορικόν τι πρᾶγμα ἐστὶ, καὶ συνήθεις ἦσαν αὐτῇ καὶ Ῥωμαῖοι τῶν ἄλλων μάλιστα, καὶ ὅτε συνειστίθει ἡ Κόρινθος (The merchants moved there, attracted by the immunity of the sanctuary and the convenient situation of the harbor, for it is well situated for those sailing from Italia and Hellas to Asia. Their

However, the reality of the environment of the island is less positive. Windy and with natural harbors that needed an exceptional amount of man-made aid, Delos would not seem to be an ideal candidate for a trade hub. However, its poor soil and important Sanctuary to Apollo had for centuries made it an integral part of inter-state trade. The need for agricultural products, especially those of good quality, demanded trade for necessary goods and the sanctuary naturally attracted supplicants from many areas of the Greek world, especially during festival times.⁴⁵³ This seems to have created an atmosphere and institutional reality that Delos was open to foreigners. Unlike in Athens and other *poleis* where non-citizens were forbidden from owning land, on Delos an enormous number of foreign groups held land and built their own sanctuaries and common buildings on the island.⁴⁵⁴

Thus, it would seem that Delos was, in fact, the clear choice for Rome's free port.

Moreover, merchants took advantage of the drastically reduced transaction costs of a free port

festival is a sort of commercial occurrence, habituated by the Romans more than anyone else, even when Corinth existed)" (translation by Duane W. Roller, *The Geography of Strabo: An English Translation, with Introduction and Notes* (Cambridge: Cambridge University Press, 2014). And as R. C. Jebb described, "The position of Delos is central in a threefold sense. First, it is indeed what Callimachus called it, the Hearth of the Cyclades. Secondly, it is nearly at the centre of the southern Aegean, equally accessible from Greece Proper and from Asiatic Hellas, from Rhodes and Crete on the south, from Chios and Lesbos on the north. Thirdly, if our survey embraces the most distant regions to which early Greece sent out its colonies, or to which Greek civilisation was carried by the conquests of Alexander, Delos is still approximately at the mid-point of this Greater Hellas" ("Delos," *The Journal of Hellenic Studies* 1 (1880), 7-62, quote from 8-9).

Italians were present on Delos from a fairly early period - most likely in search of trade and, in particular, slaves - and left ample epigraphic evidence, even before Delos was named a free port (*IG* II2 115, ca. 259 BCE; *IG* II4 642, ca. 250; for a fuller compilation see, J. Hatzfeld, "Les italiens resident à Délos mentionnés dans les inscriptions de d'île," *BCH* 36 (1912), 5-218).

⁴⁵³ For examples of agricultural products produced on Delos and their generally middling quality in comparison to the imported goods, see John Harvey Kent, "The Temple Estates of Delos, Rheneia, and Mykonos," *Hesperia: The Journal of the American School of Classical Studies at Athens* 17.4 (1948), 243-338 and Gary Reger, "The Public Purchase of Grain on Independent Delos," *Classical Antiquity* 12.2 (1993), 300-334. Although *murex*, which would fetch a high price at market, was apparently in good supply in the seas around Delos; see Ephraim Lytle, "The Delian Purple and the *lex portus Asiae*," *Phoenix* 61.3/4 (2007), 247-269. Lytle also comments on the poor quality of Delian soil.

⁴⁵⁴ For more detail, see Chapter 4, but Delos was home to many buildings housing foreigners, such as the "Synod of Tyrrians" (*CIG* 2271), the Poseidonists, and the Egyptian Serapeum, not to mention the various Italian groups.

and clearly found the environmental drawbacks less problematic when compared to the enormous market for goods. A useful midpoint between Italy and Asia, especially after the creation of the *Provincia Asia* in 129 BCE; a history of accepting foreigners into the *polis*, especially for business; under the firm control of an ally; institutionally well-equipped to handle the volume of trade; Delos rewarded this decision by maintaining and promoting trade in the region for nearly one hundred years. Unfortunately, in 88 BCE, Mithridates, King of Pontus, ransacked the island and destroyed it. Although it was rebuilt, in the wake of Roman pacification of even greater swaths of the Mediterranean, Delos lost its importance as a waystation, with ships from the eastern Mediterranean bypassing it entirely and making for Roman ports directly.⁴⁵⁵ As Rhodes had been eclipsed by Delos, Delos was now eclipsed by Ostia and Puteoli - reflecting the growing strength and westward pull of Rome.⁴⁵⁶

Conclusion

And so we return to the question of unity in Greek inter-state commercial law and regulation. While the early stages of interstate arbitration and inter-state judicial agreements had been set in the late Classical era, these institutions reached their peak in the Hellenistic period. This development seems to have created a vast, inter-connected network of *poleis* that relied on similar responses to conflicts dealing with foreigners, especially when connected to commercial matters. As described in Chapter 2, maritime trade has specific and inherently inter-state

⁴⁵⁵ Huzar, "Roman-Egyptian Relations in Delos," 175-76.

⁴⁵⁶ For more on the Roman manipulation of Delos as a port, see also, Tenney Frank, "Commercialism and Roman Territorial Expansion," *The Classical Journal* 5.3 (1910), 99-110. Alain Bresson also argues that Rome had effectively created a new "center" in the Mediterranean world and turned the Greek Aegean into one of the "peripheral regions," (*The Making of the Ancient Greek Economy*, 416-17) again bolstering this idea that designating Delos as a free port was an early step in reorienting economic focus towards Italy.

requirements in order to ensure ease of exchange, the reliability of partners, and low enough transaction costs to promote the flow of trade and generate profits. The ability of *xenodikai* to adjudicate in multiple *poleis* and the use of common magistrate types to protect foreigners and the laws of the marketplace are only a few of the examples by which Hellenistic *poleis* worked within John Ma's "mental map" and seemingly upheld a few common standards across *poleis* most interested in attracting trade to their ports and markets.

Within individual *poleis*, we also see a repetition of institutions that promoted trade and equality between trading partners. Athens, Rhodes, Delos, and other less famous *poleis*, such as Astypalaia, used similar types of standards and taxation within their borders in order to reduce informational asymmetry between buyer and seller, as well as to ensure regulation of goods to reduce predatory behavior. And while evidence of a fully-fledged *nomos agoranomikos* in all major marketplaces cannot be securely argued, it seems clear that many laws and regulatory measures that boosted merchant confidence appeared, with some variation, in many *poleis* across the Mediterranean and throughout the Hellenistic period. Even after Rome shifted the orientation of Mediterranean trade and transport westward, these institutions remain in much the same manner as they had for at least a hundred years before. A "unity," therefore, may be argued for the responses in regulation and jurisdiction for inter-state commercial activities.

However, the regulatory abilities of the ancient *poleis* and market magistrates likely continued to be limited and heavily based on personal complaints from the injured party. Especially in markets, such as those at Rhodes and Delos, the number of people engaged in commerce would have been far too large for the magistrates to control all aspects of regulation on their own. As such, personal connections were likely integral in assuring that exchanges and partnerships were conducted with trustworthy individuals - or, at the very least, individuals with

trustworthy friends to act as sureties. The personal sub-*polis* networks that bolstered the official state policies concerning trade and foreigners will be discussed in the next chapter, as robust economic exchange required a combination of the two forms of management.

Chapter 4
Trade Networks and their Social Organization in the Ancient Mediterranean

Unlike in the previous chapters, which have focused on law and magistracies for the attraction of trade, I shift now to the second requirement for conducting effective economic relationships - the socio-cultural aspect. To study institutions or even technology without understanding the social dimension which bolsters it, is as Avner Greif says, a “caricature” of the complex relationships which existed in the economic realm, for nothing operates in a vacuum and laws are dependent on the people, just as people can come to depend on laws. Thus, there is a need to investigate the role of social groups or social networks as a factor in promoting and maintaining regular and stable exchanges in the highly unstable world of ancient long-distance, inter-state trade.

These social institutions, which can take many forms, work to alleviate some of the inherent instability and information asymmetry in the ancient economic world. As J. G. Manning stated, “In the absence of complete contracts, the role of trust-creating institutions, of morality and visible law, private associations and the like, would have been a critical part of exchange in the premodern world.”⁴⁵⁷ Private associations, as he characterized them, could take many forms, and he states that trade associations should be considered short-term collaborations.⁴⁵⁸ While

⁴⁵⁷ J. G. Manning, *The Open Sea: The Economic Life of the Ancient Mediterranean World from the Iron Age to the Rise of Rome* (Princeton: Princeton University Press, 2018), 227. Manning’s use of “complete contracts” here is an interesting choice. In modern contract theory, a complete contract only exists when every eventuality is accounted for and the rights and responsibilities of each party are arranged for those eventualities. Even in the modern world, this is near impossible - or at least improbable-, due to the high costs associated with the negotiation of such complexities. My interpretation of Manning’s phrase, then, is that the contractual and legal system of the pre-modern world, as I have argued in Chapter 2, is highly dependent on personal responsibility, as the legal institutions are under-enforced by the state apparatus, and is thus incomplete.

⁴⁵⁸ Manning, *The Open Sea*, 252: “No formal trading groups as such, or ‘companies’ were recognized; such groups existed only in the short term to undertake particular transactions.” However, I find this to be a very black and white reading of the extant evidence. Other recent scholarship has shown (as will be demonstrated below) that this is not

short-term interactions or the use of short-term middle-men may have been possible, the idea of such seems antithetical with the function of “trust-creating institutions.” Trust is rarely built through single transactions, but is rather gained through continued cooperative exchanges or investment in an interpersonal relationship.

Socially- and economically-linked networks or trade diasporas, bound together by ethnicity or religion or homeland, create a platform for trust in ways which middle-men or legal institutions alone cannot. As Kenneth Pomeranz and Steven Topik argue,

Trade diasporas made sense from many points of view. In an era when contracts could be hard to enforce, especially across political boundaries, it helped to deal with people who came from the same place you did. You were likely to understand them better than you did strangers: not only did you speak the same language, but you shared an understanding of what was good merchandise, of when a deal could (and could not) be called off, and of what to do in embarrassing but inevitable situations such as bankruptcy or accident. If you traded with somebody with whom you did not share these understandings, you ran a higher risk of trouble, including having to deal with the culturally alien, sometimes arbitrary, principles of the local ruler’s courts. And in case your trading partners were tempted to cheat you, it helped that their relatives and yours lived near each other...Any trader knows that personal contacts matter. But before the age of telecommunications, enforceable commercial codes, and standardized measures, it was even more important to have some nonbusiness ties with your partners, agents, and opposite numbers in other ports. So all over the world, trade was organized through networks of people who shared the same native place-and thus a dialect, a diety (or several) to swear on, and other trust-inducing connections.⁴⁵⁹

In a world of underenforcement of legal institutions, such as in the ancient Mediterranean polities, alternate methods of coercion and obligation was just good business sense.

an apt description and limits the multi-functional nature of private associations. The term “private associations” also has very particular contexts in the ancient world, which will be addressed more fully below.

⁴⁵⁹ Kenneth Pomeranz and Steven Topik, *The World that Trade Created: Society, Culture, and the World Economy, 1400 to the Present, 4th Ed.* (New York: Routledge, 2018), 11-13. Even though Pomeranz and Topik’s description of a pre-modern world seems more medieval in character and does not exactly describe the ancient Mediterranean, which did in fact have standardized measures and such, the overarching argument is still effective.

To this end, the possibilities of social networks, diasporas, or even “clubs,”⁴⁶⁰ must be re-examined to understand how private merchants built and maintained their connections in far off lands, how social status affected foreign traders who settled in new *poleis*, and how associations of these merchants were able to face head on and, oftentimes, overcome the risk associated with long-distance trade. That such actions occurred is well-attested in the historical record.⁴⁶¹ However, the peculiarities of their success and the steps by which it was attained are still up for debate.

In the following sections, I will argue that the ability of trade networks, with their own nodes and diaspora communities in Greek *poleis*, to bolster trade by fostering connections and trust between disparate groups was based upon a Mediterranean-wide acceptance of various types of communities that existed outside of any formalized state or *polis*. These communities have many identifiers, such as private associations, *koina* (commonalities or common groups), cults, or more generally social networks. But these terms are not interchangeable. They describe the plurality of ways in which communities in the ancient Mediterranean interacted with one another and affected their socio-cultural spheres. These networks operated similarly below the level of the *polis*, but alongside the legal structures which protected merchant and consumer. By understanding this plurality of connections and social networks, we can better understand how foreigner trade networks were advantaged by the networking patterns in the ancient Mediterranean in their attempts to penetrate economically into distant regions.

⁴⁶⁰ Classified as “social clubs” by Michael Rostovtzeff, *The Social and Economic History of the Hellenistic World* (Oxford: Oxford University Press, 1941), 1269, who disagreed with the idea that such groups had economic association or impact.

⁴⁶¹ See for example, Manning, *The Open Sea*, 241-42: “Private merchants were on the rise since archaic times; they played a crucial role in supplying Athens in the Hellenistic period and, importantly, assumed a great deal of risk that could, at times, provide them with considerable fortunes.”

Social and Economic Network Possibilities in the Ancient Mediterranean

As briefly mentioned above, the connectivity of the Mediterranean world in the Classical and Hellenistic periods is a complex patchwork of overlapping networks. These networks often vary in size, population variety, geographical location, and type - for instance, there were many more network types than just diasporas. Moreover, they shifted and evolved over time and as a reaction to external stimuli, such as war and politics. Thus, it is necessary to review the varied ways in which social connections existed during these periods and how they affected relationships across *poleis* and state boundaries. These different sub-*polis* social networks created a world in which foreigners and even a non-Greek diasporic trade network (such as the Nabataeans) could enter the economic and social milieu. Trade nodes would likely not have been possible without the social conditions necessary for new connections between people and building trust between disparate actors and entities. In the following sections, I will demonstrate that the world of the ancient Mediterranean was alive with opportunities for social connections to turn a profit.

A Social Sea

The Mediterranean Sea is the connector which ties the the Pillars of Hercules to the coast of the Near East, more than 2,000 miles apart. For millennia, societies have found ways to use the Mediterranean for their own purposes. Simple needs, such as food production, more complex concerns about worship, and even the curiosity of humanity about what lies out of sight were often satiated by the Mediterranean. Access to this resource gave a privileged position to those states and societies which lie along its coast, as it was a resource to stay attuned to the

information always circulating along its waves and shores. In comparison, landlocked regions had reduced access to inter-state markets not only by topographical obstacles, but by their exclusion from this information thoroughfare.

Peregrine Horden and Nicholas Purcell shifted the paradigm for studying inter-regional Mediterranean history with their “history of” the Mediterranean.⁴⁶² They argue in *The Corrupting Sea* that the micro-regions of the Mediterranean environment disconnect one area from its neighbor to an extraordinary degree. However, these regions’ minute size and proximity to Mediterranean Sea gives them remarkable access to one another and connectivity across vast differences. To their minds, this allows for the blending of cultures, the reduction of hard boundaries between states, and a remarkable adaptability to change. It is these qualities that underlie the social and economic networks that permeate the Mediterranean, encouraging movement from one edge of the Sea to another.

Still more recent scholarship, such as J.G. Manning’s *The Open Sea*, often integrates these ideas of interconnectedness, especially as they promote the idea that single region analyses do not provide a full picture of the interworkings and relationships which made up the Mediterranean. In the conclusion of his work, he states:

I have suggested that there was no such things as ‘the ancient economy.’ Rather we must understand developments on several levels, not just on the local or the ‘microregional’ level but how households were connected to each other, how regions were connected to politics, and how polities in turn were connected to

⁴⁶² Peregrine Horden and Nicholas Purcell, *The Corrupting Sea: A Study of Mediterranean History* (Oxford: Blackwell Publishing, 2000), 2. Horden and Purcell explain that their’s is a study of “history of” not “history in” the Mediterranean and that “[p]art of what happens in the Mediterranean is, *in this very particular sense*, not Mediterranean history. But to an understanding of the rest, knowledge of microecologies and their interrelations is, we argue, essential. That ‘in/of’ distinction affects our presentation of evidence. All kinds of history - political, social, economic, religious - come to be included in our microecological investigations (‘history of’). There is, however, no chapter on Mediterranean political, social, economic, or religious history *per se* - such as might reasonably be expected of a broad survey - because we see all that as belonging to ‘history in’” [emphasis in original]. Horden and Purcell built upon a Braudelian framework examining *longue durée* changes and continuity in and around the Mediterranean.

wider economic interaction spheres...New paradigms, using economic and social theory from a variety of social science perspectives, combined with human archives...offer us a new and very exciting window into the complexities of the premodern Mediterranean world.⁴⁶³

Even while arguing beyond “microregional” analyses, Manning builds upon the ideas of Horden and Purcell to show that the cross-Mediterranean connections that stretch beyond polities are essential for our understanding of the ancient Mediterranean, economically, socially, and politically.

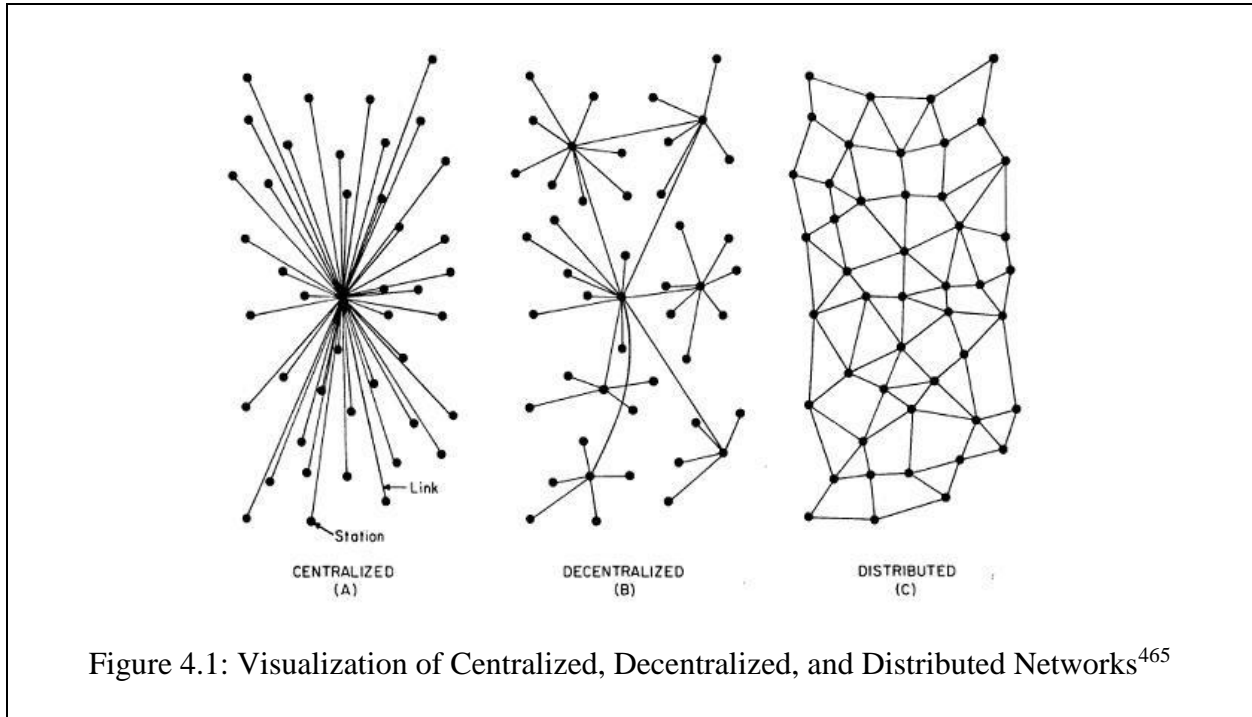
In this same vein, my analyses below will attempt to outline the many ways in which Greek and non-Greek communities created social networks and how these networks played important economic roles within the Mediterranean milieu. I do not intend to include every single type of social network which existed in the Classical and Hellenistic periods, as that endeavor falls far outside the scope of this project. My goal in the following pages is simply to highlight the interconnectedness that allowed for foreigners to find new social and economic opportunities far from home.

A Note on Identity and the Ancient World

Networks, whether they be centralized (based at a single, central node), decentralized (several main nodes each having their own offshoots), or distributed (each node has equal, but limited, access only to the nodes immediately next to it), as shown in Figure 4.1, all have connections which form the basis of the network. In human communities, these connections are often identity markers, such as hometown, ethnicity, religion, or native language. Because of the multiplicity of identity markers that make up a single person, attempting to identify and illustrate

⁴⁶³ Manning, *The Open Sea*, 263.

all the networks that a single person can belong to would create visual “spaghetti monsters” of overlapping connections and means of identification.⁴⁶⁴



A Greek citizen, for example, could be identified by his *deme* (town or region of origin), his *phratry* (brotherhood of citizens based on tribal membership), his father’s name and ancestry, or his magistracy, if he had achieved political office.⁴⁶⁶ But these are simply some of the *polis*-level networks, significantly concerned with matters of citizenry, to which he belonged. He

⁴⁶⁴ Irad Malkin, *A Small Greek World* (Oxford: Oxford University Press, 2011), 18. Malkin uses the term “spaghetti monsters” to illustrate how trying to trace out every connection that a person may have simply creates an overlapping and exceptionally convoluted picture.

⁴⁶⁵ MaRi Eagar, “What is the difference between decentralized and distributed systems?,” Medium, accessed April 15, 2019, <https://medium.com/distributed-economy/what-is-the-difference-between-decentralized-and-distributed-systems-f4190a5c6462>. Distributed nodes have little relationship to actual connections between humans. For the purposes of this paper, I will be focusing solely on centralized and decentralized connections.

⁴⁶⁶ While there is no reason to believe that women were excluded from trade networks, there is no conclusive evidence at this point from the networks under consideration to show their inclusion.

could have also been part of a cult or gone into a profession or traveled for business or joined a private association. Perhaps his father or grandfather was a naturalized citizen or had exchanged *xenia*, a bond of reciprocal, inheritable friendship, with someone from another household or *polis*. All of these options create new network opportunities and connections and make up aspects of his identity. A foreigner in Athens would have just as many identity markers, if of different types and likely tied to very different physical locations.

Diaspora communities are differentiated from their surrounding neighbors by the tight connection they hold with the aspects of their identity that differ from those very neighbors. While they will, by the nature of their physical location and economic endeavors, create network connections with their neighbors and the local economic structures, these connections will not fully integrate them into the local world. Instead, their identification with their strongest marker of identity, whether it be ethnic, religious, or something else, will maintain a barrier between them and their new physical community. One example of such a node is the *theos hypsistos*, “God Most High,” building, or synagogue, on Delos. This building, with its two Samaritan honorary inscriptions identifying the community as οἱ ἐν Δῆλῳ Ἰσραελεῖται (the Israelites on Delos),⁴⁶⁷ has been identified as a space “negotiating integration and segregation, the adaptation of local customs and the consideration of particular ethnic needs. This community assimilated with Hellenistic and Imperial Delos while maintaining and expressing their distinctive ethnic

⁴⁶⁷ Philippe Bruneau, “Les Israélites de Délos et la juiverie délienne,” *BCH* 106 (1982), 469, 471-474.

values.”⁴⁶⁸ Built in progressive stages starting before 88 BCE,⁴⁶⁹ there seems not to have been any exclusion of this Samaritan community from the economic or social life of Delos. Rather, they were allowed to maintain their own independent identity, building communities just enough to bridge the gap between their home territory and new land.

This identification with a foreign social network, however, was an acceptable circumstance in the ancient Mediterranean world. Even if differentiated communities, such as metics, diasporic nodes settled long term in a *polis*, or short-term visitors, had been deemed “other,” the vast number of people, both citizen and foreign, in any major trading *polis* with connections to foreign communities or persons would have likely made this an oddity, not a reason for harsh social or communal exclusion.⁴⁷⁰ In fact, as seen in inscriptions and theatrical performances, laws and social constraints were put in place requiring citizens to act for the protection of metics often enough to become a popularly understood trope.⁴⁷¹

In Aeschylus’ *Supplikes* (c. 469/8 BCE), for example, the main characters search for a new homeland and are eventually integrated into the community of fictional Argos, as a

⁴⁶⁸ Monika Trümper, “Where the Non-Delians met in Delos: The meeting-places of foreign associations and ethnic communities in Late Hellenistic Delos,” in *Political Culture in the Greek City After the Classical Age*, edited by Onno M. van Nijf, Richard Alston, and C.G. Williamson (Leuven: Peeters, 2001), 63. It should be noted that the identification of this building as a synagogue, either Jewish or Samaritan, is hotly debated. In particular, see Philippe Bruneau, *Recherches sur les cultes de Délos à l’époque hellénistique et à l’époque impériale*, Bibliothèque des Écoles françaises d’Athènes et de Rome 217 (Paris: De Boccard, 1970); Bruneau, “Les Israélites de Délos et la juiverie délienne,” 465-504; and Trümper, “Where the Non-Delians met in Delos,” 49-100; cf. Lidia Matassa, “Unravelling the Myth of the Synagogue on Delos,” *Bulletin of the Anglo-Israel Archaeological Society* 25 (2007): 81-115. However, the conclusion of a diasporic community of Israelites living on Delos is upheld by both sides of the argument.

⁴⁶⁹ Trümper, “Where the Non-Delians met in Delos,” 61.

⁴⁷⁰ For the distinctions, or lack of distinctions, between metics and other foreigners, see D. Whitehead, *The Ideology of the Athenian Metic* (Cambridge: Cambridge University Press, 1977), 140-167. Whitehead concludes, and I believe it to be reasonable, that the differences between foreigner groups had effectively disappeared by the Hellenistic period in Athens.

⁴⁷¹ This was most common for those metics or foreigners who were named *proxenoi* by the *polis*, such as in an Athenian proxeny decree for a man named Acheloion, *IG I³* 19, lines 2-5 in particular.

representation of Athens in the fifth century BCE. Aeschylus' incredible attention to the seemingly ordinary details of daily life⁴⁷² reveals that for each foreigner in this play "...a citizen assembly shows its willingness to extend the protection of the community to a non-citizen. In this regard the play corresponds to the situation in fifth-century BCE Athens, where the metic and his property were protected by the Athenian court system, and the standard legal avenues for redress of grievances (i.e., δίκη φόνου, δίκη ὕβρεως, δίκη κλοπῆς, δίκη βιαίων, etc.) stood open to him."⁴⁷³ Thus, in effect, there was little political or social fallout from the integration of foreigners into the community.⁴⁷⁴

Metics and foreigners were an extremely common fact of ancient Greek life in many *poleis*.⁴⁷⁵ But, foreigners rarely became full citizens or had an impact on political life in the *poleis*. Their role was then in all practical matters peripheral to the functioning of the *polis* and confined to other spheres, such as production or trade. However, they could petition for certain rights which put them on a more equal footing as citizens, such as a grant of land to the "merchants of the Kitians" (*IG II² 337*).⁴⁷⁶ With such instances in mind, their treatment must

⁴⁷² O. Taplin, "Fifth-Century Tragedy and Comedy: A Synkrisis," *JHS* 106 (1986), 173.

⁴⁷³ Geoffrey W. Bakewell, "Μετοικία in the "Supplices" of Aeschylus," *Classical Antiquity* 16.2 (1997), 213. See also, Whitehead, *The Ideology of the Athenian Metic*, 94: "Received opinion has it that metics (and xenoi) enjoyed full competence in what Clerc called 'criminal law,' the only-and major-difference from citizens being that the non-citizen could act only for himself, not on behalf of the polis as a whole. This may be a useful formulation."

⁴⁷⁴ There is an argument to be made that foreign communities induced a certain amount of fear or trepidation into a *polis*; however, the continuing presence and protection for *metics*, plus the infrequent mentions of any kind of metic-inspired civic unrest seems to belie the seriousness of this fear or its impact on day to day life in the *polis*.

⁴⁷⁵ See for evidence in Athens, the metic lists: D. J. Geagan, *Inscriptions: The Dedicatory Monuments (Agora XVIII)* (Princeton: Princeton University Press, 2011); Michael B. Walbank, "Two New Lists of Athenians and Metics: Agora I 5178," *Hesperia: The Journal of the American School of Classical Studies at Athens* 84.2 (April-June 2015), 389-396; David Whitehead, "The Ideology of the Athenian Metic: Some Pendants and a Reappraisal," *Proceedings of the Cambridge Philological Society, New Series* 32.212 (1986): 145-58; and Jacob Miller, "Epigraphical Evidence for Citizenship in Third-Century B.C. Athens," *Zeitschrift Für Papyrologie Und Epigraphik* 191 (2014): 141-50.

⁴⁷⁶ *IG II² 337* (also labeled *IG II³ 1.337* in some editions), particularly lines 35-42.

never have been insupportable in terms of social cohesion or acceptance. The opportunities to leave and make a home in a different *polis* were too numerous.⁴⁷⁷ In addition, networks which extended into other *poleis* or further afield in the Mediterranean world were fairly common and opened a variety of new economic opportunities, as illustrated in the categories and examples below.

Sub-Polis Networking and its Economic Implications

The connection between a *polis* and its colony has always held a place of special importance to Greek communities. Herodotus goes so far as to use this connection as an argument against using the Persian-ruled Ionian *poleis* alongside Persian troops in the war against Athens. He has Artabanus (7.51.2) say

Κῦρος ὁ Καμβύσεω Ἰωνίην πᾶσαν πλὴν Ἀθηναίων κατεστρέψατο δασμοφόρον εἶναι Πέρσησι. τούτους ὧν τοὺς ἄνδρας συμβουλεύω τοι μηδεμιῇ μηχανῇ ἄγειν ἐπὶ τοὺς πατέρας· καὶ γὰρ ἄνευ τούτων οἳοί τε εἰμὲν τῶν ἐχθρῶν κατυπέρτεροι γίνεσθαι. ἢ γὰρ σφέας, ἢν ἔπονται, δεῖ ἀδικωτάτους γίνεσθαι καταδουλουμένους τὴν μητρόπολιν, ἢ δικαιοτάτους συνελευθεροῦντας.

Cyrus, son of Cambyses, subjugated all of Ionia, except for the Athenians, and made them tributary to Persia. I advise you that you not lead these men into any battle at all against their forefathers: since even without them, we are much superior to our enemies. And if they follow us, they must act as the most unjust of men enslaving the mother-city, or as the most just helping the mother-city be free.

The Ionians apparently could not be trusted, even under pain of death, to work against the interests of another *polis* with common heritage - even though Athens lies across the Aegean

⁴⁷⁷ This idea is supported by the sharply decreased number of metics and foreigners who remained in Athens after its fall from prominence in the late fourth century BCE. It was no longer the best option for those without a tie of citizenship and, thus, they found better fortunes elsewhere. See for example Isocrates 8.21: ὀψόμεθα δὲ τὴν πόλιν διπλασίας μὲν ἢ νῦν τὰς προσόδους λαμβάνουσαν, μεστὴν δὲ γιγνομένην ἐμπόρων καὶ ξένων καὶ μετοίκων, ὧν νῦν ἐρήμη καθέστηκεν (and we shall see the city taking twice the current income, being full of merchants and foreigners and metics, by whom she is now deserted). See also, Whitehead, *The Ideology of the Athenian Metic*, 159-163.

Sea. Modern historians have also built upon this connection among *poleis* in order to better understand the relationships which existed across vast differences for hundreds of years. Irad Malkin, in particular, uses these relationships as a starting point to build his network analyses for the Archaic Period (ca. 8th century-5th century BCE). In his book *A Small Greek World*, Malkin argues that the difficulties of interactions across large geographic space is overcome by personal connections between places, such as common markers of identity and cultural similarity.⁴⁷⁸

Malkin traces several different networks across the Mediterranean, such as the network of Greek colonies on Sicily. He argues in particular that these networks highlight or promote certain aspects of Hellenic identity within the wider Archaic Mediterranean world. Specifically, networks, among other factors, allowed the Greeks to develop a “new emphasis on ‘oppositional Greek identity,’ defined *against* an outsider.”⁴⁷⁹ While Greeks were still able to find similarities with non-Greek foreigners, for example by amalgamating Greek Herakles and Phoenician Melqart, they had greater similarities with one another than with “others.” According to Malkin, this solidified a loose foundation of pan-Hellenism for Greeks otherwise only loosely geographically connected.

While Malkin’s interpretations of networks and identity are informative for understanding the methods of negotiation by which Greek and non-Greek foreigners could enter new spaces, he does not focus on the economic implications of these connections. One reason for this is likely the underdeveloped role that *poleis*, connected to a network or not, played in the

⁴⁷⁸ Malkin, *A Small Greek World*, 205-207. Moreover, while Malkin focuses on larger scale inter-polis connections, in his conclusion, he remains hopeful that more work in the ancient Mediterranean, specifically between economic actors, can benefit from network analysis.

⁴⁷⁹ Malkin, *A Small Greek World*, 99. In this citation, Malkin cites Jonathan Hall, *Ethnic Identity in Greek Antiquity* (Cambridge: Cambridge University Press, 1997), 17-33, 34-51 and cf. Edith Hall, *Inventing the Barbarian: Greek Self-Definition through Tragedy*, Oxford Classical Monographs (Oxford: Oxford University Press, 1989), 3-13.

economic realm. Thus, in a world where the state is not capable of effective economic control or growth, it is necessary to turn to other social institutions, sometimes called sub-*polis* networks, which could fill this void.

Sub-*polis* networks are arguably one of more complicated ways in which to analyze connections and identity in the ancient world, simply because of the number of possibilities for their formations. Sub-*polis* networks include foreigners, citizens, men, women, metics, slaves, the rich, the poor, and many other permutations of identity.⁴⁸⁰ Oftentimes, a network will contain all of the options outlined. They could be hierarchical or egalitarian, based on a particular trade, such as construction or fishing,⁴⁸¹ span multiple regions or be largely restricted to a single island. As such, they had an incredible impact on the social weave of the Mediterranean world. More importantly for this research is their corresponding impact on the commercial opportunities available to their members. The sections below intend to outline multiple examples of networks which created a permeability in the Greek world, allowing for the inclusion, and occasionally integration, of Greek and non-Greek foreigners into areas once considered exclusive to local citizens.⁴⁸² Without this interconnected system of overlapping networks, there would have been little space for foreigners to enter the Greek milieu peacefully and productively.

⁴⁸⁰ Claire Taylor and Kostas Vlassopoulos, "Introduction: An Agenda for the Study of Greek History," in *Communities and Networks in the Ancient Greek World*, edited by Claire Taylor and Kostas Vlassopoulos (Oxford: Oxford University Press, 2015), 3.

⁴⁸¹ See for example, Diane Harris Cline, "Entanglement, Materiality and the Social Organisation of Construction Workers in Classical Athens," in *Ancient Greek History and Contemporary Social Science*, edited by Mirko Canevaro, Andrew Erskine, Benjamin Gray, and Josiah Ober (Edinburgh: Edinburgh University Press, 2018), 512-528 and E. Lytle, "Η θάλασσα κοινή: Fishermen, the Sea, and the Limits of Ancient Greek Regulatory Reach," *Classical Antiquity* 31.1 (April 2012), 1-55.

⁴⁸² For the exclusive nature of Greek *poleis*, communities, realms of influence, see E. Hall, *Inventing the Barbarian: Greek Self-Definition through Tragedy* (Oxford: Oxford University Press, 1989) and P. Cartledge, *The Greeks: A Portrait of Self and Others* (Oxford: Oxford University Press, 1993).

Private Associations in the Classical and Hellenistic Periods

Private associations⁴⁸³ in ancient Greece include groups ranging from oligarchic societies (ἐταιρία, *hetairiai*), rowers on warships (μεσόνεοι, *mesoneoi*), loan organizations (ἔρανοι, *eranoi*), and religious organizations (such as ὀργεῶνες, *orgeones*), to more general multi-ethnic social gatherings (such as κοινονία, *koinoniai* and ἔρανοι, *eranoi*⁴⁸⁴), which often had indistinct connections among members.⁴⁸⁵ Not every group had economic interests or engaged in trade, but their very existence - often obscured by a fragmentary historical record - complicates a modern understanding of how citizens and non-citizens could relate to one another within the structure of a *polis*.⁴⁸⁶ Within private associations, members who might otherwise be locked out of the rigid political systems of the *poleis* could find ways to influence the world around them and negotiate greater access to resources and opportunities.

⁴⁸³ There is an immediate argument to be made for my use of “private” instead of “voluntary” associations (cf. Kloppenborg, John S. and Stephen G. Wilson, eds., *Voluntary Associations in the Graeco-Roman World* (London: Routledge, 1996). However, as I am putting these associations in contrast to *polis*-level institutions, I find the terminology more apt (also in line with more recent scholarship).

⁴⁸⁴ This *eranos* (an association with members called *eranistai*) should not be confused with *eranoi*, the organizations which give “friendly” or no-interest loans, which are a different sort of pseudo-association, but one unconnected with trade and that does not ascribe to the characteristics of associations listed below. For differentiation between the two and modern arguments, see Christian Ammitzbøll Thomsen, “The *Eranistai* of Classical Athens,” *Greek, Roman, and Byzantine Studies* 55 (2015), 154-55.

⁴⁸⁵ For example, see *IG II²* 1335, for the names of the *eranistai* of Sabaziasts who dedicated a list of their membership in the Piraeus in 102/1 BCE, which included a mix of wealthy citizens, multiple non-citizens, a slave, and several members who had unknown origins. How this group of individuals came together remains unknown.

⁴⁸⁶ For instance, I will not be discussing the *hetairiai* as they were essentially political in nature and largely made up of citizen members. Nor will I discuss the *thiasotai* associations, as they seem to have been purely religious and orgiastic in nature, not long-term groups nor associated with trade (for more information about this group, see R. Parker, *Athenian Religion: A History* (Oxford: Oxford University Press, 1996), 333-342.

Associations, seemingly of all types, were originally organized along religious lines and, thus, performed cultic rites.⁴⁸⁷ But they also shared common meals, paid for the burials of their members, collected money from their members, and sometimes even shared a trade. In this way, they had many preoccupations similar to the *polis*, but on a smaller scale. As such, foreigners could also substitute these groups for the traditional organizational and political system left back home. Vincent Gabrielsen marks out such associations as one of the main reasons that Rhodes rose to such economic prominence during the Hellenistic period, as these connections not only promoted peaceful economic organization within the city proper, but also linked it with other areas of economic prosperity, such as Alexandria.⁴⁸⁸

Although Michael Rostovtzeff claims that these were no more than “social clubs,” Gabrielsen argues that these private associations had “membership...[which] forged friendships, often between persons of different social or juridical status and gender...”⁴⁸⁹ These friendships were then parlayed into economic benefit. “Either networks of friends and business associates might ease the way by making the initial introductions, or alternatively, the emigre himself (or herself) might seek entrance into whichever *koinon* [common group or “commonality”] signalled the appropriate cultic, ethnic or professional orientation...”⁴⁹⁰ As early as the Classical period, associations essentially functioned as corporate organizations or a mini-*polis*, inclusive of

⁴⁸⁷ Arnaoutoglou, “‘*Ils étaient dans la ville, mais tout à fait en dehors de la cité*.’ Status and identity in private religious associations in Hellenistic Athens,” in *Political Culture in Greek City after the Classical Age*, edited by Onno M. Van Nijf, Richard Alston, and C.G. Williamson (Leuven: Peeters, 2011), 43-44.

⁴⁸⁸ One example of such a link comes from Gabrielsen’s comparative reading of multiple stelai and other sources, specifically concerning the Alexandrian, Dionysodoros. See Gabrielsen, “The Rhodian Associations and Economic Activity,” in *Hellenistic Economies*, edited by Zofia Archibald, John Davies, Vincent Gabrielsen, and G. J. Oliver (London: Routledge, 2001), 173-74.

⁴⁸⁹ Gabrielsen, “The Rhodian Associations and Economic Activity,” 164.

⁴⁹⁰ Gabrielsen, “The Rhodian Associations and Economic Activity,” 167. Brackets are my own addition.

individuals who did not meet the qualifications of a citizen, but had common links within the society.⁴⁹¹

This outline, however, raises the question: does a “private association” have a precise definition? There are numerous names and divisions in Greek for “private associations,” as briefly outlined above (e.g. *hetairiai*, *eranoi*, etc.). However, for identifying the functions of the organizations and the connections of their members, these terms are largely useless to the modern researcher, as the members of these associations used the terms in multiple ways and for overlapping functions especially during the Hellenistic period.⁴⁹² Even when Aristotle describes

⁴⁹¹ For further analysis see Ilias Arnaoutoglou, *Thusias heneka kai sunousias. Private Religious Associations in Hellenistic Athens*, Yearbook of the Research Centre for the History of Greek Law, Volume 37, Supplement 4 (Athens: Academy of Athens, 2003), chapter 3 and Arnaoutoglou, “*Ils étaient dans la ville, mais tout à fait en dehors de la cité*,” 43-44.

Evidence for Classical period associations (particularly *eranistai*): IG II² 1265 (ca. very late-fourth or early-third century BCE), SEG XLI 171, lines 1–6 (300/299 BCE), and Aristotle, *Nicomachean Ethics* 1160a. For argument for a Classical period origin, L. Beauchet, *Histoire du droit privé de la République athénienne* Vol. 4 (Paris 1897); Johannes Vondeling, *Eranos* (J.B. Wolters, 1961); Arnaoutoglou, *Thusias heneka kai sunousias*; Thomsen, “The Eranistai of Classical Athens;” Vincent Gabrielsen, “Associations, Modernization, and the Return of the Private Network in Athens,” in *Die Athenische Demokratie im 4. Jahrhundert: Zwischen Modernisierung und Tradition*, edited by Claudia Tiersch, 121-162 (Stuttgart: Franz Steiner Verlag, 2016). Contra, F. Poland, *Geschichte des griechischen Vereinswesens*. Fürstlich Jablonowskischen Gesellschaft zu Leipzig. Historisch-Nationalökonomischen Sektion 23:38 (Leipzig: B.G. Teubner, 1909); M. I. Finley, *Studies in Land and Credit in Ancient Athens, 500-200 BC: the Horos-Inscriptions* (New Brunswick: Rutgers University Press, 1952); N. F. Jones, *The Associations of Classical Athens: The Response to Democracy* (Oxford: Oxford University Press, 1999); Parker, *Athenian Religion*.

⁴⁹² Gabrielsen, “The Rhodian Associations and Economic Activity,” 165. Gabrielsen states that the “fluidity, and therefore the historical irrelevance, of the terminological distinctions or similarities” only impedes the study of these groups, because the terminology has no effect on the function or impact of each group. See also, Stephen G. Wilson, “Voluntary Associations: An Overview,” in *Voluntary Associations in the Graeco-Roman World*, edited by John S. Kloppenborg and Stephen G. Wilson (London: Routledge, 1996), 4: “...similar terminology and even similar organizational structures can be adopted by groups with radically different ideologies and purposes. Yet they do suggest that, despite the manifest differences between them, these groups can usually be considered together as part of a broad social phenomenon.” and Robert Parker, *Athenian Religion*, 333-34: “Attica is full of private religious associations that bear a confusing variety of names: there are groups of *orgeones*, of *thiasotai*, of *eranistai*, of ‘*theastai*’ (an invented name for groups named from a god such as Asklepiastai) and so on. The names matter little. *Eranistai*, for instance, are simply members of a group that is financed by contributions from the members; but societies of *thiasotai* and *theastai* often depended upon such *eranoi*, and in their decrees it is common to find their members referred to as *eranistai* or their leader described as *archeranistes*. The title *orgeones* is a partial exception, since groups of *orgeones* may once have enjoyed special privileges in relation to phratries, and a certain social cachet probably continued to attach to the name; but already at the end of the fourth century we find a decree of *orgeones* which speaks of the association as a *thiasos*. There is also, as we shall see, an early attested group of non-

different types of associations in *Nicomachean Ethics* (1160a19-20), he blurs the distinctions between them - using the terms *koinoniai*, *thiasotai*, and *eranistai* to describe similar groups: “...ἔναι δὲ τῶν κοινωνιῶν δι’ ἡδονὴν δοκοῦσι γίνεσθαι, θιασωτῶν καὶ ἐρανιστῶν: αὗται γὰρ θυσίας ἔνεκα καὶ συνουσίας (...and some of the ‘associations/*koinoniai*,’ the *thiasotai* and the *eranistai*, seem to arise for the sake of pleasure: for these exist for the sake of sacrifice and social intercourse).” Thus, it seems most practical to use the most common and most general of these terms - the κοινόν (*koinon*, pl. *koina*, commonality) - as it is best able to indicate that the social network exists, without too much preoccupation with the ancient identification.⁴⁹³

According to several leading researchers of Greek *koina*, these associations had three distinct characteristics.⁴⁹⁴ If an organization is without such characteristics, it does not usually fit within the *koina* schema, although there are exceptions. The first characteristic is a proper name for the group, beyond the general term of *koinon*, and usually a descriptive phrase (e.g. *orgeones* and *eranoi*), which is not associated with a *polis*-level organization. Examples of such names are rare in the Classical period, but become more common in the Hellenistic era, as associations

citizen *orgeones*, though a special explanation is available in that case. Conversely, the same name (*thiasos*, *eranos*) may cover a diversity of actual forms.”

⁴⁹³ Gabrielsen, “The Rhodian Associations and Economic Activity,” 164. This term is most common among Hellenistic inscriptions, but this is also the most preserved body of evidence. Thus, the identification still stands. See also Parker, *Athenian Religion*, 333-337.

The vocabulary of associations (as pointed out in Gabrielsen) is complex, at least in part due to the shifting meanings of various terms. For example, the term used in the preceding quote *koinoniai* is often used interchangeably with *koina* and eventually the two become synonyms. However, *koinonia*, from the verb κοινώνεω, implies the active participation of members, where *koinon* encompasses a much broader spectrum of options. For the purposes of this dissertation, I will be using the general term, especially as fragmentary and contradictory ancient evidence precludes clear differentiation between each association and their identification.

⁴⁹⁴ Vincent Gabrielsen and Christian A. Thomsen, “Introduction: Private Groups, Public Functions?,” *Private Associations and the Public Sphere: Proceedings of a Symposium held at the Royal Danish Academy of Sciences and Letters*, 9-11 September 2010 (Denmark: Det Kongelige Danske Videnskabernes Selskab, 2015), 10-12. See also the Copenhagen Associations Project: <http://copenhagenassociations.saxo.ku.dk>.

“were taking a further step towards strengthening their corporate identity.”⁴⁹⁵ The second is clear internal organization which can recreate *polis*-style institutions, but mostly functions to promote the longevity or “durability” of the group.⁴⁹⁶ This differentiates private associations from other types of networks which have more amorphous links between members (which will be discussed more in the following section). One final characteristic regards membership is as follows:

A private association has a clearly defined membership separating those individuals who share in the duties and privileges of membership from those who do not. The rules for membership entrance and exit are made and enforced by the association itself and, crucially, membership in a private association is not a requirement for citizenship. It is in this regard that private associations distinguish themselves from the associations of the state...⁴⁹⁷

Membership was regulated, but was based on markers of identity other than heredity, which was the *polis*' main indicator for citizenship. As such, private associations made up one (and a seemingly more formal one) aspect of social networking in the ancient Mediterranean world, although not as formal or large as the *polis* itself.

More relevant to the argument at hand, the self-identification of these groups tended to be based on “an attachment to a locality or to an ethnic group,”⁴⁹⁸ and was indicated by the addition of *-stai* to the end of names, such as in an inscription found on Rhodes, which reads “the commonality of Samothracians and Lemnians” who were called by the proper name

⁴⁹⁵ Vincent Gabrielsen, “Associations, Modernization, and the Return of the Private Network in Athens,” 132, 131-134.

⁴⁹⁶ Gabrielsen and Thomsen, “Introduction,” 11.

⁴⁹⁷ Gabrielsen and Thomsen, “Introduction,” 11.

⁴⁹⁸ Gabrielsen, “The Rhodian Associations and Economic Activity,” 164.

“*Samothraikiastai kai Lemniastai*.”⁴⁹⁹ The existence of such organizations indicate that foreigners were able to find a space for themselves in foreign lands. And while they were not able to become a part of a new *polis* in which they had citizen rights, they could form attachments and economic networks without sacrificing their original identities – becoming nodes within foreign *poleis*.⁵⁰⁰

For the purpose of this argument, I will be focusing on private associations which show evidence of inter-state trade and economic links. While private associations were “multi-purposed and multi-functional,”⁵⁰¹ some of them were geared more intensely towards trade and economic opportunity. In fact, during the Hellenistic period, one of the main shifts in the nature of private associations is the rise of ethnically foreign associations within Greek *poleis*. These foreigner groups often came to Greek *poleis* specifically to create trade relationships. Some modern scholars even argue that once in Greece, in order to solidify their economic

⁴⁹⁹ *IG XII¹* 43, lines 6-7, “Σαμοθραικιαστῶν καὶ Λημνιαστῶν τὸ κοινὸν.”

⁵⁰⁰ See, in addition, O. M. van Nijf, *The Civic World of Professional Associations in the Roman East*, Monographs on Ancient History and Archaeology 17 (Amsterdam: J.C. Gieben, 1997), esp. 28; M. F. Baslez, “Le question des étrangers dans les cités grecques: Intégration et partenariat économique,” *Pallas* 74 (2007), 213-236; V. Gabrielsen, “Brotherhoods of Faith and Provident Planning: The Non-Public Associations of the Greek World,” in *Greek and Roman Networks in the Mediterranean*, edited by I. Malkin, C. Constantakopoulou and K. Panagopoulou, 176-198 (London: Routledge, 2009); D. Rodhe, *Zwischen Individuum und Stadtgemeinde. Die Integration von Collegia in Hafenstädten*, Studien zur Alten Geschichte 15 (Mainz: Verlag Antike, 2012), 32-59; C. Hasenohr and C. Müller, eds., *Les Italiens dans le monde grec, II^{ème} siècle av. J.-C.- Ier siècle ap. J.-C. Circulation, activités, intégration*, Actes de la Table ronde École normale supérieure Paris 14-16 mai 1998, *BCH Suppl.* 41 (Paris and Athènes: de Boccard, 2002); P. Fröhlich and P. Hamon, eds., *Groupes et associations dans les cités grecques (III^e siècle av. J.-C. – II^e siècle apr. J.-C.)*, Actes de la table ronde de Paris, INHA, 19-20 juin 2009, *Hautes Études du Monde Gréco-Romain* 49 (Geneva: Librairies Droz, 2013); and Gabrielsen and Thomsen, “Introduction,” 14: “Together all these activities are evidence of the second feature, a remarkable degree of *societal* integration. Societal integration is to be contrasted with the social integration for which associations have often and rightly been regarded as an important vehicle, bringing together members of different walks of life—perhaps most importantly, citizens and foreigners. By societal integration, furthermore, we mean both the ability of private associations established by foreigners or other population groups to penetrate traditional barriers (particularly sturdy in the Greek-Hellenistic polis) and so become part of the social fabric of their host society; and the transformation and redrawing of those boundaries.”

⁵⁰¹ Gabrielsen and Thomsen, “Introduction,” 14. See also F. Poland, *Geschichte des griechischen Vereinswesens*, Fürstlich Jablonowskischen Gesellschaft zu Leipzig, Historisch-Nationalökonomischen Sektion 23:38 (Leipzig: B.G. Teubner, 1909) who warned against assuming that an associations’ function or purpose was clearly linked to the descriptive term given to it (e.g. *orgeones*).

opportunities, these *koina* of foreigners allied themselves with other small groups with similar markers of identity, such as the “*koinon* of the *Poseidoniastai emporoi, naukleroi, and ekdocheis*” (merchants, shippers, and warehouse workers for Poseidon) on Delos between the second and first century BCE (*ID* 1520).⁵⁰² If these groups did actually function thus, these alliances of small *koina* could work together as trusted allies and reduce transaction costs for larger sections of the trade network.

In one of the early examples of a *koinon* inscription connected with trade and foreigners, a *koinon* of Sidonians (τὸ κοινὸν τῶν Σιδωνίων) dedicated a golden crown to their leader for his great works, attested by a bilingual Phoenician-Greek inscription posted in front of their temple to Ba'al in the Athenian Piraeus (mid-third century BCE).⁵⁰³ This inscription has several implications for the importance of private associations in ancient Mediterranean commerce. First, in Greek, the term *koinon* is clearly used. The term used in Phoenician is *MRZH* or *marzhea*, which means “commensal-sympotic group” or, in effect, a private association.⁵⁰⁴ Not only does this indicate that such groupings were extant in non-Greek areas of the Mediterranean, but that non-Greeks were also able, and possibly even comfortable, using Greek terminology alongside their own.

In addition, the very existence of a temple to Ba'al in the Piraeus is unusual due to the restrictions against non-Athenians owning property in Attica. Permission to own and dedicate

⁵⁰² Gabrielsen, “Association, Modernization and the Return of the Private Network in Athens,” 145. Gabrielsen names these combined *koina* “ethno-congregational associations” and explains their rise as a function of the Hellenistic period, 141-149. Cf. Arnaoutoglou, “Status and Identity,” 44: “However, collective identity does not seem to link cult associations with other cult groups in the *polis*. There is one exception in this observation and it concerns the *orgeones* of Bendis; in *IG* II² 1283 (269/8)...” This inscription is located in the Piraeus.

⁵⁰³ *IG* II² 2946, only includes the Greek text. For full bilingual inscription, see J. Teixidor, “L’assemblée législative en Phénicie d’après les inscriptions,” *Syria* 57 (1980), 453-464.

⁵⁰⁴ See W. Ameling, “KOINON ΤΩΝ ΣΙΔΩΝΙΩΝ,” *ZPE* 81 (1990), 197-8.

the land must have been requested from and granted by the Assembly, before construction could begin.⁵⁰⁵ Clearly the Sidonian presence and benefit to the state was enough that they could successfully ask for these boons. The connection between this *koinon* and trade only becomes apparent, however, when put into conversation with another, earlier inscription. *IG II² 141*, dated to 364, is an agreement put forth by the Athenians to attract trade from Sidon. In particular, the Athenians address the Sidonian king and agree

...ὅποσοι δ' ἂν Σιδωνίων οἰκόντες ἐς Σιδῶνι καὶ πολιτευόμενοι ἐπιδημῶσιν κατ' ἐμπορίαν Ἀθήνησι, μὴ ἐξεῖναι αὐτὸς μετοίκιον πράττεσθαι μηδὲ χορηγὸν μηδένα καταστῆσαι μηδ' εἰσφορὰν μηδεμίαν ἐπιγράφειν.

...and as many of the Sidonians as, living in Sidon and being a full citizen, should travel to Athens for trade, that man shall not pay the *metoikion* nor act as a chorus-leader nor be registered for any *eisphora* (property-tax).⁵⁰⁶

These concessions by the Athenians, especially not to levy the *eisphora* (a tax collected in times of need), show the interest the Athenians had in establishing and maintaining a Sidonian trade presence⁵⁰⁷ - a presence which clearly grew over the intervening hundred years and flourished, leaving an indelible mark on the Piraeus.

⁵⁰⁵ In fact, this could have been one aspect for which Shama-baal, the honoree, was recognized, as he had “taken care of the construction of the walls of the sanctuary,” indicating that the sanctuary may have been fair new; Gabrielsen, “Associations, Modernization and the Return of the Private Network in Athens,” 146, citing Teixidor, “L’assemblée législative.”

⁵⁰⁶ *IG II² 141*, lines 30-36.

⁵⁰⁷ This agreement between Athens and Sidon can be put into question, however, due to another inscription from ca. 322/1. *IG II² 343* honors a Sidonian man for his contributions to Athens and grants him many of the same privileges offered to Sidonian merchants in *IG II² 141*, though the end of the inscription is lost. If the Athenians and Sidonians had already come to such an agreement, this man should have already benefited from these exemptions. However, it is possible that he did not belong to the same *koinon* as the original inscription indicated (as membership was determined internally by the group) or perhaps he went above and beyond in some way. Moreover, the Sidonian population in Athens grew substantially between the publication of *IG II² 141* and the bilingual Sidonian inscription approximately 40 years later. There is no evidence that only one Sidonian *koinon* existed or that privileges from 364 applied for decades without change, limits, or reorganization. For further analysis of these inscriptions, see Engen, *Honor and Profit*, 310-1 and 321-2.

In Rhodes, an even greater breadth of foreigners, engaged in trade and acting as *koina*, remains in evidence. One of the more expansive examples of an association of foreigners comes from early-second-century BCE Rhodes. This *koinon*, as highlighted in its honorary decree and list of members, was made up of several dozen members from a wide variety of regions, including Ephesos, Ilion, Knidos, Chios, Kyzikos, Selge, Soloi, Alexandria, Antioch, and Amphipolis (*IG XII*¹ 127). Unlike other *koina* who organized based on ethnic identity, this *koinon* was made up of sculptors, all of whom came to Rhodes, often with their families,⁵⁰⁸ in order to capitalize on the cultural and economic centrality of Hellenistic Rhodes. Connected by their chosen profession, instead of ethnic concerns, these sculptors seem to have acted in a manner similar to ethnic *koina* – immigrating and organizing according to a discrete portion of their identity. While not explicitly linked to trade, their artistic efforts directly impacted the creation and movement of goods throughout the Mediterranean, such as using local or imported materials and perhaps exporting finished artworks. In addition, each member would have their own contacts to their homeland or other networks in which they had a part, growing the possible connections and network links for this *koinon* substantially.⁵⁰⁹

⁵⁰⁸ This argument is based on the adoption of “Rhodian” by multiple members of this association, even though they had foreign origins, Gabrielsen, “The Rhodian Associations and Economic Activity,” 173 and Philip Harland, “[257] Victories in Contests of Tribes within an Immigrant Association [200-150 BCE],” *Associations in the Greco-Roman World: An Expanding Collection of Inscriptions, Papyri, and Other Sources in Translation*, <http://philipharland.com/greco-roman-associations/257-victories-in-contests-and-an-association-of-immigrants/> (date accessed April 27, 2019).

⁵⁰⁹ While we cannot assume that immigrants would provide economic links of any significant degree between two locations, the social connections between diasporic members and homeland were not likely severed entirely by the physical distance and open the possibility for social and economic development between the two locations.

Such a wide diversity of individuals involved in *koina* is also attested in a fragmentary contribution list for an unknown purpose.⁵¹⁰ The contributors come from Antioch, Nicomedia, Oroanda in Pisidia, Selge, and Berytos, just to name a few. Moreover, this list includes women and slaves, who dedicated money of their own and not through the proxy of a husband or owner - bolstering ideas of the more inclusive nature of Hellenistic *koina*. This *koinon* is not specifically linked to trade, however, the inclusion of Kleo Phaselitis (Κλεὼ Φασηλίτις), a female slave owned by Solon the Berytian a metic (ὄξ κύριος Σόλων Βηρύτιος μέτοικος), on column 2 lines 10-11, could indicate that a Berytian network extended across islands, linking the Phoenician homeland with Rhodes and Delos (see further evidence below). While there is no specific evidence that this was the case, membership within multiple networks, such as this *koinon*, the personal link between Kleo and Solon, and the Berytian *ethnos* displays the possibility of overlapping and expansive nature of trade network opportunities in the Mediterranean.

The largest number of inscriptions directly relating private associations with trade come from Delos. The reason for the drastic increase is the codifying of *emporoi* (merchants), *naukleroi* (shippers), and *egdocheis* (warehouse workers) as Hellenistic *koina*. While still retaining the religious and ethnic motivations of other *koina*, some, by the mid-Hellenistic period, displayed a more overt economic goal. As is evident in the following inscription, the internal organization of the *koinon* did not change, but rather the naming conventions became somewhat more precise. In a Delian inscription from ca. 150 BCE,⁵¹¹ the Poseidoniastai (or

⁵¹⁰ *IRhodJ* 6 and Philip Harland, “List of Contributions (frag.) by a Mixed Group of Immigrants [2] (I BCE),” <http://philipharland.com/greco-roman-associations/list-of-contributions-frag-by-a-mixed-group-of-immigrants-2-i-bce/>, (accessed April 28, 2019).

⁵¹¹ *IDelos* 1520 and Philip Harland, “[224] Honors by Berytian Poseidoniasts for Minatius the Roman Banker (ca. 150 BCE),” <http://philipharland.com/greco-roman-associations/224-honors-by-berytian-immigrants-for-a-roman-banker/> (date accessed April 27, 2019).

devotees of Poseidon) from Berytia, largely made up of *emporoi*, *naukleroi*, and *egdocheis*, worked together to build a common building out of which they could all conduct business. In particular, they state:

...γνώμη τοῦ ἐν Δήλῳ κοινοῦ Βηρυτίων Ποσ[ειδῶ]||[νιαστῶν ἐμπόρων]ν καὶ ναυκλήρων [καὶ ἐ]γδοχέων· ἐπειδὴ, προσδεομένης τῆς συ[[νόδου πόρων εἰς τ]ῆν συντέλειαν τοῦ οἴκου καὶ εἰς τὴν ἀπόδοσι<ν> τῶν αὐτῶι εὐχρηστημ[έ]||[νων χρημάτων, ἵνα μ]ῆ μόνον τὰ ψηφισθέντα λαμβάνη τὴν καθήκουσαν συντέλειαν, || [ἀλλὰ καὶ οἱ ἄλλοι], τὸ τῆς συνόδου θεωροῦντες εὐσυνάλλακτον, μὴ ὀκνηρῶς ἔχωσι | [εἰς τὰ συμφέρ]οντα τοῖς κοινοῖς ἑαυτοῦς ἐπιδιδόναι...

...decision of the association (*koinon*) in Delos of Berytian Poseidon-devotees (Poseidoniasts) consisting of merchants (*emporoi*), shippers (*naulēroi*), and warehouse-workers (*egdocheis*). Since the synod (*synodos*) was in need of one who would contribute towards the completion of the building (*oikos*) and towards the payment of the common funds for the synod. In order that not only the things which were decreed would be completed properly, but also that others, observing how easy it is to deal with the synod, may themselves contribute towards what is advantageous for the common fund (*koina*; or: the associations)...⁵¹²

The main impetus for this inscription was to honor their leader for his work for the common good of the *koinon*, but also to encourage other members to be more active in their network. It was likely quite effective, as the Poseidoniastai remained active in Delos as merchants and traders until the rise of the Roman port, Puteoli, eventually drew trade away from Delos in the mid-first century BCE.

Moreover, the addition of “ἐν Δήλῳ” to the naming of the *koinon* (τοῦ ἐν Δήλῳ κοινοῦ Βηρυτίων Ποσ[ειδῶ]||[νιαστῶν ἐμπόρων]ν καὶ ναυκλήρων [καὶ ἐ]γδοχέων) may show that this was only one branch of a larger network of Berytian Poseidoniastai. This *koinon in Delos* made a decision about the need for an *oikos* or building, perhaps a centralized area in which to conduct business with those both within and outside of the network. In fact, the *oikos* on Delos likely

⁵¹² *IDelos* 1520. Reconstruction and translation by Philip Harland, “[224] Honors by Berytian Poseidoniasts for Minatius the Roman Banker (ca. 150 BCE),” (accessed April 28, 2019).

functioned in a number of roles, such as temple, warehouse, *koinon* meeting place and storefronts for the collected *emporoi*, *naukleroi*, and *egdocheis*.⁵¹³ It also consisted of “τὸν οἶκον καὶ τὴν στοᾶν καὶ τὰ χρηστήρια θεοῖς πατρίοις (the building and the stoa and the oracles for the ancestral gods)” making clear its multiple functions.⁵¹⁴ This *koinon*, or perhaps three *koina* working as a single unit, built their coalition from a small number of foreigners with few privileges into one of the larger presences on the island, lasting for over one hundred years.

Such buildings show the importance of communal space for diasporic communities. The multi-functional role of the *oikos* provides a space for worship, for communal social activities, and also for economic transactions. The *oikos* for the Poseidoniastai is only one example. The creation of these sorts of buildings seem to indicate the intent for long-term settlement by foreign groups. Although a variety of “clubhouse” types exist, as a rule, these buildings use fairly typical Greco-Delian architectural features on the external faces of the building. The decoration inside remain largely unknown, but there does not seem to be many overt traces of foreign decorative elements except for somewhat “dramatic” architectural styles less common in Delian buildings used by locals and the associated inscriptions by which the buildings are usually identified.⁵¹⁵ However, one oddity within the *oikoi* are the lack of banquet couches, a typical Greek feature in buildings with common areas.⁵¹⁶ This alteration seems to speak of the multi-

⁵¹³ Monika Trümper, “Das Sanktuarium des “Établissement des Poseidoniastes de Bérytos” in Delos: Zur Baugeschichte eines griechischen Vereinsheiligtums,” *Bulletin de correspondance hellénique* 126.1 (2002), 265-330.

⁵¹⁴ *IDelos* 1774 and Charles Picard, *L'établissement des Poseidoniastes de Bérytos*, Exploration archéologique de Délos 6 (Paris: de Boccard, 1921), 96 and figure 76. See also, Philip Harland, “Dedication to Ancestral Deities of Building and Stoa by Berytians (150-110 BCE),” <http://philipharland.com/greco-roman-associations/building-and-stoa-dedication-by-the-berytians-150-110-bce/> (date accessed April 28, 2019).

⁵¹⁵ Monika Trümper, “Negotiating Religious and Ethnic Identity: The Case of Clubhouses in Late Hellenistic Delos,” *Hephaistos* 24 (2006), 12-13.

⁵¹⁶ Trümper, “Negotiating Religious and Ethnic Identity,” 12.

functional purpose of these large buildings, which is in line with the multi-functional nature of private associations.

A comprehensive examination of clubhouses and their various forms does not yet exist. However, several *oikoi* of private associations have been identified, such as that of the Poseidoniastai, the Serapeia,⁵¹⁷ the Maison de Fourni, and the House of the Diadumenos (all more cultic focused) and the “Granite Monument” and the “so-called Hostelry.” The last two options show less overt cultic affiliation, but include similar types of social areas.⁵¹⁸ These buildings are found in multiple locations, both urban and more remote, also speaking to differences in their uses. For example, it seems unlikely that the Maison de Fourni, built partially up a coastal mountain overlooking the sea, was directly involved in market relations, even though the workshop spaces indicate economic inclinations.⁵¹⁹ These differences indicate that private associations, especially by the later Hellenistic period, had turned to the inclusion of more social and economic interests, rather than the religious functions for which they were first organized.

Also on Delos, we can see the intersection between *polis* institutions and private associations. In two inscriptions, Theophrastos son of Herakleitos, the ἐπιμελητής Δήλου (the supervisor (*epimeletes*) of Delos) was honored by various *koina*, both ethnically- and business-

⁵¹⁷ These Egyptian buildings have not yet received full attention in studies, but clearly operate along similar architectural lines as other “clubhouses,” including cultic and social spaces. See the works of H  l  ne Siard, “La crypte du Sarapieion A de D  los et le proc  s d’Apoll  nios,” *Bulletin de Correspondance Hell  nique* 122.2 (1998):469-486; H. Siard, “Le style   gyptien et les   changes d’art dans les Sarapieia de D  los,” *RAMAGE* 14 (2001): 133-48; H. Siard, “Le Sarapieion C,” *BCH* 126 (2002), 537-545; H. Siard, “Nouvelles recherches sur le Sarapieion C de D  los,” *RA* (2003), 193-197.

⁵¹⁸ J. Marcad  , *Au mus  e de D  los:   tude sur la sculpture hell  nistique en Ronde Bosse d  couverte dan l’ile*, BEFAR 215 (Paris: University of Paris, 1969), 339-341 and Philippe Bruneau, *Recherches sur les cultes de D  los    l’  poque hell  nistique et    l’  poque imp  riale*, Biblioth  ques de l’Ecole fran  aise d’Ath  nes et de Rome, S  rie Ath  nes 217 (Paris: De Boccard, 1970), 333-337.

⁵¹⁹ Tr  mper, “Negotiating Religious and Ethnic Identity,” 10-12.

oriented. The first inscription (*CIG* 2286) states that “Ἀθηναίων καὶ Ῥωμαίων καὶ τῶν ἄλλων ξένων [οἱ] κατοικοῦντες καὶ παρεπιδημοῦντες ἐν Δήλῳ (those of the Athenians and the Romans and the other foreigners who live around and are settled in Delos)” honor Theophrastos “ἀρετῆς ἕνεκεν καὶ καλοκάγαθίας καὶ τῆς πρὸς τοὺς θεοὺς εὐσεβείας (on account of his virtue and his good character and his piety towards the gods),” but give no further specifying information about his actions. The second inscription, from the same year 126/5 BCE, gives more illuminating information about the relevance of this *epimeletes*’ actions as they benefited trade. Here, the inscription, in whole, reads:

Θεόφραστον [Ἡρ]α[κ]λ[εῖτου Ἀχαρν]έα, ἐπιμελητὴν Δήλου γενόμενον καὶ κατασκευάσαντα τὴν ἀγορὰν καὶ τὰ χῶματα περιβαλόντα τῷ λιμένι, Ἀθηναίων οἱ κατοικοῦντες ἐν Δήλῳ καὶ οἱ ἔμποροι καὶ οἱ ναύκληροι καὶ Ῥωμαίων καὶ τῶν ἄλλων ξένων οἱ παρεπιδημοῦντες, ἀρετῆς ἕνεκεν καὶ καλοκάγαθίας καὶ τῆς εἰς ἑαυ[το]ῦς εὐεργεσίας ἀνέθηκαν.

The Athenian settlers (*katoikountes*) on Delos, the merchants (*emporoi*) and shippers (*nauklēroi*), the Romans, and the other foreigners (*xenoi*) who are residents (*hoi pareidēmountes*) set this up for Theophrastos son of Herakleitos from Acharnai subdivision, who was supervisor of Delos and has furnished the marketplace (*agora*) and reinforced (?) the banks of the harbor, on account of his virtue, goodness, and benefaction towards them.⁵²⁰

This supervisor made improvements to the direct benefit of trade and those involved with it. As such, it is possible to see how the private associations worked in conjunction with the state institutions for the economic stability and profitability of both groups.

Many of the inscriptions above, and most inscriptions by private associations in general, have been dedications honoring members or individuals who aided the *koinon* in some way.

⁵²⁰ *IDelos* 1645. Reconstruction and translation by Philip Harland, “Honors by Merchants, Shippers, and Foreigners for Theophrastos (126/125 BCE),” <http://philipharland.com/greco-roman-associations/honors-by-merchants-shippers-and-foreigners-for-theophrastos-126125-bce/> (date accessed April 28, 2019).

This is largely due to the characteristic of private associations as honors-generating machines.⁵²¹ This tendency only grew through the Hellenistic era. These honors then elevated individuals, giving opportunities for more connections. For example, an exceptionally fragmentary inscription from Delos honors a Roman banker for his aid to Italian and Greek businessmen.⁵²² Clearly indicative of economic connections, this inscription also hints at the variety of ways in which an individual may have been able to associate themselves with *koina*. This Roman banker was likely not a single individual, but rather part of his own banking network or a Roman network based on citizenship or identity tied to Rome. He then came to Delos in the last second or early first century BCE for economic opportunity. One of the best ways to build his prestige and commensurate economic opportunity was to find *koina* with whom he had some common markers of identity, such as Italian businessmen. From there, if he did well and gained favor and connections with various *koina*, he could parlay that into more opportunities or new introductions into other networks. In doing so, he very well could have built his own reputation on the island and been at the center of his own banking-based network.⁵²³ Such a result is not simply an imaginative outcome, but rather already attested truth for “Marcus Minatius son of Sextus,” the Roman who aided the Berytian Poseidoniasts in building their *oikos* on Delos, described above.⁵²⁴

⁵²¹ Gabrielsen, “The Rhodian Associations and Economic Activity,” 169.

⁵²² *IDelos* 1727 and Philip Harland, “Honors (frag.) by Italian and Greek Businessmen for the Banker Gerillanus (ca. 100 BCE),” <http://philipharland.com/greco-roman-associations/honors-by-italian-and-greek-businessmen-for-the-banker-maraeus-gerillanus-ca-100-bce/> (accessed April 28, 2019).

⁵²³ For more on individual powerful men, see John Ma, “Peer Polity Interaction in the Hellenistic Age,” *Past & Present* 180 (2003), 33: “The ‘rise of the powerful individuals’ has been charted as a significant development in ancient Greek culture, from the fourth century onwards; especially in the later Hellenistic period, the civic elites grew preponderant in their home *poleis*.”

⁵²⁴ *IDelos* 1520 and Harland, “[224] Honors by Berytian Poseidoniasts for Minatius the Roman Banker (ca. 150 BCE),” (accessed April 28, 2019), lines 1-20.

The sheer number of inscriptions in Delos that include mentions of various types of *koina* show a thriving inter-state milieu that was open to foreigners and trade in a way that is completely unexplainable simply by the state-level institutions. In addition, these inscriptions often involve several different *koina*, adding to the complexity of these social networks. But, even with the lack of clear understanding about cooperation between *koina* or larger “ethno-congregational associations,” it should be clear that membership in a *koinon* eased the economic relationships between groups who might otherwise have to trust in different strangers for every transaction.

Moreover, these *koina* were not limited to the Greek *poleis*, but rather existed around the Mediterranean and became a trans-Mediterranean phenomena. Demotic private associations existed in Egypt for several hundred years before they transitioned to Greek-style *koina*.⁵²⁵ But after the Greek influences permeated the Near East, North Africa, and rest of the Mediterranean, even the established rules by which religious associations were created shifted and increased the variety of type. Eventually even merchant associations were attested in Ptolemaic Egypt.⁵²⁶ Elsewhere, in Ephesus ca. 36 BCE, a *coventus* of Roman businessmen inscribed an honor for M.

⁵²⁵ Brian Muhs, “Membership in Private Associations in Ptolemaic Tebtunis,” *Journal of the Economic and Social History of the Orient* 44.1 (2001), 1-21.

⁵²⁶ Muhs, “Membership in Private Associations in Ptolemaic Tebtunis,” 4-6. Muhs argues “On the other hand, the numerous similarities between the Demotic and Greek association and guild rules from Graeco-Roman Egypt, and with the few rules known from elsewhere in the Graeco-Roman world, suggest a single common tradition, probably deriving from Greece, since the distribution of associations follows the distribution of Greeks and Greek influence in the Hellenistic period, and it is difficult to see how an Egyptian tradition could become so widely distributed with so little change. For example, in the Demotic rules the members 'are satisfied... speaking on one occasion' (Dem. *mty ... iw=w dd w' sp*); in the Greek rules the members 'decide together with a common opinion' (Gr. ἔδοξαν ἑαυτῶς κοινῇ γνώμῃ); and in the Latin rules the members say 'it pleases us unanimously' (Lat. *placuit uniuersis*).” Indeed, this voluntary, elective principle of both the rules and the associations seems far more Greek than Egyptian (Boak 1937: 219-20)” (5).

Cocceius Nerva.⁵²⁷ While not exactly following the Greek terminological system, the idea remained the same - a group of individuals bound by ethnicity and economic focus acting together for the achievement of commercial goals. In Phrygia also, a funerary inscription was displayed for the leader (ἐμποριάρχης, *enporiarches*) of a merchant *koinon* (IGR IV 796). *Enporiarches* is a distinctly unusual Greek term, but shows that this man held a position of respect by his συνβιώται (*symbiotai*, the fellow members of a merchant association).⁵²⁸ Thus, the idea that the Hellenistic Mediterranean beyond Greece participated in this tradition of private associations, by a variety of names, proves the term *fenomeno associativo* quite apt.⁵²⁹

At one point, trans-Mediterranean private associations were thought to be overwhelmingly the purview of the Hellenistic Period. However, inscriptional evidence indicates that while the types of associations that were most common may have changed between the Classical and Hellenistic eras, the phenomenon of *koina* existed in both. The *koinon*, in many of its forms, was an effective means of softening the strict definitions which differentiated Greek from Greek and non-Greek foreigners. However, *koina* had their own forms of rigid hierarchy and internal structure which gave them the ability to last for longer stretches of time as a settled community, even one that was marked as distinct from the local population. The

⁵²⁷ Dieter Knibbe, Helmut Engelmann, and Bülent İplikçioğlu, "Neue Inschriften Aus Ephesos XI." JÖAI 59 (1989) 164–238. The inscription reads: "M. Cocceio [. . . f. N]ervai cos. conventus c. [R.] quei Ephesi negotiantu[r]."

⁵²⁸ IGR IV 796 and Philip Harland, "Grave for a Leader of the Merchants (undated)," <http://philipharland.com/greco-roman-associations/grave-for-a-leader-of-the-merchants-undated/> (date accessed April 28, 2019).

⁵²⁹ The term *fenomeno associativo* originated in 1938 in F. M. De Robertis, *Il Diritto Associativo Romano Dai Collegi Della Repubblica Alle Corporazioni Del Basso Impero. (Vol. I of Sezione I of the Storia delle Corporazioni of the Scuola di Perfezionamento in Studi Corporativi of the University of Bari)*. Bari: Gius, Laterza & Figli, 1938. Since then, the term has been widely used to encompass associations across the Mediterranean.

connections and networks provided through membership in a *koinon* strengthened certain aspects of identity, but also promoted economic opportunities through connections with “others.”

But the question remains, can these *koina* ever be considered trade networks or diasporic nodes of a larger network system? The evidence does not provide a clear cut answer. A few inscriptions retain evidence of communities refusing to fully integrate with the local population, sometimes going so far as to establish temples or their own common spaces in the built environment. Examples from Delos seems to show that there was a distinct difference among communities of foreigners, resulting in identifying a group by name and location, such as οἱ ἐν Ἀλεξανδρείαι [παρα][γενόμενοι Ἴταλικ]οὶ (the Italians who lived beside the Alexandrians).⁵³⁰ These Alexandrians and Italians were not outcast by locals, but simply retained discrete boundaries for their communities, such as would be seen with a diasporic node. These types of examples could show that the foreign community wished to retain a certain sense of unique identity in order to work most effectively as an intermediary.

Stronger evidence for trade network links seems to come from the use of *koina* names. The use of *koina* proper names, such as *emporoi* or Poseidoniasts, as identifiers on inscriptions seem to promote a sense of primacy for the system. That other agents or individuals could identify the group, if lacking an immediate personal connection among actors, indicates that there was a sense of collective identity within these groups which they wished to promote on some of their most visible monuments. This collective identity, unlike the citizenship of the *polis*, seems designed to grow and adapt as necessary, taking in new members or making

⁵³⁰ *IDelos* 1699 and C. Picard, "Le sculpteur Agasias d'Éphèse à Délos," *BCH* 34 (1910), 539-541 (no.4 and figure 4).

connections with outsiders, stretching across the Mediterranean, and following the rise and fall of economic anchors of Mediterranean trade.

Trans-Mediterranean Cultic Membership and Religious Networks

Koina were not the only sub-*polis* networks. Less formally organized and more heavily weighted towards overlap in identity markers, without close personal connections and membership, trans-Mediterranean networks also played a role in linking near-strangers across vast distances. As noted above, religion is a marker of identity by which merchants and foreigners can find a trusted partner in economic endeavors in foreign lands. In medieval or even modern times, Christianity, Judaism, and Islam often provided connections (and a coercive framework to promote fair dealings) to otherwise largely unrelated traders, such as with the Maghribi traders outlined by Avner Greif or the Sephardic Jewish network from Livorno, Italy, detailed by Francesca Trivalleto.⁵³¹ But these exceptionally formalized monotheistic frameworks did not exist in the ancient world and the cultic functions of the private associations, with their required internal structures and organization, seemed to remain fairly localized. Fortunately, the complex world of the ancient pantheon and its rather fluid and adaptable trans-Mediterranean cultic networks function in a similar way.

Greek, and later Roman, religion allowed for an extensive variety of styles of worship, regional variation of deities, *polis* or personal attachment to a patron deity, or initiation into one or more so-called mystery cults. Because this religious framework was so vast, general beliefs in the same gods were not enough to create trust between any two Greeks or non-Greek foreigners who believed in general Panhellenic deities. Cultic initiation, however, was a way to form

⁵³¹ Information about these model networks are available in more detail in Chapter 1.

significantly closer ties under religious auspices and was one way in which strangers could form new network connections, as well as find commonality for the purpose of economic benefit. Cultic initiation, moreover, is a classic form of a sub-*polis* network because the *polis* plays so small of an effective role in controlling, or even organizing, these networks.⁵³² While the *polis* was involved in the promotion of certain cults and the construction of religious buildings, religion in the Hellenistic period was “pre-eminently characterised by the growing importance of individual beliefs and by the loosening of the ties between citizens and institutions.”⁵³³ *Poleis* remained largely unconcerned with most socio-religious networks, unless they violated religious laws.⁵³⁴

As argued in previous chapters, legal institutions help to reduce transactions costs and insecurities when economic actors operate outside of a local or well-known environment. According to Barbara Kowalzig, the social ties which make up maritime religious networks, essentially cults stretched over long distances, function in very similar ways.

Maritime religious networks in particular emerge as strategic social—and thus institutional—responses to economic conditions, offsetting nature’s volatility by regularizing, and stabilizing, mobility by sea. In doing so, they reduce what economists call transaction costs—that is, the cost of acquiring information and building trust in environments of uncertainty. Religious networks enable the

⁵³² See Robert Parker, *On Greek Religion* (Ithaca: Cornell University Press, 2011), 59-61 and Esther Eidinow, “Ancient Greek Religion: ‘Embedded’...and Embodied,” in *Communities and Networks in the Ancient Greek World*, edited by Claire Taylor and Kostas Vlassopoulos (Oxford: Oxford University Press, 2015), 63-65. Cf. Christiane Sourvinou-Inwood, “What is Polis Religion?,” in *Oxford Readings in Greek Religion*, edited by R. Buxton (Oxford: Oxford University Press, 2000), 15. For ancient corroboration of Parker and Eidinow, see Plato, in *Laws* 909d-910, who complains about the lack of effective control of shrines by Athens.

⁵³³ Milena Melfi, “Sanctuaries and the Hellenistic Polis: An Architectural Approach,” in *Greek Art in Motion: Studies in honour of Sir John Boardman on the occasion of his 90th Birthday*, edited by Rui Morais, Delfim Leão, Diana Rodríguez Pérez and Daniela Ferreira (Oxford: Archaeopress, 2019), 15.

⁵³⁴ See for examples of religious offenses taken to the Athenian court, Demosthenes 21 and Lysias 7, and most famously the case of Socrates. For discussion of such offenses and their penalties, see Phillips, *The Law of Athens*, 407-462 and Eidinow, “Ancient Greek Religion,” 65-69.

aggregation and alignment of information over time, turning this knowledge into “economic knowledge.”⁵³⁵

Thus, sanctuaries acted as nodes where social connections are reinforced and economic opportunities are created. Sanctuaries and religious networks lie outside of single state or *polis* control and regional boundaries. Traders could use these sites as they travel from market to market as a safe space, finding others with similar beliefs and who were more likely to extend welcome while they conducted their business.⁵³⁶

One cultic network was that of Artemis, dispersed throughout the Euboean Gulf and stretching from Attica to the Black Sea. This cult may have played a dual role in facilitating the movement of traders across the region. First, shrines mark the physical locations of these cultic nodes at Aulis, Halai, Brauron, Amarynthos, Mounichia, Artemision, and Karystos – shrines which were often located immediately next to harbors or physical spaces with accessibility for mooring ships.⁵³⁷ It is possible that these shrines were actually visual indicators of how to pass safely through the more treacherous areas of the Euboean Gulf.⁵³⁸ For those included in this

⁵³⁵ Barbara Kowalzig, “Cults, Cabotage, and Connectivity: Experimenting with Religious and Economic Networks in the Greco-Roman Mediterranean,” in *Maritime Networks in the Ancient World*, edited by Justin Leidwanger and Carl Knappett (Cambridge: Cambridge University Press, 2018), 95.

⁵³⁶ Kowalzig, “Cults, Cabotage, and Connectivity,” 97-101. Kowalzig also outlines a 6th and 5th cultic network for Aphaia centered in Aigina, where “Aphaia’s sanctuary itself bears all the signs of a gateway for, and close ally of, those traveling and controlling longstanding and attractive sea routes. Finds on the site include ship graffiti, boats’ eyes, clay ships, and lavish dedications by likely traders” (94). See also, Kowalzig, “Musical merchandise ‘on every vessel’: religion and trade on the island of Aigina,” in *Aegina: Contexts for Choral Lyric Poetry. Myth, History, and Identity in the Fifth Century BC*, edited by D. Fearn, (Oxford: Oxford University Press, 2010), 129–171; B. Kowalzig, “Identità greche tra modelli religiosi ed economici: il caso di Egina,” in *Ethne, identità e tradizioni: la “terza” Grecia e l’Occidente*, edited by L. Breglia, A. Moletti and M.L. Napolitano (Pisa: ETS, 2011), 1-18; and B. Kowalzig, “Transcultural chorality: “Iphigenia in Tauris” and Athenian imperial economics in a polytheistic world,” in *Choral Mediations in Greek Tragedy*, edited by R. Gagné and M.G. Hopman (Cambridge: Cambridge University Press, 2013), 178–210.

⁵³⁷ Kowalzig, “Cults, Cabotage, and Connectivity,” 103-4. These littoral shrine sites also shared pre-historic pottery and figural sculpture similarities, likely indicating long-standing use and the exchange of goods.

⁵³⁸ Kowalzig, “Cults, Cabotage, and Connectivity,” 104 and J. Morton, *The Role of the Physical Environment in Ancient Greek Seafaring* (Leiden: Brill, 2001), 193–206, 310–317. For more general information on navigation and communal strategies for navigating the Mediterranean, see P. Arnaud, “Ancient mariners between experience and

coded knowledge, Artemis shepherded traders along the maritime routes, just as, in mythology, she facilitated the Greek army on their way to Troy in the *Iliad* and Iphigenia and Orestes' movement in Euripides' *Iphigenia in Tauris*.⁵³⁹

The second role of this network more closely parallels specific economic interactions around the Euboean Gulf and extending beyond it. With roots in the Archaic period,⁵⁴⁰ Classical era Athenian expansion into the Black Sea and Hellespont in the mid- to late- fifth century BCE was necessary due to the grain requirements in Attica. In this region the Crimean goddess, Parthenos, led the local cultic nodes. While this goddess is never directly associated with Artemis in local sources, Greek travelers aligned the two goddess and, as a result, collapsed the differences between the two maritime cultic networks.⁵⁴¹ In this context, “by collapsing cultural boundaries in rites to be shared by Greeks and Taurians, Artemis’ well-known powers of ‘social integration’ turn from civic integration to cross-cultural economic mediation,” which created social and economic reciprocity among its members.⁵⁴² The Greek traders from both regions

common sense geography,” In *Features of Common Sense Geography: Implicit Knowledge Structures in Ancient Geographical Texts*, edited by K. Geuss and M. Thiering, 39–68 (Zurich: Lit-Verlag, 2014); T. F. Tartaron, *Maritime Networks in the Mycenaean World* (Cambridge: Cambridge University Press, 2013); and C. Broodbank, *The Making of the Middle Sea: A History of the Mediterranean from the Beginning to the Emergence of the Classical World* (London: Thames and Hudson, 2000).

⁵³⁹ For a more detailed description of this movement and connections between Artemis and the littoral shrines of the Euboean Gulf, see Kowalzig, “Cults, Cabotage, and Connectivity,” 106-108;

⁵⁴⁰ For example, in the 6th century BCE, the Athenian tyrants, the Peisistratids sponsored the lyric poet Simonides of Ceos to come to their court, indicating Archaic period connections between the two regions.

⁵⁴¹ David Braund, *Greek Religion and Cults in the Black Sea Region: Goddesses in the Bosporan Kingdom from the Archaic Period to the Byzantine Era* (Cambridge: Cambridge University Press, 2018), 16. Braund specifically states, “Ultimately, however, we shall also see that this gap [the difference between Crimean Parthenos and Artemis Parthenos or Artemis Tauropolos] was not unbridgeable or unbridged, particularly when Crimean Greeks interacted with the cults and ideas of their Mediterranean counterparts.” Bracketed clarification is my own addition.

⁵⁴² Kowalzig, “Cults, Cabotage, and Connectivity,” 109-110.

may have used the links between their now integrated cultic network to facilitate the trade of grain, particularly into Attica.

These network associations may, in some ways, seem to be a forced connection. The goddesses are similar, but not exact. So how can we say that cultic initiation brought these traders closer together. In fact, the reality that there seems to be a semi-forced syncretization of the two goddesses into one promotes the idea that they were used as a way to promote economic opportunity. Those lacking a ready supply of grain needed to find connections into grain-rich areas and those with a surplus needed a ready market. Thus, they used what seemed to be similar ideas of religious worship to find commonalities with people from regions and communities most likely to provide them with answers for the economic needs, reduce transactions costs, and foster trust.⁵⁴³ Economic need, in this case and many others, drove movement into new regions and to create new connections.

Those gods who were linked directly with sailors and overseas movement often had maritime cultic networks associated with their worship. The permutation of Zeus known as Kasios is one such example. This cultic network began in Mount Kasios, Phoenicia, but was integrated into the Greek pantheon in the early first millennium BC. With shrines and artifacts found around the Mediterranean, “this cult was fundamentally connected to the landscapes from the sea that were particularly important to seafarers, and how these intersect with maritime routes.”⁵⁴⁴ Extant since the late Iron Age, under a variety of syncretized names such as Baal

⁵⁴³ In support of this argument, see Kowalzig, “Cults, Cabotage, and Connectivity,” 114: “In this instance, a maritime religious network seems almost artificially produced, exploiting the specific cultic associations of a cabotage network in terms of the density and stability of its links. As with our Artemises around the Euboian Gulf, religious topographies of navigation are formed by assimilating the cults and making them appear part of the same visual and ritual network.”

⁵⁴⁴ Anna Collar, “Sinews of belief, anchors of devotion: the cult of Zeus Kasios in the Mediterranean,” in *Sinews of Empire*, edited by Håkon Fiane Teigen and Eivind Heldaas Seland (Oxford: Oxbow Books, 2017), 34.

Zaphon, Zeus Kasios was worshipped along the coast of Asia Minor at Seleuceia Pieria, Aigeai, Keramos, and also in Delos.⁵⁴⁵ The farthest find comes from Cape Palos, Spain. This inscribed anchor reads “Ζεὺς Κάσιος σφίζων” (*SEG* 49.1408). As argued by Anna Collar, there is a clear link between Zeus Kasios and the most common maritime trade routes across the Mediterranean.

Many of the Kasios finds come from important nodal points along the northern routes: Delos, Kassiope on Corfu, Cape Pelorus in the Straits of Messina, Siracusa and Mondello, indicating routes up the coast of Italy, to Carthage and north Africa, and across to the far west, where we find the anchor from Cape Palos. If we follow the logic of the commonly understood sea-lanes, we might not be surprised to discover finds to Kasios around the south coast of Cyprus and Crete, around Rhodes, and potentially around Sardinia, the Balearics or Malta.⁵⁴⁶

Even in Egypt, where Zeus Kasios was worshipped in Pelusium with temples and shrines into the Imperial Roman period,⁵⁴⁷ evidence is restricted to areas with clear maritime access (even though the once famous port is now landlocked).

In several cases, merchants also brought their deities with them - establishing new altars or sacred spaces to their preferred god or goddess in cities where they intended to create long term economic relationships. It was for this reason that the Kitians (Citians) and the Egyptians established their own sanctuaries for Aphrodite and Isis, respectively, in the Piraeus (*IG II²* 337).⁵⁴⁸ At Delos, religious sites for cultic networks were created by Italians, of unknown status,

⁵⁴⁵ For evidence of Zeus Kasios, in Seleuceia Pieria (*SEG* 35.1521), Aigeai (*SEG* 49.1943), Keramos (*SEG* 34.1069), Pelusium (R. Lane Fox, *Travelling Heroes: Greeks and Their Myths in the Epic Age of Homer* (London: Penguin Books, 1992), 270), and Delos (*ID* 2180 and *ID* 2181).

⁵⁴⁶ Collar, “Sinews of belief, anchors of devotion,” 34.

⁵⁴⁷ Hadrian likely reconstructed a temple for Zeus Kasios as evidenced by *SEG* 38.1840. For analysis, see Fox, *Travelling Heroes*, 270.

⁵⁴⁸ Authors are divided over whether this is an indication of a private association of Kitians (Parker, *Athenian Religion*, 337-8; Jones, *The Associations of Classical Athens*, 41-2) or an ethnically-based node or diasporic group (Arnaoutoglou, *Thusias heneka kai sunousias*, 90; this author). Gabrielsen splits the difference and argues that the Kitians began as a diasporic node of merchants, but eventually developed their “associational intensity” (Gabrielsen, “Associations, Modernizations, and the Return of the Private Network in Athens,” 144).

engaged in the perfume trade from 166 BCE.⁵⁴⁹ The Nabataeans, dealing in frankincense and myrrh, even dedicated an altar to their high god, Dushara, at Puteoli, once the main port for Rome (to be discussed in more detail in Chapter 6). By bringing these aspects of their culture with them, merchants were able to establish their own safe spaces, make connections with new markets, insert themselves into new communities, and retain their unique identity markers.

This pattern of connecting distant regions through cultic networks along economic lines continued through the Hellenistic era and into the Roman period. The cult of Isis in particular is found around the Mediterranean in regions that are involved in the importation of Egyptian goods, stretching in geographical and chronological space to include late-Classical Athens (*IG II*² 337), Hellenistic Delos and Corinth, Roman Sagalassos, and even Rome itself.⁵⁵⁰ Inscriptions, statuettes, coins, sanctuaries, and even terracotta figures promote the large geographical expanse for the cult of Isis, or often Isis and Serapis.⁵⁵¹ This cult was moved primarily through merchants and traders, whose area of influence grew through the Hellenistic period and expansion of Rome, which created more permeable boundaries for traders and their networks.⁵⁵²

⁵⁴⁹ J. P. Brun, "The production of perfumes in antiquity: The cases of Delos and Paestum," *AJA* 104 (2000), 285-291; J. P. Brun, "La Maison IB du Quartier du stade et la production des parfums à Délos," *BCH* 123 (1999), 87-155; É. Lapalus, *L'Agora des Italiens*, Exploration archéologique de Délos XIX (Paris: De Boccard, 1939). For more examples from Delos (also to be discussed in more detail below), see Trümper, "Where the Non-Delians met in Delos," 49.

⁵⁵⁰ T. Hegedus, "The urban expansion of the Isis cult: A quantitative approach," *Studies in Religion / Sciences Religieuses* 27 (1998):161-78; Dennis Edwin Smith, "The Egyptian Cults at Corinth," *The Harvard Theological Review* 70. 3/4 (1977), 201-231; L. Bricault, *Atlas de la diffusion des cultes Isiaques (IVe S. AV. J-C.—IVE S. APR. J.-C.)*, Mémoires de l'academie des inscriptions et belles-lettres (Paris: Diffusion de Boccard, 2001); Eric M. Orlin, "Octavian and Egyptian Cults: Redrawing the Boundaries of Romanness," *The American Journal of Philology* 129.2 (2008), 231-253; Peter Talloen, "The Egyptian Connection: The Cult of Nilotic Deities at Sagalassos," *Ancient Society* 31 (2001), 289-327. Greco-Roman authors also preserved some record of Isis, such as Pausanias *Description of Greece* 2.2.3 and (debatably) Diodorus Siculus 20.37.

⁵⁵¹ Smith, "The Egyptian Cults at Corinth," 216-226.

⁵⁵² *Contra* T. Glomb, A. Mertel, Z. Pospíšil, Z. Stachoň, and A. Chalupa, "Ptolemaic military operations were a dominant factor in the spread of Egyptian cults across the early Hellenistic Aegean Sea," *PLoS ONE* 13.3 (2018): 1-18. <https://doi.org/10.1371/journal.pone.0193786>. This argument, while intriguing, is heavily based on theoretical

These nodes, identified through small sanctuaries and offerings, are small links in a much larger chain of a trade network based on religious affiliation and, in many cases, ethnic origin.⁵⁵³

As a final point, once temples and shrines were created, they could then also serve as an attractive feature for other traders and travelers who were outside of the cultic network. In the cases of individuals traveling alone and without their own social support structures, common deities could ease the first moments of connection between strangers. In one example, to return to Zeus Kasios, a traveler from Beirut with no obvious connections to the network of religious worshippers at the Delian Serapeion A, an Egyptian temple, left an offering of thanks to the Phoenician deity. Some scholars hypothesize that “we might equally imagine that this merchant, arriving from Beirut, finds Kasios, a deity he knows from his voyages along both the Levantine and the Egyptian coasts, worshipped with Egyptian gods within the Serapeion, and so makes his thanksgiving for his safe passage here.”⁵⁵⁴ In moving into the unfamiliar Greek world, the traveler is able to connect to the local population through religious observance and a familiarity that traverses political and cultural barriers.

In sum, similarities in religious worship and associations created networks that allowed for increases in economic possibility. This variety of opportunities to make social connections put in place a pattern of behavior which signals to a modern audience the interconnected nature

modeling from incomplete datasets. I also believe that while strong correlation between Ptolemaic garrisons and cultic shrines is evident, it cannot be extrapolated to explain the presence of Isis outside of the eastern Aegean.

⁵⁵³ Trümper, “Where the Non-Delians met in Delos,” 49: “Bankers, merchants, shippers, and warehousemen from the west and east arrived on the island to set up business. Many of them brought their own cults, built sanctuaries for their gods, and assembled in associations. These associations were frequently formed around a single ethnic group.”

⁵⁵⁴ Collar, “Sinews of belief, anchors of devotion,” 30. Cf. W. Deonna, *Exploration archéologique de Délos faite par l'Ecole française d'Athènes. 18, Le mobilier délien* (Paris: E. de Boccard, 1938), 18; H. Frost, “On a Sacred Cypriot Anchor,” in *Archéologie au Levant. Recueil à la mémoire de R. Saidah/Collection de la Maison de l'Orient méditerranéen 12*, Série archéologique 9 (Lyon: Maison de l'Orient et de la Méditerranée Jean Pouilloux, 1982), 164; Pierre Chuvin and Jean Yoyotte, “Documents Relatifs au Culte Pélusien de Zeus Kasios,” *Revue Archéologique Nouvelle Série* 1 (1986), 59.

of the ancient Mediterranean. In point of fact, without the social conditions which fostered new connections between strangers and built trust between disparate actors, trade nodes and networks would not have been possible, severely limiting the development and efficacy of trade. In the Classical period, the boundaries between *poleis* restricted movement somewhat due political and military differences. But, while the social conditions continued in similar fashion through the Hellenistic period, the political changes of the time expanded these possibilities, while simultaneously lessening the differences between locals and foreigners.

The Hellenistic Impact on Trade Networks

As outlined briefly above, social networks grew in size and strength in the Hellenistic period. After the political and cultural transitions forced by Alexander the Great's conquests, the Mediterranean world looked very different than in the late Iron Age, Archaic period, and early Classical period. Thus, we must appreciate how the evidence of economic networks in this new world of Hellenistic monarchies and economic interests, described generally above, impacted the rise of particular Greek *poleis*, such as Rhodes and Delos, as economic powerhouses. I argue that while much of the political landscape may have changed in the decades following Alexander's untimely death, the social connections that bound people together did not. Nor did their desire for economic gain. If anything, Alexander's impact created space for more growth and more inclusive identity markers among traders. Thus, while the trade routes may have altered, giving rise to new centers, social networks and diasporas are still active in promoting economic opportunity throughout the Mediterranean.

One of the longest lasting effects of Alexander's conquests was the promotion of Greek as the *lingua franca* around the Mediterranean. J. G. Manning argues that "The spread of the Greek language among elites in the Near East and in Egypt created new identities and new social

networks. How this mattered to economic development and performance is not easy to measure.”⁵⁵⁵ But, it does seem clear that in doing so, borders that before were delineated by cultural-linguistic, as well as political, divisions became less distinct. This led to an eastern and southern shift of Hellenic culture, reorienting from a Greek Aegean, largely concerned with matters in the Greek Peninsula and Asia Minor, to a Hellenistic Mediterranean.

Areas that were once more peripheral to the Greek world came to occupy central positions due to their locations with easy access to Egypt, the Near East, Northern Africa, Greece, and eventually Rome. The rising prominence of Rhodes and Delos, as illustrative of this shift, argues that after the political realignments of the Hellenistic kingdoms, social networks and private merchants upheld economic stability and continued trade, even when political and military events created insecurities in the regions.

While “oriental” gods and kingdoms were once distinct from the Greeks, Alexander the Great created a more integrated socio-cultural milieu. Egyptian and Near Eastern cults had previously had rare representation within Greek *poleis*, but the wider acceptance of Near Eastern and Egyptian customs within Greece in the Hellenistic period built upon these tentative links across the Mediterranean. As such, commercial centers in the Greek world became even more inclusive of foreigners than their Classical era counterparts. Not only did these foreigners visit for purposes of trade, but they built large buildings and temples. These forms of expenditures speak to the durability of these networks in the Greek world and the acceptance of these activities by the local governments and populations. Thus, the Hellenistic Mediterranean benefited from the complex possibilities of interpersonal economic interactions across its waters, whether socio-cultural, political, or military.

⁵⁵⁵ Manning, *The Open Sea*, 191.

Conclusion

This chapter has worked to elucidate the ways in which networks crossed state boundaries, spanned the Mediterranean, and made the sea an economically profitable and social space. But this movement and the connections between people took two very different forms. The first, based on mainly Greek evidence, is of private associations which worked below the level of the *polis* and connected individuals - oftentimes not for economic intent, but with economic implications. The second is a less formal and more loosely associated group of people based on particular religious identifications in a world of polytheistic options.

Neither style precludes multiple other network possibilities, however. As Vincent Gabrielsen has demonstrated, membership and obligation in private associations can overlap in surprising ways and often for economic gain. Membership in these networks is rarely restricted only to those who qualify for citizenship or even local populations. And while specific trade implications of these social interactions are poorly documented in the remaining source material, comparative analysis and interpretation can provide insights into their role in inter-state relationships. In particular, this analysis seems to show that sub-*poleis* networks function as the lubricant for the long-distance commercial machinery. They operate below and between the official state apparatus and buoy commercial movement of goods, specifically in the case of goods which are preferable for daily life, but not considered matters of state responsibility (such as grain).

In the next chapter, I analyze state-sponsored networks and official economic policies. Such structures were rarer in Greek *poleis*, but are quite commonplace in other Mediterranean societies. Thus, by necessity, the focus will shift to the Near Eastern states and Egypt. Their

more hierarchical systems and resulting control over the economic policies of their states created very different systems of interaction from the Greek *poleis*. Social networks still play a critical role, but retain a different place within the hierarchies. Moreover, at the same time that Hellenization permeated the Near East and North Africa after Alexander the Great, Near Eastern traditions remained influential upon newly settled Greeks and the Hellenistic Kingdoms. As a result, the economic policies of the empires and kingdoms of the Near East had lasting impacts on the eastern Mediterranean. These traditional systems in a newly porous Hellenistic period allowed for even more influences on the Mediterranean economic milieu.

Chapter 5:
Comparative Economic Mentalities and State-Sponsored Networks: Trade in the Near East

The concept of a “state-sponsored” network is hard to imagine in the world of weak states, such as Athens or other Greek *poleis*. Unlike some Near Eastern states, such as the Phoenicians detailed below or the Nabataeans addressed in Chapter 6, Greek *poleis* rarely had a solitary leader with the bureaucratic infrastructure which could enforce effective control over trade economies or a trade policy. Greek magistrates may have promoted or passed laws which led to their immediate economic benefit, but this may be categorized as incidental to overall economic impact, either locally or across the Mediterranean. The Greek *polis* first and foremost concerned itself with the protection of its boundaries and its citizens.

The Near East and North Africa, however, in their multiple permutations and empires, have had a more complicated relationships with trade and how to promote or benefit from the transportation of goods within and across its boundaries. In the sections below, I will outline certain trade policies of Greek and the Near Eastern polities in order to explore the complex milieu of government institutions, social networks, and hierarchical frameworks that affect trade in the eastern Mediterranean. By the Hellenistic Period, hundreds of years of traditional systems combined with the fallout from Alexander the Great’s successors forming a pattern of practice that in certain cases promoted a more direct and state-sponsored push for long-distance trade.

In modern comparative politics, a “strong” state is generally classified as one un beholden to other powers, bureaucratic or otherwise, and able to effect foreign policy on its own initiative, and having achieved a “high level of autonomy from society.”⁵⁵⁶ In the ancient world, this

⁵⁵⁶ Evenly B. Davidheiser, “Strong States, Weak States: The Role of the State in Revolution,” *Comparative Politics* 24.4 (1992), 463.

definition becomes problematic - if for no other reason than they would not have thought of themselves in these terms, making them anachronistic from the outset. However, I will be using the term “strong” state in order to describe certain aspects of the Near Eastern governments in comparison with the Greek *poleis*. In accordance with this modern definition, Near Eastern kingdoms had a much more centralized leadership (such as a Great King in Persia), were bureaucratic, and largely independent. Moreover, the hierarchical structure removed leaders from the immediate demands of society, unlike the Greek governments, which were usually deeply embedded in the wishes and demands of the *demos*. These differences and the “strong” state qualities of the Near East have a clear effect on state interest and involvement in trade in the region.

The “State” in Greek Trade Policies

Grain was the most valued import in Greek *poleis*. It does not grow well in most areas of the Greek Peninsula or on the islands. As such, for most *poleis* its importation was considered an inarguable staple for the greater good of the people. To that end, in only one area of policy does Athens, as an illustrative example of *poleis* policies, directly involve itself to control trade.⁵⁵⁷ Athenian reliance on grain imports began around the early sixth century BCE. But by the time of the Peloponnesian War a true dependency on imported grain affected several aspects of Athenian military and economic policy.⁵⁵⁸ Athens engineered a variety of methods to meet

⁵⁵⁷ Similar policies concerning grain are well-attested for other Greek *poleis*. In addition, rare *poleis* affected trade policies on other goods, such as the strict regulation of Thasian wine. However, these were exceedingly rare cases and lie outside the bounds of the current research.

⁵⁵⁸ L. Gernet, *L'approvisionnement d'Athènes en blé au Vème et au IVème siècle* (Paris, 1909); A. Jardé, *Les céréales dans l'antiquité grecque* (Paris, 1925); A.W. Gomme, *The Population of Athens in the fifth and fourth centuries B.C.* (Oxford, 1933); G.E.M. de Ste. Croix, *The Origins of the Peloponnesian War* (London, 1972); Peter

this need, but I will focus on two below to give insight into the rare instances when a *polis* might assert itself in order to ensure the greater good of its people.⁵⁵⁹

First, Athens created a set of laws to regulate this precious commodity. As summarized by Isager and Hansen, these laws were:

(1) it is forbidden to export any crop except olives (Plutarch *Solon* 24); (2) it is forbidden to purchase more than 50 *phormoi* of grain at a time (Lysias 22.6); (3) it is a capital offence for persons resident in Athens to ship grain to harbours other than the Piraeus (Demosthenes 34.37, 35.50; Lykourgos 1.27); (4) any grain ship touching in at the harbour of the Piraeus is required to unload at least 2/3 of her cargo and may re-export a maximum of 1/3 (*Ath Pol* 51.4); (5) it is forbidden for persons resident in Athens to extend a maritime loan unless the ship under contract conveys grain to the Piraeus (Demosthenes 35.51, 56.6, 56.11).⁵⁶⁰

These laws seem to show a policy of intentional control over the movement of grain and the legal requirements for all merchants, foreign and local, once they enter the Athenian harbor. In particular, these laws reiterate the ways in which Athenians attracted traders and their wares.

But Athens was clearly aware of the limits of their power in enforcing these laws. Thus, as Errietta M. A. Bissa has argued, Athens did not create new structures or institutions in order to achieve her goals in controlling the import and export of grain. Rather the *polis* “used the networks of trade and the Piraeus’ supreme position as an entrepôt to make native and metic merchants bound to transport grain to her.”⁵⁶¹ In order to achieve this, Athens also offered tax

Garnsey, “Grain for Athens,” *History of Political Thought* 6.1/2 (1985), 62-75; cf. T.S. Noonan, “The grain trade of the northern Black Sea in antiquity,” *The American Journal of Philology* 94.3 (1973), 231-242.

⁵⁵⁹ This is not to say that Greek *poleis* did not craft economic policies. In the specific case of Athens, *polis* actions such as the creation of the Delian League or the use of cleruchies clearly had an economic impact, both within Athens proper and throughout the Greek Mediterranean. However, as these were not specifically trade-related actions, they fall outside the purview of this study.

⁵⁶⁰ Isager and Hansen, *Aspects of Athenian Society*, 28-29. See also, Ronald S. Stroud, “The Athenian Grain-Tax Law of 374/3 B.C.,” *Hesperia Supplements* 29 (1998), 1-140.

⁵⁶¹ Errietta M.A. Bissa, *Governmental Intervention in Foreign Trade in Archaic and Classical Greece*, Mnemosyne Supplements; History and Archaeology of Classical Antiquity, series edited by Susan E. Alcock, Thomas Harrison, Willem M. Jongman, H.S. Versnel (Leiden: Brill Publishing, 2009), 178. For her discussion and analysis of each of these laws as it pertains to her assertion, see pages 178-191. She concludes (190): “Athenian intervention was not

exemptions for all merchants who brought grain into Athens, such as for the Thracian merchants.⁵⁶² This tax exemption was especially important in promoting trade into Athens, as it seems that the Bosporean Kingdom, one of the main controllers of grain exports, charged a one thirtieth tax on grain leaving the region.⁵⁶³ By moderating internal laws, such as prohibiting export of “any crop but olives” and lowering taxes on grain imports, Athens was able to effect great benefit for the state, but without overtaxing the weak state.

limited to legislation but covered other areas of the grain trade. The Athenians offered incentives to both private foreign traders to bring grain to Athens and to exporters to prefer exporting to Athens. The honours given to the Spartokids and to their envoys testify to the Athenian incentives to exporters. On the other hand, there are various examples of honours to private traders, mainly from the last quarter of the century. Many of these honours coincide with the crisis of the 320s, which shows that the government was particularly cognizant of the effect a widespread crisis could have on the normal flows of trade. Normally, the size of Athenian grain requirements would be an adequate lure for many traders, but in a widespread crisis less distant ports would offer equally high profits. Thus, Athens provided incentives in those times for traders to import grain. The *dikai emporikai* were also within this sphere of incentives, since, unlike other poleis, Athens offered equality of access and judgement to foreign traders as well as a quick procedure allowing them to be ready to sail with the start of the season.” See also Engen, *Honor and Profit*, 110.

⁵⁶² Demosthenes 20.31: “πρὸς τοίνυν ἅπαντα τὸν ἐκ τῶν ἄλλων ἐμπορίων ἀφικνούμενον ὁ ἐκ τοῦ Πόντου σῖτος εἰσπλέων ἐστίν. εἰκότως· οὐ γὰρ μόνον διὰ τὸν τόπον τοῦτον σῖτον ἔχειν πλεῖστον τοῦτο γίγνεται, ἀλλὰ διὰ τὸ κύριον ὄντα τὸν Λεύκων’ αὐτοῦ τοῖς ἄγουσιν Αθήναζε ἀτέλειαν δεδωκέναι, καὶ κηρύττειν πρώτους γεμίζεσθαι τοὺς ὡς ὑμᾶς πλέοντας. ἔχων γὰρ ἐκεῖνος ἑαυτῷ καὶ τοῖς παισὶ τὴν ἀτέλειαν ἅπασι δέδωκεν ὑμῖν. (In fact, the grain that is shipped from the Black Sea is equivalent to all the grain imported from other regions. Rightly so, for not only does this region supply the largest amount of grain, but Leucon, who controls the region, has granted an exemption to those who transport grain to Athens and commands that those sailing to your port be the first to load their cargoes. This man has given all of you an exemption [*ateleia*] because he possesses one for himself and his children).” Translation by Edward M. Harris, *Demosthenes, Speeches 20-22, The Oratory of Classical Greece* (Austin: University of Texas Press, 2008). The reciprocal nature of this grant of *ateleia* seems quite clear - Athens presumably granted it to Leucon for some previous act and he has repaid the favor in regards to Athens’ need for grain. See also Engen, *Honor and Profit*, 14, 61, 80, 83, 89, 102, 112, *passim* on the role of foreigners in the Athenian grain trade and the honors given them for their service.

⁵⁶³ For ancient sources on taxation rates between the Bosporean Kingdom and Athens, see *IG V 1 1421.1*; Aristophanes *Wasps* 658; [Xenophon] *Constitution of the Athenians* 1.17; Andokides 2.11, and Demosthenes 20.32.2.

For modern arguments, see Bissa, *Governmental Intervention in Foreign Trade*, 161: “Reduction of taxes would have been especially welcomed by traders, since the Bosporean Kingdom had the highest rate of taxation known in the period, a *triakoste*. A close reading of Demosthenes’ reference to the tax may imply that the *triakoste* applied only to the export of grain and was not levied on other goods: “He imposes on those who export grain from there a tax of one thirtieth (*triakoste*)”. In any case, contrary to the common assumption that accepts commercial policies only for the necessary imports of exceptional poleis, the parallel cases of reduction of dues by the Spartokids suggest the existence of a grain export policy in the Bosporus.”

In this tactic, however, Athens was not unique.⁵⁶⁴ Andros, one of the larger Cycladic islands, was equally dependant on grain imports due to their poor soil. In order to combat this issue, Andros also issued an inscribed and posted law in the fourth century BCE which eased the burdens on traders coming into the city and tasked multiple ταμίαι (*tamiai*, stewards or controllers) to ensure the benefits for the state (*IG XII 5 714*). Teos, a small island *polis*, also passed a law (*ML 30.6-12*) in the fifth century BCE which forbid citizens from hindering the importation of grain. While Teos had even less ability to control the actions of merchants and traders outside of its boundaries, it regulated the behaviors of those within the *polis* in order to attract merchants to a port which tried to be welcoming and without unnecessary delays. Other *poleis*, such as Ephesos, Samos, Methone, and Selymbria, put similar laws into place, as a result of an insecurity in the grain supply.⁵⁶⁵ But, like Athens, they were only able to effectively police these procedures within the confines of their ports and markets. As such, they were careful not to over-extend their policies and risk being able to feed their people.

The second method which Athens employed in order to bolster and protect the grain trade, specifically between the Black Sea region and Attica, was the promotion of specific Athenian cults into that area. In particular, Athens propagandized the Eleusinian cult, the cult of Athena (especially Polias), and the cult of Ion.⁵⁶⁶ This was part of a larger propagandizing attempt by Athens during the height of its imperialism and the Delian League; an attempt that

⁵⁶⁴ It should be noted though, that the evidence from Athens is much better attested and more complex than in the other *poleis*, adding to issues of Athenian exceptionalism.

⁵⁶⁵ For an in depth discussion of the evidence, see Bissa, *Governmental Intervention in Foreign Trade*, 193-206.

⁵⁶⁶ John P. Barron, "Religious Propaganda of the Delian League," *The Journal of Hellenic Studies* 84 (1964), 45. See also, Carl A. Anderson and T. Keith Dix, "Politics and State Religion in the Delian League: Athena and Apollo in the Eteocarpethian Decree," *Zeitschrift für Papyrologie und Epigraphik* 117 (1997), 129-132.

eventually proved unsustainable.⁵⁶⁷ However, for a time, Athens was able to aggressively build upon cultic and social networks for its own economic benefit - promoting cultic ties in such *poleis* as Samos, Cos, and Colophon.⁵⁶⁸ Another location was Olbia, which had little use in terms of location for maritime posts, but was rich in grain,

Sometime in the second half of the fifth century, most probably in the last quarter, the altar of Apollo was demolished and the site was converted into the chthonic sanctuary described above...The central position of the Eleusinian triad in the new sanctuary indicates that its organization was based on Athenian model. It is in the last quarter of the fifth century that Olbia certainly becomes a member of the First Delian League. The introduction of the Eleusinian cult in the cities of *symmachoi* was an important issue in the Athenian religious-political propaganda. It seems therefore very likely that the reorganization of the Olbian Demetreion was a direct result of the Aparche decree (416/415 B.C.).⁵⁶⁹

This propagandization of Athenian cults built upon a Panhellenic pantheon already in existence, but then promoted certain aspects which were more in line with Athenian ideals. This was not a new network or a new set of deities, but rather, once again, building off of institutions, in this case largely social, which already existed at the core of Greek culture and daily life. Though as Athenians lost power through the fourth century BCE, their ability to continue such methods of social control crumbled as the Delian League broke apart, re-emphasizing the essentially weak nature of Greek state power.

Thus, apart from areas of severe need in which *poleis* could build upon the state institutions and social networks already in place, trade operated largely outside of the realm of

⁵⁶⁷ M. B. Cavanaugh, *Eleusis and Athens: Documents in Finance, Religion and Politics in the Fifth Century B. C.*, APA American Classical Studies, vol. 35 (Atlanta, GA: Scholars Press, 1996). In particular her analysis of the IG I3 78 inscription from Eleusis, which she dates to c. 435.

⁵⁶⁸ See *SEG* 1.375-76 (Samos); *SEG* 32.835 (Samos); W. R. Paton and E. L. Hicks, *The Inscriptions of Cos* (Oxford: Clarendon Press, 1891), 160 no. 148; and *IG* I2 14/15 (also called *IG* I3 37) (Colophon).

⁵⁶⁹ Andrei Lebedev, "The Devotio of Xanthippos. Magic and Mystery Cults in Olbia," *Zeitschrift für Papyrologie und Epigraphik* 112 (1996), 282. The Aparche decree mentioned here is often also called the "First Fruits" decree and refers to *IG* I3 78, although the date given in this article places it later than Cavanaugh.

polis control. This grain exception acted opposite the general rule of Athenian non-intervention policy with regards to trade,⁵⁷⁰ was repeated and duplicated by other *poleis*, and seems to show that for anything less than matters of grave concern to the state, Greek *poleis* generally steered clear of direct economic and trade policies.

However, unlike Greek *poleis* with their weaker central state, Near Eastern kingdoms have a history of much stronger and more aggressive control over the economic systems of their people. More importantly, even through the overturn of the Achaemenid Empire and the vast changes wrought by Alexander and his successors, many of the traditional networks, both state and private, used by Persia continued to link vast geographical expanses together.⁵⁷¹ As J. G. Manning stated, “There are two other aspects that shaped Hellenistic economic institutions, the continuity of ancient Near Eastern patterns, and the growing political and trade connections between the Mediterranean and western Asia. This increasing interconnectedness, so famously noted by Polybius, was a major trend of the period.”⁵⁷² And it is these aspects which I will analyze in the following sections, as the Hellenistic world was dependent on the centuries-long, well-established bureaucratic economic institutions of the Near East and Egypt blending with the growing socio-political permeability of the Greek milieu.

As will be explained in greater detail below, the rulers of Near Eastern kingdoms organized their economic policies in order to fill their coffers, using both direct and indirect means. Phoenicia and Ptolemaic Egypt in particular facilitated trade networks, sponsored and

⁵⁷⁰ Characterized as such by M.M. Austin and P. Vidal-Naquet, *Economic and Social History of Ancient Greece: An Introduction* (Berkeley: University of California Press, 1977), 117) and Bissa, *Governmental Intervention in Foreign Trade*, 160.

⁵⁷¹ cf. Boehm, *City and Empire in the Age of the Successors*, 89-139, in particular 106.

⁵⁷² Manning, *The Open Sea*, 55.

organized by the state. Achaemenid and Seleucid Persia, while less directly invested in creating and maintaining these networks, reaped the benefits through methods common to all the kingdoms, the collection of taxation and tribute.⁵⁷³ Thus, even with the differences, the involvement of these state systems in economic transactions left a distinct impression on the region, even after their decline.

The Ancient Eastern Mediterranean: The Phoenicians

Even before the Classical Period, the leaders of some Near Eastern polities played a more direct role in economic matters, especially in matters of trade. Before the Mediterranean was filled with navies or Greek citizens colonizing the northern coasts of the sea, citizens of Near Eastern cities traveled vast distances to acquire what the many regions of the Mediterranean had to offer. The Phoenicians, especially those from Tyre and Sidon (two independent and leading cities of Phoenicia), are a particularly interesting case. They created more expansive and formalized networks than most of those in the Classical and Hellenistic periods. The Phoenician traders and merchants utilized state-sponsored methods of increasing their economic activity in their expansion across the Mediterranean, but they also relied on social network connections to maintain cohesion along their trade routes.

In the Medieval and Early Modern periods of history, economic social networks, such as the Maghribi traders or the Sephardic Jews of Livorno, Italy, provide a framework by which their actors can move through the world and cross state boundaries in pursuit of business, but with a support structure. It seems that a similar argument can be made for the Near Eastern- and

⁵⁷³ See for example, Makis Aperghis, "Population - Production - Taxation - Coinage: A model for the Seleukid economy," in *Hellenistic Economies*, edited by Zosia Archibald, John K. Davies, Vincent Gabrielsen, and G. J. Oliver (London: Routledge, 2001), 49-73.

Mediterranean-based civilization of the Phoenicians. Phoenician merchants moved across the Mediterranean with a strength that was unique for its time. Beginning in the 10th century, Phoenicians from Tyre, Sidon, and Byblos built their economic networks by using “islands and ports as trading posts and way stations, controlling sea lanes and trade, not territory.”⁵⁷⁴ They did not desire specifically to settle their own colonies, but rather focused on the movement of goods. At this time, the Phoenician leaders, a “mercantile oligarchy,”⁵⁷⁵ used diaspora groups to expand their territory - securing maritime routes to economically important and mineral-rich locations, such as Cyprus, and to build upon pre-existing commercial contacts with Levantine communities.⁵⁷⁶ These diaspora groups were not cities or towns in most cases, but rather “a patchwork of widely scattered merchant communities. Maritime trade, not territory, defined their

⁵⁷⁴ Andrew Lambert, *Seapower States: Maritime Culture, Continental Empires and the Conflict That Made the Modern World* (New Haven: Yale University Press, 2018), 29.

⁵⁷⁵ M. E. Aubet, *The Phoenicians and the West: Politics, Colonies and Trade* (Cambridge: Cambridge University Press, 1993), 113. For Aubet’s argument about the role of state sponsorship and control over trade, see 111-19, where she concludes that “public trade and private initiative...were perfectly complementary...it is a synchronous process” (118).

⁵⁷⁶ Taco Terpstra, *Trade in the Ancient Mediterranean: Private Order and Public Institutions* (Princeton: Princeton University Press, 2019), 47; Josephine Crawley Quinn and Nicholas Vella, eds., *The Punic Mediterranean: Identities and Identification from Phoenician Settlement to Roman Rule*, British School at Rome studies (Cambridge: Cambridge University Press, 2014), 113-47; Ora Negbi, “Early Phoenician Presence in the Mediterranean Islands: A Reappraisal,” *American Journal of Archaeology* 96.4 (Oct., 1992), 611; Hans Georg Niemeyer, “The Phoenicians in the Mediterranean. Between Expansion and Colonisation: A Non-Greek Model of Overseas Settlement and Presence,” in *Greek Colonisation: An Account of Greek Colonies and Other Settlements Overseas, Vol 1.*, edited by Gocha R. Tsetskhladze, 143-68 (Leiden: Brill, 2006), who calls these nodes *enoikismoï*. For rise of Phoenicia, and especially Tyre, see Glenn Markoe, *The Phoenicians* (London: British Museum Press, 2000), 22-37, and for strength of Tyre, see Lambert, *Seapower States*, 28: “The Phoenician cities emerged as key trading centres linking east and west in the twelfth century bc. When Egypt recovered and began to trade, Tyre, the most southerly major city, became the most important. It pioneered long- distance trades to the Aegean and to east Africa via Israel and the Red Sea. Closely attuned to the ebb and flow of regional power, Tyre was quick to break with Israel when Egypt recovered and sacked Jerusalem. Tyrian self- interest was paramount and, as a sea- trading nation, the Tyrians had an excellent intelligence network to inform their judgement.” The dating in this passage disagrees with other Phoenician-focused texts; however, the argument is still fairly accurate.

sphere.”⁵⁷⁷ These diasporic groups were Phoenician in ethnic identity,⁵⁷⁸ but worked in coordination with locals in order to promote economic relationships - effectively becoming what Philip Curtin calls a cross-cultural broker - and carve out a niche for their own network.⁵⁷⁹

One such diasporic node was located in Amathus, a coastal port on the southern edge of Cyprus founded by local Cypriots. Though this community only dates to the sixth century BCE, fairly late in Phoenician movement across the Mediterranean, evidence of a Phoenician node exists in the local cemetery. These burials show distinct Phoenician identity, particularly the use of cremation, an incredibly rare burial practice among Cypriot locals.⁵⁸⁰ Although this was a well-utilized trade port for Phoenician merchants, they neither moved to control the city nor fully integrated this diaspora with the rest of the local community.⁵⁸¹ Instead, they retained their foreign attributes, while living peacefully among the Cypriots.

⁵⁷⁷ Markoe, *The Phoenicians*, 11.

⁵⁷⁸ Contra Josephine Crawley Quinn, *In Search of the Phoenicians* (Princeton: Princeton University Press, 2018), 25-43 argues that a Phoenician identity did not exist until later time periods; however, I find her argument less than persuasive in light of the given evidence.

⁵⁷⁹ Such an argument is evident in Ezekiel. “Indeed, in the original text, the nations [which take part in Tyre’s vast commercial organization] are called *sohar* or *rokel*, equivalent to the *tamkarum* of the second millennium, and in this case they seem to be directly dependent on the king of Tyre. This means that Ezekiel’s text is not referring to nations as such, but to agents of Tyre acting as intermediaries with those nations” (Aubet, *The Phoenicians and the West*, 126). Philip Curtin, *Cross-Cultural Trade in World History* (Cambridge: Cambridge University Press, 1984), 53, 174, 198 *passim*.

⁵⁸⁰ Markoe, *The Phoenicians*, 170. For further information about the rarity of cremation in Cyprus, see Sarah Janes, “Death and Burial in the Age of the Cypriot City-Kingdoms: Social Complexity Based on the Mortuary Evidence,” *Bulletin of the American Schools of Oriental Research* 370 (November 2013), 145-168, 151.

⁵⁸¹ This lack of integration is evidenced by the particular formulation of the cemetery. It was partially isolated from the larger and more common cemetery for the city and seems to have contained only remains of Phoenicians. See again, Markoe, *The Phoenicians*, 170 and V. Karageorghis and N. Stampolidis, eds., *Eastern Mediterranean: Cyprus-Dodecanese-Crete 16th-6th cent. B.C.* (University of Crete: Athens 1998), 207-29.

Such communities are also attested in the earlier archeological record in Rhodes in the late eighth and seventh centuries BCE and in Sardinia as soon as the early eighth century

BCE.⁵⁸² As Tristan J. Barako explains,

In all cases, relations with the native population appear to have been peaceful, as evidenced by the absence of destruction levels at Phoenician colony sites; this is likely because of a mutual interest in ensuring the smooth operation of trade... On Malta, however, Phoenician colonies were founded in areas where local peoples were well established (i.e., Tas Silag), with whom the Phoenicians seem to have coexisted (Ciasca 1988, 206).⁵⁸³

In addition, in Cretan Kommos, a shrine in the Phoenician three-pillar style has been found, dated to approximately the ninth century.⁵⁸⁴ No significant settlement was founded, but a community was invested enough in the location to build markers of their culture and identity which could remain as a touchstone for diaspora. These peaceful cohabitations seemed to be have been the product of the Phoenician desire to promote expedient trade far more than engage in aggressive territorial control policies.

Socio-political conditions in the Mediterranean also played a role in the Phoenician tactics for building their trading network. The Phoenicians had to compete with more traditional empires, such as the Assyrians, in the centuries after building their economic power and could not depend solely on their cultural cohesion to ensure commercial success. Thus, they combined selective colonization and social networks to their best advantage. Andrew Lambert addresses this practice when he states,

⁵⁸² Markoe, *The Phoenicians*, 170-188. See also, F. Barreca, *La civiltà fenicio-punica in Sardinia*, 2nd ed., (Sassari 1988); P. Bernardini, R. D’Oriano, and P.G. Spanu, *Phoinikes Bshrn. I Fenici in Sardegna* (Oristano 1997); Glenn Markoe, *Phoenician Bronze and Silver Bowls from Cyprus and the Mediterranean* (Berkeley, 1985), 95-127.

⁵⁸³ Tristan J. Barako, “The Philistine Settlement as Mercantile Phenomenon?,” *American Journal of Archaeology* 104.3 (July 2000), 522. See also, B. S. J. Isserlin and J. du Plat Taylor, *Motya: A Phoenician and Carthaginian City in Sicily* (Leiden: EJ. Brill, 1974), 79; Aubet, *The Phoenicians and the West*, 205.

⁵⁸⁴ See Karageorghis and Stampolidis, *Eastern Mediterranean*.

Trade enabled strategically located sea cities and states, primarily the Phoenicians, to become rich, spreading people, customs and beliefs, and reshaping regional identities, notably that of Greek coastal settlements. However, the transformation from port to sea state and potentially seapower required a degree of stability and security against continental threats that the Levantine coastal cities could not hope to achieve. Internal stability was essential to encourage investment and maintain the political and cultural changes that sustained maritime commerce...Free-standing sea states run by ‘consortia of sea-trading families accumulated a degree of wealth belied by their diminutive size’.⁵⁸⁵

This “internal stability” was formed through the extensive use of social networks based on the same ethnic and cultural identity, integrated with colonies created and maintained as Phoenician footholds throughout the Mediterranean. New cities were founded, such as Carthage in the 9th century BCE, and old ports were captured or annexed, as Cyprus around the same time.⁵⁸⁶

This “formalized” expansion demonstrates a different facet of the Tyrian trade network. As María Eugenia Aubet argues, trading posts and a trade network were under the power of the state, but colonies, such as Carthage, combined state impetus and private merchant groups.⁵⁸⁷ Unlike the stateless traders of Greif’s Maghribi commercial coalitions, the Phoenicians were part of a combination system in which colonies with connections to the mother-city operated in tandem with more loosely connected diaspora communities - neither particularly superseding the other. One example of this colonizing effort was the creation of the city Cerro del Villar on an uninhabited island off the coast of Spain in the eighth century BCE.⁵⁸⁸ In this city, Phoenicians

⁵⁸⁵ Lambert, *Seapower States*, 23. Lambert here cites Cyprian Broodbank, *The Making of the Middle Sea: A History of the Mediterranean from the Beginning to the Emergence of the Classical World* (London: Thames and Hudson, 2013), 357.

⁵⁸⁶ Lambert, *Seapower States*, 29.

⁵⁸⁷ Aubet, *The Phoenicians and the West*, 147, “...some of the commercial settlements...were administered in principle by suffetes, that is by civil magistrates or judges who...governed in the name of the king...Furthermore, this institution guaranteed the administrative ties between the colony and the metropolis.” Cf. Sabatino Moscati, *Il Mondo dei Fenici* (Rome: Il Saggiatore, 1966).

⁵⁸⁸ In modern scholarship, some issues in terminology arise when discussing Phoenician colonization, as they were largely peaceful in all their interactions either diasporic or colonial. However, when dealing with the differences

built homes and other buildings with distinctly Phoenician attributes, very similar in style and construction as other Phoenician cities in the Eastern Mediterranean and even Tyre itself.⁵⁸⁹

However, they were the masters of their own domain and, apart from a loose connection with the mother-city, were not required to fit into any other political system already in place, local or Tyrian.

In such colonies, integration with non-Phoenicians occurred in the years after founding the city, marking this type of settlement as different in character from non-aculturated diaspora. As Delgado and Ferrer point out in their interpretation of Cerro del Villar, cooking pottery shows a multi-ethnic site in which traditional Phoenician baking ware is found alongside Iberian local styles.⁵⁹⁰ Phoenician identity remained distinct for at least a few hundred years after the founding, but political leaders of the colony included other communities within its social hierarchies.

A similar pattern is also reproduced at Sicilian Mozia/Motya,⁵⁹¹ Gadir,⁵⁹² and Ibiza. In Phoenician colonies, the power dynamics differ from those of diasporic nodes. In one manner of

between “diaspora” versus “colony,” it is important to note that joining a community, but remaining distinct is the hallmark of a diaspora and not simply a colonial action. For an example of a recent shift in terminology, see Taco Terpstra, “Chapter 2: Public Institutions and Phoenician Trade,” in *Trade in the Ancient Mediterranean: Public Order and Private Institutions* (Princeton: Princeton University Press, 2019), 33-82. It should be noted though that his use of “native diaspora” is not defined and creates some ambiguity in his meaning.

⁵⁸⁹ Ana Delgado and Meritxell Ferrer, “Cultural Contacts in Colonial Settings: The Construction of New Identities in Phoenician Settlements of the Western Mediterranean,” *Stanford Journal of Archaeology* 2007, 22-23. I do not agree with the authors of this article in their use of “colonial” and “colony,” as it seems to encompass too wide a variety of settlement systems in the Mediterranean.

⁵⁹⁰ Delgado and Ferrer, “Cultural Contacts in Colonial Settings,” 27-29.

⁵⁹¹ Delgado and Ferrer, “Cultural Contacts in Colonial Settings,” 31-34.

⁵⁹² Barako, “The Philistine Settlement as Mercantile Phenomenon?,” 522: “In general, the Phoenicians chose abandoned or sparsely settled sites, as at Motya, Monte Sirai, Sulcis, Gades/Cadiz, Ibiza, and Toscanos.” This allowed their more “formalized” colonial efforts to progress, without endangering the trade which was the primary reason for the expansion. See also, Isserlin and Taylor, *Motya*, 79; Aubet, *The Phoenicians and the West*, 205; E. Acquaro, “Sardinia,” in *The Phoenicians*, edited by S. Moscati, 210-24 (Milan: Bompiani, 1988), 214; H. G. Niemeyer, “The Phoenicians in the Mediterranean: A Non-Greek Model for Expansion and Settlement in

thinking, colonies function as anchors for the long-distance and centuries-strong trade network.⁵⁹³ Unlike nodes which need to be unobtrusive to the local population in order to fulfil their mandate to promote trade and work as a cultural and economic intermediary, the Phoenicians in colonies were the leading force. They chose to accept and integrate locals. However, the purpose for the creation of each settlement type was the same - the peaceful continuance and, possibly, growth of trade connections.

Evidence of different types of Phoenician settlements is stronger from later periods (such as the eighth century BCE) than the earliest Phoenician diaspora. But it seems to have been a continual pattern for the Phoenician traders to bridge differences between the locals and themselves. Moreover, even as ports grew more numerous and other states began to bolster their own economic prominence in the Mediterranean, the Phoenicians still depended on familiar identity markers, over the course of hundreds of years, to maintain their network. As one example, the worship of Tanit, a permutation of Astarte, was central to Phoenician seafarers and is attested through places of worship in many cities, ports, and even cave sanctuaries.⁵⁹⁴ These cave sanctuaries were often somewhat isolated from prominent cities, markets, and *emporia*. But visitations by Phoenician traders gave rise to “part-time ‘coastal ministers’” who possibly played

Antiquity," in *Greek Colonists and Native Populations: First Australian Congress of Classical Archaeology in Honour of A.D. Trendall*, edited by J.P. Descœudres (Oxford: Clarendon Press, 1990), 473; M. Semmler, "Spain," in *The Phoenicians*, edited by Moscati, 226-42.

⁵⁹³ There seems to be a terminological issue within studies of Phoenician settlements. Overall, settlements of various types are referred to as colonies. But this use of “colony” is too indiscriminate, especially given the complicated nature of the modern world’s relationship to colonization and associated colonial theories. As such, I argue that more precise terms should differentiate between types of settlements, such as those which integrate with existing local populations or those that operate more autonomously from their creation.

⁵⁹⁴ Aubet, *The Phoenicians and the West*, 144-158.

the role of trade middle-men in many of the smaller or less-central Phoenician ports.⁵⁹⁵ This association between religious leader and trader created more and more opportunity for economic endeavors, even in the less popular markets of the Mediterranean.

A more state-organized show of religious cohesion is the worship of Melqart - with a massive temple in Gadir, Spain (Iberia) anchoring the western end of the Phoenician world. Matching temples also existed in the mother-city, Tyre, and the most famous Phoenician colony, Carthage.⁵⁹⁶ Melqart was a deity of fertility, the sea, and overseas transport, who eventually became partially assimilated with the Greco-Roman Herakles/Hercules. The importance of this god, however, is not solely in the geographical expanse of its worship, but also in the power of the connections it inspired between Tyre and its colonies. Even after Carthage surpassed its mother city in the sixth century BCE in both economic and political importance, the Carthaginians famously sent tribute to Tyre every year until the Hellenistic period likely indicating “the tutelage of the king of Tyre over the Carthaginian maritime enterprise and the financial participation of Tyre in western trade.”⁵⁹⁷ This “financial participation” also indicates that even with the growth of Carthaginian power in its own right, the trading network linking the two remained strong, with supreme influence remaining at Tyre for centuries.

The role of Melqart as a connective link between Phoenician cities in the Western Mediterranean grew in strength even as the power of Tyre declined. Many Western settlements include temples or dedicatory inscriptions to Melqart into the 2nd century BCE, such as from

⁵⁹⁵ Mark A. Christian, “Phoenician Maritime Religion: Sailors, Goddess Worship, and the Grotta Regina,” *Die Welt des Orients* 43.2 (2013), 179-205.

⁵⁹⁶ For more information on Melqart in Carthage see, Quinn, “Melqart’s Mediterranean,” in *In Search of The Phoenicians*, 113-116.

⁵⁹⁷ Aubet, *The Phoenicians and the West*, 157. For ancient attestations of this tribute, see Diodorus Siculus 20.14.1-2; Polybius 31.12.10-13; and Arrian, *Anabasis* 2.24.5.

Tharros on Sardinia and from Malta.⁵⁹⁸ These settlements functioned in similar ways as the earlier Phoenician colonies and diasporic nodes. Though no longer directly founded by Tyre, they were “a network of cities whose inhabitants recognised Tyre as their motherland and the source of the political and religious legitimacy of their own communities, tied together by kinship through the figure of Melqart...”⁵⁹⁹ Central to these cities and the most powerful Phoenician city of the period was Carthage.

The rise of Carthage from Phoenician colony to an important force in the western Mediterranean began in the sixth century BCE.⁶⁰⁰ In its rise, it was able to adopt several of the

⁵⁹⁸ For the Sardinian inscription, see *ICO Sard* 32: L'DN L'LM HQDŠ MLQRT 'L HŠR. For the Malta inscription, see Giuseppe Garbati, “‘Fingere’ l’identità fenicia: Melqart ‘di/sopra šr,’” *Rivista di studi fenici* 40.2 (2012), 159–74, 168.

⁵⁹⁹ Manuel Álvarez Martí-Aguilar, “Hijos de Melqart: Justino (44.5) y la Koiné tiria entre los siglos IV y III A.c.,” *Archivo español de arqueología* 87 (2014), 20.

Such a characterization of Melqart as a tie between economic and political nodes, however, should not discount or overshadow the role of genuine religious practice associated with these cult locations. The purely religious aspects of these locations, though, fall outside of the focus of this dissertation. Thanks to my colleague Tal Ish-Shalom (NYU) for drawing my attention to this unintentional division.

⁶⁰⁰ Though I oppose this distinct split, for a traditional argument about the rise of Carthage as a “Punic” development as opposed to a “Phoenician” continuation, see Moscati, *Il Mondo dei Fenici*. Aubet also uses the distinction of “Punic” when referring to Carthage and its socio-political zone in the central Mediterranean, but she names Carthage a clear colony of Tyre and a continuation of earlier settlements and trading ports. Carthage differs, however, by growing and advancing as a city and eventual maritime power far earlier and faster than other Phoenician colonies in the central and western Mediterranean, see Aubet, *Phoenicians and the West*, 212-18, 226. Other scholars (with whom I agree - on this aspect), such as Quinn, *In Search of the Phoenicians*, 81 find the term “Punic” problematic: “Nonetheless, the widespread scholarly concept of a ‘Punic world’ in the western Mediterranean can be problematic. Like the Latin word on which it is based, the term ‘Punic’ is used with several different meanings in modern scholarship, from ‘western Phoenician,’ to ‘Carthaginian,’ to the mixed populations and cultures resulting from Phoenician colonization of a region, to (as in this book) the western dialect of the Phoenician language, and this is potentially confusing. Furthermore, despite the undoubted existence of a polythetic set of overlapping tastes and mutual borrowings, strong arguments have been made against the notion of a single, homogenous ‘Punic’ culture. As in the east, there is also great diversity within individual regions and islands, and there are complex connections with other populations and practices. Particular difficulties are associated with a very specific model championed by Sabatino Moscati in the mid- twentieth century that then became standard in much European scholarship, according to which the ‘Punic world’ dates only from the sixth century BCE, replacing a ‘Phoenician’ phase in the west, and was a direct result of increasing Carthaginian hegemony in the region.” For a reassessment and reduction in Carthaginian power in the Western Mediterranean, see Peter van Dommelen, “Punic Identities and Modern Perceptions in the Western Mediterranean,” 42-57 and Boutheina Maraoui Telmini, et al., “Defining Punic Carthage,” 113-47 in *The Punic Mediterranean*, edited by Quinn and Vella.

networking practices that Tyre had begun. One instance of this was the promotion of the Melqart cult in new locations. In Sardinia, a founding deity, Sardus Pater, was worshipped as early as the fifth century BCE. When the Carthaginians established their own temple there, they were able to assimilate Sardus with Melqart, forging a cultic network between the two similar, yet differing figures, much as the Black Sea Parthenos-Artemis cult would eventually form in the eastern Mediterranean.⁶⁰¹ Another example of a Phoenician policy is in the type of structures Carthage built in areas under its influence. Trading posts and harbors for merchant ships continued to predominate along the shores.⁶⁰² Much like Tyre, Carthage had a “commercial orientation on the part of such centers toward the trading circuits within Carthage's sphere of influence.”⁶⁰³ Carthage leveraged its position in the middle of the east-west Mediterranean trade route to benefit from the trade passing near its shores and the local islands, particularly Sicily. This led to its own diasporic nodes in certain Magna Graecia Greek cities and even allowing Greeks to settle within its own borders to facilitate trade.⁶⁰⁴

Carthage was able to capitalize on these common ties in order to spread its influence throughout the central Mediterranean. In doing so, however, it responded to obstacles differently

⁶⁰¹ Quinn, “Melqart’s Mediterranean,” 126-127. It should be noted that Carthaginian military conquest was likely more overt in the incorporation of Sardinia into any trade network and that these cultic ties were addenda to support lasting control.

⁶⁰² Sabatino Moscati, “A Carthaginian Fortress in Sardinia,” *Scientific American* 232.2 (1975), 81: “Almost all the other known Carthaginian and Phoenician settlements on Sardinia were located at coastal sites; like similar settlements elsewhere in the region, they functioned as entrepôts: combined warehouses and trading posts connecting the sea routes used by trading vessels.”

⁶⁰³ Mary Lou Zimmerman Munn, “Corinthian Trade with the Punic West in the Classical Period,” *Corinth* 20, (2003), 210, n.43, describing Aubet’s argument in “From Trading Post to Town in the Phoenician-Punic World,” in *Social Complexity and the Development of Towns in Iberia from the Copper Age to the Second Century A.D.*, 47-65, edited by B. Cunliffe and S. Keay (Oxford: Oxford University Press, 1995).

⁶⁰⁴ Quinn, *In Search of the Phoenicians*, 83, citing Elizabeth Fentress, “Strangers in the City: Élite Communication in the Hellenistic Central Mediterranean,” in *The Hellenistic West: Rethinking the Ancient Mediterranean*, edited by Jonathan R. W. Prag and Josephine Crawley Quinn, 157-78 (Cambridge: Cambridge University Press, 2013), with Diodorus Siculus 14.46 and 14.77.5.

from the Phoenicians. One such example lies in the numismatic evidence. The Phoenicians did not originally produce their own coinage, as their trade empire began far before even the earliest proto-coinage.⁶⁰⁵ Carthage, however, grew to prominence in a time rife with coinage. Using images common to Phoenician identity, Carthage minted coins with the *phoinix* or palm tree and a horse, based on the Attic standard, which spread around the central and western Mediterranean. Josephine Crawley Quinn argues that these images are direct links between motherland identity and the territorial expansion Carthage craved during its state-building activities. Not to break away from Phoenician identity in order to build an independent state, but to build upon common ties in order to network established settlements together even more closely.⁶⁰⁶ Tyre did not seem to rely on such symbols to maintain the network, but Carthage's growing desire for explicit territorial control seemed to need more support, especially in order to work with or fight off the Greeks, either as inter-state trading partners or competitors.⁶⁰⁷

⁶⁰⁵ This is not to say that the Phoenicians did not mint their own coinage, which would be patently false. They simply did not use it as a method to extend and maintain their trade network. See for example, Quinn, *In Search of the Phoenicians*, 79: "Arados, Byblos, Tyre, and Sidon, the four Levantine cities that fielded substantial naval fleets, began to mint their own silver and bronze coinage in the mid- fifth century. There is considerable variation in when and how they did this, but also evidence for increasing standardization between them. So Arados always used the Persian weight standard; Byblos and Tyre experimented with the Attic one; but over time, and somewhat inconsistently, Byblos, Tyre, and Sidon adopted a new standard that was based on a silver shekel and is now known as "Phoenician.""

⁶⁰⁶ Quinn, *In Search of the Phoenicians*, 86-90. The outcome of this unification of symbolism, however, was "But if Carthage's coins promoted a common Phoenician identity across the broad regions it controlled in the west, this later civic coinage puts Tyre itself back in the driver's seat after Carthage's humiliation in the Second Punic War at the hands of Rome, emphasizing Tyre's primary role in the networks of Phoenician- speaking settlements both at home and overseas" (Quinn, *In Search of the Phoenicians*, 137).

⁶⁰⁷ This desire for territory was very different from earlier Phoenician goals and is evidenced by the Carthage-Rome treaty in which Carthage dictated terms covering a significant portion of land beyond the bounds of the city (whether or not their direct control over these areas was practical and realistic). See Polybius 3.22-23 and Quinn, *In Search of the Phoenicians*, 87: "Polybius's account of a treaty between Rome and Carthage in 509 BCE mentions an area controlled by Carthage in Sicily and provides rules for the conduct of Roman trade in Sardinia and Libya as well as the banning of Roman ships from sailing down the African coast east of a "Fair Promontory" (probably Cap Bon)..."

A more militant example of policy diversion is the Sicilian settlement of Motya, mentioned earlier. This city followed the standard Phoenician development by interacting peacefully with the local populations and building a strong base for trade. However, as Greek colonization efforts grew and spread, these older Phoenician settlements came to be threatened. Carthage became a protector for these smaller Phoenician settlements, as they were forced to build up walls and other types of fortifications to protect their centers from Greek incursions.⁶⁰⁸ To prevent seizure or occupation by the Greeks, these areas transformed from trading posts of various sizes to more complete urban centers, “Punic” in style, and protected by the Carthaginian navy.⁶⁰⁹ In order to face certain challenges, such as the expansion of Greece and, later, the rising power of Republican Rome, Carthage turned away from some of the more peaceful Phoenician policies and used force in order to control territory and trade networks.⁶¹⁰ As such, it is reasonable to refer to this period of military and economic expansion as similar in some ways, but different in character from that of the Phoenicians.

In the end, however, “Punic” policies of military force, instead of the more peaceful Phoenician methods, created tensions and enemies for Carthage. The most substantial of these was obviously Rome, who claimed to destroy the city in 146 BCE. Carthage was able to overcome its losses in the second Punic War (218-201 BCE) and generally retain its position within the economic and political world of the Mediterranean, until the Roman decision to destroy the city. The impact of the Punic Wars (246-146 BCE) and the eventual destruction of Carthage as a major player in the Western Mediterranean unequivocally tipped the balance of

⁶⁰⁸ Aubet, *Phoenicians and the West*, 233.

⁶⁰⁹ Aubet, *Phoenicians and the West*, 233-34.

⁶¹⁰ Aubet, *Phoenicians and the West*, 226-28 and 230.

power in Rome's direction and provided the economic underpinnings for its expansion into the eastern Mediterranean.

The continual connections between Tyre and its numerous trans-Mediterranean settlements from the tenth century BCE until the fall of Carthage in the Hellenistic period speak to the power of intermingled state-run and private trade forming one interrelated and interconnected trading network. The ethnic, religious, and even architectural markers of identity which held this network together show the efficacy of social networks in diaspora contexts.⁶¹¹ Moreover, this trade network did not just exist, but rather dominated the Mediterranean until the Persian conquest of Tyre (539 BCE) weakened connections to the homeland and the destruction of Carthage finally severed Punic control of the west. And while Phoenician power waned in the following centuries, it did not cease entirely even through the Roman Imperial period.⁶¹² Thus, through the combination of formal institutions and diaspora communities, the Phoenicians model an exceptionally early manner in which state organization and social connectivity can promote long-term economic relationships.

Achaemenid Economics and Continuation of Earlier Patterns

⁶¹¹ Interestingly, the term "diaspora" occurs multiple times in two new texts about the Phoenicians, M. E. Aubet's *The Phoenicians and the West* and Mark Woolmer, *Ancient Phoenicia: An Introduction* (London: Bristol Classical Press, 2011). This shift in vocabulary bolsters my own interpretation, especially as the more traditional and problematically vague term of "colony" has been applied too broadly in Phoenician studies. While my agreement with Aubet's argument in particular should be clear, there is still a divide in the field about the implementation of this term (c.f. Roger Wright, "Review of *The Phoenicians and the West 2nd Ed.*," *Bryn Mawr Classical Review*, 2003, <http://bmc.brynmawr.edu/2003/2003-12-17.html>: paragraph 7 "The expansion [rather confusingly referred to consistently as the 'diaspora'] is presented in an order which runs approximately from East to West...")

⁶¹² More information on this aspect of Phoenician trade will be discussed below; but, diasporic nodes continued to call upon their homeland through the Hellenistic and Roman periods. For example, a Tyrian merchant association dedicated an inscription on Delos in 153/2 BCE (*IDelos* 1519 or *CIG* 2217) and the community in Puteoli sent a letter to Tyre in 174 CE begging for money as they were facing penury due to their decreasing numbers (*CIG* 2217). See also, Terpstra, *Trade in the Ancient Mediterranean*, 53-74.

By the mid-sixth century BCE, Achaemenid Persia took control of the eastern Phoenician territory, as well as nearly all the overland trade routes stretching from modern Turkey through Egypt and from the Mediterranean Sea to Kandahar and the borders of India. Built upon the innovations and methods of previous empires, Persia was a vast bureaucratic institution, able to maintain roads for wheeled vehicles for thousands of miles, patrol those roads for safety and enforcement, provide military escorts for newly arrived or departing diplomats, ensure stability and communication by the use of networks of garrisoned troops across the empire, move mail, and even enforce the use of letters of introduction for servants of the king as they carried out his wishes.⁶¹³ Persia used this vast bureaucracy not to micromanage every aspect of its economic endeavors, but to integrate economic and trade control into military and political institutions.⁶¹⁴ In addition, private merchant networks were operated by powerful families deeply embedded in the hierarchical structure of the Persian Empire. As such, Persian kings may not have had direct control over trade networks, but they maintained effective control over profit derived from the environment and the actors.⁶¹⁵

The public economy of Achaemenid Persia was primarily based on income from the royal estates and on taxation and tribute. And while the intensity and methods of the collection

⁶¹³ Pierre Briant, *From Cyrus to Alexander: A History of the Persian Empire* (University Park: Eisenbrauns Publishing, 2002), 364-377.

⁶¹⁴ Briant, *From Cyrus to Alexander*, 371-2. The royal roads facilitated trade, but above all they were military and administrative arteries for the empire.

⁶¹⁵ Alain Bresson argues that the Achaemenid state “played ordinarily no role in trade between individuals, which thus remained private” (*The Making of the Ancient Greek Economy*, 267), but acknowledges the coining of money as a state guarantee of the quality of the silver, which was largely used in inter-state trade. Cf. Muhammad Dandamaev, *A Political History of the Achaemenid Empire*, translated by J. Volgelsan (Leiden: E.J. Brill, 1989) and Muhammad Dandamaev, “Babylonia i. History of Babylonia in the Median and Achaemenid periods,” *Encyclopaedia Iranica*, <http://www.iranicaonline.org/articles/babylonia-i> (accessed May 4, 2019), who argues that “Persians took an ever more active part in local transactions, usually working through their agents who were for the most part Babylonians, Arameans, Egyptians, etc. Even Cambyses, while prince, became involved in usury, making loans through his steward.”

of taxes varied across the expanse of the empire, there are a few things that can be said about the methods and intent behind them.⁶¹⁶ Taxes and tribute were rarely differentiated in Persian documents - both referred to as *bāji* in Old Persian, *baziš* in Elamite, and *mandattu* in Akkadian.⁶¹⁷ However they should be identified, these dues, such as on the sale of land, were paid to the King largely in kind. More trade specific taxes, such as the *mūšu*, the *miksu*, and the *kāru* taxes (city gate, bridge, and harbor taxes respectively), were mostly paid in silver and could be up to 30% of the goods intended for trade.⁶¹⁸ Their collection, however, was administered by dispersed institutions throughout the Empire, reducing the amount of centralized control needed, while ensuring that every area paid its necessary dues to the Great King. In particular, the King designated satraps, satraps controlled their regions as representative of the kings, the temples and royal residences were the collection points for taxation, and elite families operated their private trade and economic endeavors within this system.

The temples, such as those of Marduk in Babylon (Esagila), of Shamash in Sippar (Ebabbar), of Nabu in Borsippa (Ezida), played an administrative role within the Achaemenid Empire. Not only did they owe taxes and services, such as corvée labor, to the state, but they

⁶¹⁶ Most information about Achaemenid practices come from Babylonia and the Persepolis Fortification Archive (or external Greek authors). For a thorough overview of the topic, see Kristin Kleber, "Taxation in the Achaemenid Empire," in *Oxford Handbooks Online* (2015), <https://doi.org/10.1093/oxfordhb/9780199935390.013.34>.

⁶¹⁷ The equivalence of these terms is best attested in their appearance together in Darius's trilingual Bisotun inscription, see Chul-Hyun Bae, *Comparative Studies of King Darius's Bisotun Inscription*, PhD diss., Harvard University (2001).

⁶¹⁸ Michael Jursa, *Aspects of the Economic History of Babylonia in the First Millennium BC*, *Alter Orient und Altes Testament* 377 (Münster: Ugarit-Verlag, 2010), 646. This seems to be a very high percentage, perhaps speaking to the Persian distance from trade. Unlike the Greek *poleis*, they were less dependent on many goods impossible to obtain from within state boundaries and therefore were less inclined to make themselves attractive to merchants and traders.

also collected the local taxes from the population.⁶¹⁹ They also occasionally conducted trade with the surrounding population, which in places like Sippar, included many foreigners who had relocated for the economic prospects.⁶²⁰

Unlike more modern conceptions of temple economics, the Achaemenid kings did not find the temples to be inviolate entities. According to M. A. Dandamayev, “A considerable number of documents attest that the king and his officials interfered actively in temple affairs, in particular, in those of an economic character.”⁶²¹ This duality of requirements reaffirmed the hierarchy of the Persian system and shows that the Persian leaders did not need to implement their own structures for economic security, but rather built upon the foundations inherited from their predecessors. The temple bureaucratic structure was integrated with the Achaemenid government, without changing significantly from the previous era.

The royal palaces or residences also played a multi-functional role. For even when the King was not in residence, these buildings acted as

super-regional administrative, economic, and military centers...The palaces and their surrounding installations collected and distributed commodities, foodstuffs, and monetary and symbolic resources. Economically or strategically important satrapal capitals, such as Sardis or Bactra, served these same administrative functions and enjoyed similar associated infrastructure, including archives,

⁶¹⁹ Michael Jursa, “Taxation and Service Obligations in Babylonia from Nebuchadnezzar to Darius and the Evidence for Darius’ Tax Reform,” in *Herodotus and the Persian Empire*, edited by Robert Rollinger, Brigitte Truschnegg, and Reinhold Bichler, 431–448 (Wiesbaden, Germany: Harrassowitz, 2011).

⁶²⁰ Tero Alstola, “Judean Merchants in Babylonia and Their Participation in Long-Distance Trade,” *Die Welt des Orients* 47.1, Traders and the Exchange of Religious Ideas: Case Studies of Material Evidence (2017), 41: “In this connection, it is important to note that some members of the Sipporean trading community participated in long-distance trade from Syria and the Levant to Babylonia. Accordingly, the family of Arih was rooted in two distinctively international realms of Babylonian society. On the one hand, they were part of the state apparatus as royal merchants, and, on the other hand, they were members of the multi-ethnic community of traders at the quay of Sippar.”

⁶²¹ M. A. Dandamayev, “State and Temple in Babylonia in the First Millennium B.C.,” in *State and Temple Economy in the Ancient Near East*, edited by Edward Lipinski (Leuven: Orientalia Lovaniensia Analecta, 1979), 591.

storehouses, paradise plantations, and military strongholds. The storehouse installations around the cities and the palace treasuries collected and redistributed an abundance of agricultural goods and natural resources extracted from the provinces...the treasuries of imperial centers and satrapal capitals collected and stored money and precious objects, such as gold and silver tableware, clothing, and jewelry, to be distributed to the empire's hierarchy as marks of their inclusion within the Persian courtly hierarchy.⁶²²

These “super-regional centers” are not linked directly with trade, but with their central position within each region and their known function as “storehouses,” it is easy to see a possible connection. Trade across an empire as large as Persia would require stopping points and safe places to store goods in between origin and destination. Moreover, the royal roads connected these residences, as well as military outposts, guard stations, and caravanserai. The Persian interest in maintaining strong connections between its administrative centers also worked to promote trade, as quality roads and built-up river ports support the transportation of goods as well as troops and messengers.⁶²³

The Achaemenids rarely involved themselves directly in the minutiae of trade. Rather, they relied on the private networks of their elite families to supply the necessary goods. Families such as the Egibi family of Babylon or Murashu family of Nippur moved goods between country and city and participated in regional transportation.⁶²⁴ Under certain conditions, they could even act as tax farmers or use royal or temple land in order to grow local produce which would then be sold at market, such as when Iddin-Marduk, a part of the Egibi family grew garlic upon

⁶²² Matthew P. Canepa, *Transforming Royal Identity through Architecture, Landscape, and the Built Environment, 550 BCE–642 CE* (Berkeley: University of California Press, 2018), 25.

⁶²³ Abhay Kumar Singh, “Tackling Heterogeneity: Critique of the Achaemenid Policy of Assimilation,” *Proceedings of the Indian History Congress* 65 (2004), 1021, n.12: “The institutional and infrastructural improvements were made to enhance efficiency; the policy innovations and reforms for consolidation of the empire. Establishment of communications and strategic capitals are the examples of the infrastructural developments while the revenue and religious policies may be cited under the reforms. Darius (I) introduced a legal code, improved communications, standardized weights and measures. He even planned a canal to facilitate trade.”

⁶²⁴ Alstola, “Judean Merchants in Babylonia and Their Participation in Long-Distance Trade,” 28.

borrowed royal lands.⁶²⁵ Such opportunities were only open to the wealthiest of families, linking even more closely so-called private economic actors and the state institutions. In addition, the Murashu archive indicates that the Egibi also acted as one of the first banking firms. They kept deposits and even collected taxes on behalf of the state. Their influence stretched through Southern Mesopotamia and into the region of Elam.⁶²⁶ This use of an intermediary, which was firmly ensconced in the social hierarchy, in conjunction with the temple taxation and tribute collection, allowed Persia to benefit from trade without the effort of maintaining their own specific institutions. As one scholar wrote, tribute and taxation can easily be reframed as the “bleeding off of the commercial profits generated by the trade.”⁶²⁷ The state promoted and directed these networks and connections through its influence over elite members of society, but did not have a direct hand in their development or decisions.

However, this is not to say that the Persian government took no steps to promote or control trade directly across the borders of the empire. The minting of coins began around 500 BCE, but a standard Achaemenid coinage was never produced for the whole of the empire. Local productions, with the siglos (pl. sigloi) as the main denomination, but minted by a variety of authorities, functioned as currency in Persia.⁶²⁸ The variety from region to region seems to have reflected the dispersed authority of the Persian bureaucracy and the main governmental

⁶²⁵ Jursa, *Aspects of the Economic History of Babylonia*, 217.

⁶²⁶ Mark Altaweel and Andrea Squitieri, *Revolutionizing a World: From Small States to Universalism in the Pre-Islamic Near East* (London: UCL Press, 2018), 172 and Muhammad A. Dandamaev and Vladimir G. Lukonin, *The Culture and Social Institutions of Ancient Iran*, translated by Philip L. Kohl and D. J. Dadson (Cambridge: Cambridge University Press, 1989).

⁶²⁷ Briant, *From Cyrus to Alexander*, 387.

⁶²⁸ Christopher Howgego, *Ancient History from Coins*, *Approaching the Ancient World* (London: Routledge, 1995), 46-47.

body did not find regulation of coinage worth the effort, especially as most taxes and tribute were paid in kind. The one exception, however, is the daric. Both produced from the late 500s and spanning the empire's duration, the darics and sigloi functioned as cooperative halves of a single monetary system.⁶²⁹ The daric was the Achaemenid version of the Cyzicene stater and produced at a weight and worth that made it significantly less useful for daily living.⁶³⁰ As such, the use of the gold daric was limited almost entirely to purposes of interregional trade.⁶³¹ Its size and the rarity of finds outside of western Asia make it much more likely to have been the state's contribution to trade with the Greek *poleis*.

As noted above, the great Persian entrepreneurial families,⁶³² although involved in local trade, had less obvious ties with the long-distance movement of goods. But in this sphere, Persia benefited from social networks, much in the same way that the Greek *poleis* did. Even though the more egalitarian Greek private associations and cultic networks seem less prominent in Persia, ethnically- and religiously-based networks did exist, specifically in the luxury good trade. For the overland trade, such groups as the Judean merchants worked to establish their own connections in foreign lands. One such example is between a Jewish woman, Kaššāya, and her Babylonian husband.⁶³³ Her forefather, Arih, was named in the Egibi archives as a merchant

⁶²⁹ Cindy L. Nimchuk, "The "Archers" of Darius: Coinage or Tokens of Royal Esteem?," *Ars Orientalis* 32, *Medes and Persians: Reflections on Elusive Empires* (2002), 55-79: "...the gold darics and silver sigloi of the Achaemenid empire are seen as functionally continuing the innovative bimetallic system of the Croeseids..." (60).

⁶³⁰ J. Johnston, "An International Managed Currency in the Fifth Century," *Hermathena* 22.47 (1932), 132-157.

⁶³¹ Daniel Schlumberger, "L'argent grec dans l'empire achéménide," in *Trésors monétaires d'Afghanistan*, *Mémoires de la délégation archéologique française en Afghanistan* 14, 3-62, edited by R. Curiel and D. Schlumberger (Paris: Klincksieck, 1953).

⁶³² For arguments reconceptualizing the Elgibi family as "entrepreneurial" instead of "banking," see Cornelia Wunsch, "The Elgibi Family," in *The Babylonian World*, edited by G. Leick (London: Routledge 2007), 232-242.

⁶³³ Alstola, "Judean Merchants in Babylonia and Their Participation in Long-Distance Trade," 29-41.

with common ties to Sippar and Judea, but in the generations between them and following her death, this family showed that “members of the Sipparean trading community participated in long-distance trade from Syria and the Levant to Babylonia. Accordingly, the family of Arih was rooted in two distinctively international realms of Babylonian society.”⁶³⁴ The ruling administration did not seem to interact with such social networks, apparently not even to honor them as Greek *poleis* did. But their improvements to religious and administrative centers gained them corresponding income from taxation on trade and the increasing population.

Persia was interested in gaining the most profit for the least output of energy and manpower.⁶³⁵ For long-distance trans-Mediterranean maritime trade, this meant not creating their own networks or connections, but rather folding the existing Phoenician network (as outlined above) into their own systems of control. As Josette Elayi explains, this method of control was not new to the Achaemenid Persians, but rather

Despite a certain evolution, the aims and policy of the occupier towards the Phoenician cities had not fundamentally changed during these four centuries of intense foreign domination...The cities of Tyre, Sidon, and Arwad still possessed the essential assets that led their conquerors to handle them tactfully. Their fleets formed the basis of the Persian naval power needed to maintain the empire, their coastal sites were critically strategic positions, offensively and defensively, and their economic prosperity constituted a source of abundant profit. The political skill displayed by the Persian conquerors, like that of their predecessors, consisted not in making these assets their own, but in leaving the Phoenician cities autonomous while monitoring them, to be able to take maximum advantage of the situation.⁶³⁶

The Persian Empire found a multitude of ways to derive benefit without reinventing systems that already worked effectively, especially since the Phoenician trade network, essentially controlled

⁶³⁴ Alstola, “Judean Merchants in Babylonia and Their Participation in Long-Distance Trade,” 41.

⁶³⁵ Josette Elayi, *The History of Phoenicia*, translated by Andrew Plummer (Bristol: Lockwood Press, 2018), 228.

⁶³⁶ Elayi, *The History of Phoenicia*, 228.

by the state officials at Tyre, had continued uninterrupted for hundreds of years. Profit through taxation and control over territory was the main goal for the Persians, not the trade processes themselves.

In doing so, Achaemenid Persia continued a pattern of Near Eastern kingdoms using the royal and bureaucratic structure to aid trade following the hierarchy of a strong state system. The economic actors, nominally private, were privileged according to their status, as elites controlled many of the economic opportunities within their regions, with state permission. Foreigners and conquered peoples were allowed to operate within the bounds of the empire, but generally without special benefits to attract them. The Persian Empire relied on its prevalent position as the main power in the Near East to ensure that trade goods flowed into its markets. This system varied greatly in style and attitude from the smaller and weak state systems of the Greek *poleis*. But both systems retained a reliance on social networks to transport goods.

In the Wake of Alexander: Economics in the Hellenistic Kingdoms

A nineteenth- and twentieth-century attitude, beginning with Johann Gustav Droysen, modeled Alexander the Great as a “great man” who revitalized a stagnant and failing Near Eastern economy.⁶³⁷ As evidenced from the examples above, the Near Eastern economy was in no way stagnant before being conquered by Alexander. His actions, however, did have a distinct impact on the kingdoms which divided the land after his death. The successor states, referred to as the Hellenistic kingdoms from here on, scrambled to secure their borders in the fight for power after Alexander’s death. In doing so, the Hellenistic world saw a continuation of some Persian economic policies, as well as a turn towards newly created Greek-style *poleis* in certain

⁶³⁷ Johann Gustav Droysen, *Geschichte des Hellenismus Vol.1* (Berlin: Salzwasser-Verlag GmbH, 1843).

regions. But in some situations, the Hellenistic kingdoms increased state-driven infrastructure which aided trade and the use of overland trade routes. In the following sections, I will argue that while the Seleucid Kingdom implemented some economic institutions of the traditional Greek *poleis*, it followed more closely Achaemenid precedents. In comparison, the Ptolemaic Kingdom often had much greater state control over trade and the merchants who operated within its borders. In addition, it used this control to play an active role in the creation and stabilization of long-distance trade networks.

Certain commonalities between these states arose due to their corresponding origins. As J. K. Davies stated,

It is commonplace to observe that Ptolemies and Seleucids, and Antigonids in relation to land outside Macedonia, regarded their territories as spear-won land, theirs by right of conquest and inheritance in an interpretation far-reaching enough to allow inheritance by will. In this sense the land was the king's as beneficial landowner, and taxation on land was paid to him as rent to a landlord. In theory, therefore, absolute proprietorship bestowed absolute property-power, and the concentration of financial resources which it thereby permitted and their redistribution to courts, armies, cities, temples and artists, not only largely account for the patterns of Hellenistic patronage but also made any ruler who cared to use his opportunities into a power capable by itself of transforming economy and society.⁶³⁸

He goes on to qualify much of this statement. Though the monarchy theoretically could allow the kings to act as they pleased with regards to land ownership and their relationships to the leading elites, retaining the status quo in regards to the traditional hierarchies in place was fundamental to controlling these “spear-won” lands – lands that were highly diverse in their populations and historical contexts. How the kingdoms navigated their newfound power and the existing structures differed in each example. Yet, some aspects of “Greek economic mentality”

⁶³⁸ J. K. Davies, “Cultural, Social and Economic Features of the Hellenistic World,” in *The Cambridge Ancient History VII.2: The Hellenistic World (2nd ed.)*, edited by F. W. Walbank, A. E. Astin, M. W. Frederiksen, R. M. Ogilvie (Cambridge: Cambridge University Press, 2008), 296.

came into play in each location, influencing continuity and change with respect to trade, taxation, and other institutions.⁶³⁹

Thus, there is great variation between the successor states and their policies. The Attalids and Antigonids, for instance, ruled areas that were traditionally settled by Greek *poleis* and colonists in northern Greece and Asia Minor. And, their political and economic systems remained, even in the Hellenistic period, more similar to other Greek *poleis*, even if led by a dynastic monarch. In comparison, the Seleucids and the Ptolemies, which will be analyzed in greater detail below, ruled states that were based on long-standing non-Greek institutional practices - those of the previous Persian and Egyptian dynasties. Therefore, these Near Eastern kingdoms have a distinctly different pattern of development and state control, which in the case of Egypt eventually set new precedents for Near Eastern polities with regards to trade.⁶⁴⁰

The Seleucid Kingdom: Continuation and Innovation

One of the largest and most enduring problems in the study of Near Eastern, particularly Seleucid (312 BCE - 63 BCE), economic history is the types of documentation and source material. Even in the greatest administrative and archival centers Babylon and Persepolis, from which comes most of the surviving sources, such as the Babylonian Astronomical Diaries and

⁶³⁹ I use “economic mentality” in this context in the same way as J. G. Manning did when speaking of the Ptolemaic Kingdom, in which he stated, “...the Greek economic mentality, including the increasing importance of market exchange, and the revenuecreating institutions that emerged in the wake of the Athenian loss of empire in fourth century bc, must be incorporated within any model of the Ptolemaic economy” (J. G. Manning, “Networks, Hierarchies, and Markets in the Ptolemaic Economy,” in *The Economies of Hellenistic Societies, Third to First Centuries BC*, edited by Zosia Archibald, John K. Davies, and Vincent Gabrielsen (Oxford: Oxford University Press, 2011), 300). This is not meant to overshadow the very real and significant differences between policies and level of state involvement in the various regions, but rather appreciate the period of political and economic change.

⁶⁴⁰ This aspect will be illustrated in more detail in the following chapter as the Nabataean Kingdom seems to have modeled its own state-sponsored network on the example of the Ptolemaic monopolies and trade policies.

the Persepolis Texts, the picture is uneven at best, in particular due to the number of unpublished tablets.⁶⁴¹ However, continuing scholarship of Seleucid economic history has shown convincingly that while Seleucid leaders may have come from a Greek background and incorporated large numbers of Greek settlers into Mesopotamia and the Iranian Plateau, overall, many of their policies were continuations of Achaemenid predecessors. Especially once away from the transportation highways of the Mediterranean Sea and the Euphrates and Tigris Rivers of Mesopotamia, certain aspects of life continued much as it had before the incursion of Alexander the Great.⁶⁴² However, the Seleucids worked to reframe the political and economic centers of Persia for their own needs, shifting centers of power away from Achaemenid strongholds. As a result, their institutional arrangement seems to be a combination of Greco-Macedonian and Persian traditions. As under the Achaemenids, however, tracing trade remains elusive, confining modern understandings to generalities about location and taxation.

Much like the Achaemenids before them, the Seleucids governed through a dispersed hierarchy of elites. These elites oversaw certain regions, as representatives of the king, similar to satraps under the Achaemenids.⁶⁴³ However, where the Achaemenid satraps occasionally grew

⁶⁴¹ David Engels, “The Achaemenid and Seleucid Court: Continuity or Change?,” in *The Hellenistic Court: Monarchic Power and Elite Society from Alexander to Cleopatra*, edited by Andrew Erskine, Lloyd Llewellyn-Jones, and Shane Wallace (Swansea: Classical Press of Wales, 2017), 70: “...archaeological or material evidence for both courts is extremely scarce, perhaps even more so for the Seleucids than the Achaemenids, and what little is preserved mostly concerns regions peripheral to the core of the empire, such as Asia Minor, and excludes the Syrian and Iranian heartlands of both realms.”

For a more thorough overview of the Greek and local language sources for Seleucid history, see G. G. Aperghis, *The Seleukid Royal Economy: The Finances and Financial Administration of the Seleukid Empire* (Cambridge: Cambridge University Press, 2004), 7-18.

⁶⁴² See, for example, Aperghis, *The Seleukid Royal Economy*; Matthew P. Canepa, “Chapter 3: The Destruction of Achaemenid Persia and the Creation of Seleucid Iran,” *The Iranian Expanse: Transforming Royal Identity through Architecture, Landscape, and the Built Environment, 550 BCE–642 CE* (Berkeley: University of California Press, 2018), 42-67.

⁶⁴³ Canepa, “The Destruction of Achaemenid Persia and the Creation of Seleucid Iran,” 42-43.

exceptionally powerful, the Seleucids organized against this by dividing the satrapy regions into smaller, less powerful divisions.⁶⁴⁴ In addition, they further bureaucratized the administration of the kingdom by appointing different responsible parties to different areas, such as finances. For example, Tel Kedesh, in modern Israel, became the site of an expansive administrative building in charge of taxation for the local region.⁶⁴⁵ The official or officials stationed here, responsible for everything within the realm of taxation, but little else, then reported directly to the Seleucid king.⁶⁴⁶

In matters of royal finances, similar practices continued through the regime change. Royal land could still be leased by the king in return for rent and other forms of taxation. However, in the case of the Seleucids, water rights seem to have become more important and, therefore, more expensive.

It is not clear how much land was owned by the king. If the land was directly administered on his behalf, he obviously received the full revenue. If the land was leased to royal tenants, the king could expect at least rent for the land, and perhaps for the equipment, along with water dues amounting in total to perhaps per cent or more of the harvest. There is one revealing cuneiform text from the start of the Seleukid period (308BC) which refers to a dispute concerning the ownership of arable land, which is finally conceded to the Ebabbar temple at either Sippar or Larsa by the royal authorities in return for half the barley crop (van der Spek 1995, 238–41). But even if the land was held privately, taxation and water rights probably represented not less than a third of the harvest. The overall impression is that the king's income from agriculture in Mesopotamia

⁶⁴⁴ Leah McKenzie, "Patterns in Seleucid Administration: Macedonian or Near Eastern?," *Mediterranean Archaeology* 7 (1994), 63-64.

⁶⁴⁵ For more information on the site and its role as a financial center, see S. C. Herbert and A. M. Berlin, "A New Administrative Center for Persian and Hellenistic Galilee: Preliminary Report of the University of Michigan/University of Minnesota Excavations at Kedesh," *BASOR* 15 (2003): 13–59; A. M. Berlin and S. C. Herbert, "Excavating Tel Kedesh," *Archaeology* 65.3 (2012): 24–29; and D. T. Ariel and J. Naveh, "Selected Inscribed Sealings from Kedesh in the Upper Galilee," *BASOR* 329 (2003): 61–80.

⁶⁴⁶ McKenzie, "Patterns in Seleucid Administration," 64 and Noah Kaye, "Taxation in the Greco-Roman World: The Hellenistic East," *Oxford Handbooks Online*: 5 Apr. 2018; Accessed 2 Oct. 2019. <https://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780199935390.001.0001/oxfordhb-9780199935390-e-36>.

must have been high, probably between one third and one half of the value of total agricultural production...⁶⁴⁷

The essential principles of taxation in the Near East remained the same, based on agricultural production and intended to fill the royal coffers. This was of particular interest to the Seleucids as they continued to fight to maintain their borders against the other *Diadochi*.

In terms of economic mentality, though, the Seleucids often followed the Greek style. Taxes were assessed on many of the same goods and services as in other kingdoms and *poleis*. Upon entering an area such as the city entrance or edge of the market, taxes were collected, much like Athenians collected taxes at the Piraeus or before a foreigner could conduct business in the *agora*.⁶⁴⁸ Moreover, cities built or restructured by Seleucid kings largely favored the same organizational patterns and magistracies as Greek *poleis*. For example, an *agora* was built into a central area of Dura Europas in the 2nd century BCE and an *agoranomos* is attested in multiple cities under Seleucid control, such as Teos, Lebedos, and Jerusalem.⁶⁴⁹ Even similar benefits were given to individuals and communities in thanks for service to the state, such as *ateleia* tax exemptions.⁶⁵⁰ These small differences may not seem significant to the construction of the kingdom at first, but the relative autonomy of *poleis*-style settlements amplified the decentralized nature of Seleucid rule. With bureaucratic officials overseeing so many different aspects of

⁶⁴⁷ Aperghis, "Population - Production - Taxation - Coinage," 62.

⁶⁴⁸ Aperghis, "Population - Production - Taxation - Coinage," 66.

⁶⁴⁹ Canepa, "The Destruction of Achaemenid Persia and the Creation of Seleucid Iran," 46 and C. B. Welles, *Royal Correspondence in the Hellenistic Period: A Study in Greek Epigraphy* (New Haven: Yale University Press, 1934), no. 3.

⁶⁵⁰ G. G. Aperghis, "Jewish Subjects and Seleucid Kings: A Case Study of Economic Interaction," in *The Economies of Hellenistic Societies, Third to First Centuries BC*, edited by Zosia Archibald, J. K. Davies, and Vincent Gabrielsen (Oxford: Oxford University Press, 2011), 24-25.

administration, instead of satraps through whom information and power funneled, regionalization was the rule rather than centralized control.⁶⁵¹

Because of their ever-present need to pay for mercenaries and other costs associated with war, the Seleucids did incorporate one extensive change to taxation (ca. 274 BCE). While much of the taxation was paid in kind, a notable portion of taxes was paid in silver tetradrachms.⁶⁵² However, these coins rarely left the borders of the kingdom (as evidenced by hoard finds) showing a Seleucid desire to retain possession of this silver.⁶⁵³ As Makis Aperghis argues, silver was paid out to administrators and military personnel, who paid it to producers of necessary goods. Those producers then paid their taxes in the silver coins, funneling it back into the royal treasuries.⁶⁵⁴ As with other coinage of large value, however, the tetradrachms were worth too much for everyday purchases. Thus, the Seleucids introduced bronze fiduciary coinage - worthless in terms of metal quality, but backed by the state.⁶⁵⁵

Arguments have been made that the tetradrachms were also the “coin used par excellence in inter-regional and long-distance trade.”⁶⁵⁶ This assertion acceptably describes local inter-

⁶⁵¹ Elias J. Bickerman argued this point as well in his work *Institutions des Séleucides* (Paris: P. Geuthner, 1938), 115-117. Oppositely, as will be argued below, the Ptolemaic Kingdom functioned very differently and focused on centralized control and moving away from *poleis*-style cities.

⁶⁵² Klaus Bringmann, “Grain, Timber, and Money: Hellenistic kings, finance, buildings and foundations in Greek cities,” in *Hellenistic Economies*, edited by Zosia Archibald, John K. Davies, Vincent Gabrielsen, and G. J. Oliver (London: Routledge, 2001), 156-7.

⁶⁵³ Aperghis, “Population – Production – Taxation – Coinage,” 65.

⁶⁵⁴ Aperghis, “Population – Production – Taxation – Coinage,” 65.

⁶⁵⁵ Aperghis, “Population - Production - Taxation - Coinage,” 65 citing the Babylonian Astronomical Diaries.

⁶⁵⁶ Aperghis, “Population - Production - Taxation - Coinage,” 65. See also, V. K. Golenko, “Notes on the coinage and currency of the early Seleucid state II–IV. The reigns of Antiochus II to Antiochus III,” *Mesopotamia* 30 (1995), 92–93 and G. Le Rider, *Suse sous les Séleucides et les Parthes: les trouvailles monétaires et l'histoire de la ville*, Mernoires de la Mission archeologique er Iran 38 (Paris: P. Geuthner, 1965), 299.

regional trade. The silver coinage could traverse short distances and funnel back into the royal coffers as taxes, such as those assessed on commercial fares.⁶⁵⁷ This seems to be at odds, however, with the idea that silver coinage, in this denomination particularly, was part of a semi-closed system within Seleucid boundaries. Aperghis navigates these mutually exclusive uses by arguing that long-distance, cross-boundary trade was likely of small value to the Seleucid state overall.⁶⁵⁸ This would seem to be an acceptable compromise; once beyond the Mediterranean coast and outside the immediate vicinity of the Mesopotamian rivers, trade must be conducted overland, drastically decreasing the efficiency of such exchange and increasing the cost. Low-cost bulk items in particular became almost impossibly expensive to transport.

Trade under the Seleucids is exceptionally problematic to quantify, as so few records remain. However, while geographical concerns across most of the kingdom likely kept long-distance overland trade restrained, coastal trade along the Mediterranean continued. J. K. Davies argued that trade in maritime goods increased during the Hellenistic period.⁶⁵⁹ This included wine, oil, salted fish, salt, honey, dried fruit, nuts, wood, pitch, firewood, works of art, slaves and metals.⁶⁶⁰ While the Phoenicians, who retained their trading prowess under the Achaemenids, lost some of their efficacy in the Hellenistic period - partially due to the border struggles and warfare between the Seleucid and Ptolemaic Kingdoms,⁶⁶¹ their networks continued to cross the

⁶⁵⁷ Aperghis, "Jewish Subjects and Seleucid Kings," 28-29.

⁶⁵⁸ Aperghis, "Population - Production - Taxation - Coinage," 65.

⁶⁵⁹ Davies, "Cultural, Social and Economic Features of the Hellenistic World," 282-3.

⁶⁶⁰ R. Bogaert, 'Il commercio internazionale e le banche', in *Storia e civiltà dei Greci, vol. viii: La società ellenistica: Economia, diritto, religione*, edited by R. B. Bandinelli (Milan: Bompiani, 1977), 377-8.

⁶⁶¹ Elayi, *The History of Phoenicia*, 284-86.

Mediterranean. Moreover, coinage bearing Seleucid marks was used along the pre-existing Phoenician networks indicating that some attention was paid to this network by the state.⁶⁶²

The pseudo-Aristotelian text, *Oeconomica*, even stressed the importance of regulating exports and imports (2.1.20):

τούτων δὲ ἕκαστον μὲν περὶ ... τὸ νόμισμα λέγω ποῖον καὶ πότε τίμιον ἢ εὖωνον ποιητέον, περὶ δὲ τὰ ἐξαγωγήματα καὶ εἰσαγωγήματα πότε καὶ τίνα παρὰ τῶν σατραπῶν ἐν τῇ ταγῇ ἐκλαβόντι αὐτῶν λυσιτελήσει διατίθεσθαι, περὶ δὲ τὰ ἀναλώματα τίνα περαιορέτεον καὶ πότε, καὶ πότερον δοτέον νόμισμα εἰς τὰς δαπάνας ἢ ἂ τῶ νομίσματι ὄνια.

To take each of these separately...in regard to the coinage, I mean the question as to what coin should be struck and when it should be of a high and when of a low value; in the matter of exports and imports, what commodities it will be advantageous to receive from the satraps under the Royal rule and dispose of and when; regard to expenditure, what expenses ought to be curtailed and when, and whether one should pay what is expended in coin or in commodities which have an equivalent value.⁶⁶³

Unfortunately, the specifics of how it was regulated, or even taxed, under the Seleucids is unknown. Clearly, to some extent, there was an economic policy and Greek cities even had to obtain permission to trade grain within the kingdom's boundaries.⁶⁶⁴

But, as Reger argues, revenue and money collection in the Hellenistic Kingdoms was done in the service of financing warfare.⁶⁶⁵ Moreover, the constant warfare and vast geographical stretches of the Seleucid Kingdom were hardly conducive to cohesive policies. The hoarding of silver in royal treasuries, the circulation of fiduciary coinage which could not be traded beyond Seleucid boundaries, and the decentralized nature of the kingdom's administration

⁶⁶² Quinn, *In Search of the Phoenicians*, 137-140.

⁶⁶³ E. S. Forester, *Oeconomica* (Oxford: Clarendon Press, 1920).

⁶⁶⁴ Reger, "The Economy," 349.

⁶⁶⁵ Reger, "The Economy," 349-50.

speaks to a kingdom more focused on territorial control and a certain instability of rule, especially as Rome grew into a threat. As a result, long-distance trade was never pursued by the state, nor promoted indirectly even to the extent of the Achaemenid Empire.

The Ptolemaic Kingdom: Egyptian Trade and A King's Network

In contrast to the Seleucid Kingdom detailed above, the Ptolemies were reluctant to endorse the typical the Greek *poleis* structures of the Classical period, following rather the Pharaonic model and reducing the semi-autonomous nature of the *polis*. Thus, they retained more direct control of the land.⁶⁶⁶ Moreover, the geography of this state had a profoundly different impact on their governmental organizations.⁶⁶⁷ Instead of the sprawling territory of the Seleucids, the Nile River forced a more centralized framework for authority and control and rapidly increased communication.⁶⁶⁸ However, like the Seleucids and many other states, the Ptolemaic Kingdom was dependent on agricultural taxation in order to function.⁶⁶⁹ It is the

⁶⁶⁶ Davies, "Cultural, Social and Economic Features of the Hellenistic World," 303-304.

⁶⁶⁷ Joseph G. Manning, "Property Rights and Contracting in Ptolemaic Egypt," *Journal of Institutional and Theoretical Economics* 160.4 (2004), 760.

⁶⁶⁸ As per Manning, "Property Rights and Contracting in Ptolemaic Egypt," 761: The natural "communication network" created by the Nile river was a decisive factor in the ability of the king to control the vast hinterland of the Nile valley (I leave aside here the issue of how uniform the written language was and the low literacy level), but this control derived from the coordination of agricultural production in irrigation basins that were locally controlled." While Ptolemaic territory could and did extend to distant lands, such as into Syria, administration varied vastly between "inner" and "outer" Ptolemaic holdings. In this dissertation, I focus on the inner areas. For more on the differentiation, see Peter Fraser, *Ptolemaic Alexandria* (Oxford: Oxford University Press, 1972) and Roger S. Bagnall, *The Administration of the Ptolemaic Possessions outside Egypt* (Leiden: Brill, 1976).

⁶⁶⁹ Evidenced by a "Greek land survey from the Edfu nome dated to 119/118 bc confirms the widespread and ancient custom of private holding of land in the south, although the regular rates of taxation of the land, predominantly temple land in the south, are comparable to those for royal land in the Fayum," Manning, "Networks, Hierarchies, and Markets in the Ptolemaic Economy," 302 and Aperghis, "Population - Production - Taxation - Coinage," 57.

manner in which the rulers supplemented this income, particularly through control of trade, which sets them apart from their contemporaries.

Taxation in the Hellenistic period built upon the institutions already in place during the Saite and Achaemenid periods.⁶⁷⁰ For example, customs duties on trade imports and exports demanded approximately 10% of all goods moving through Heronopolis, the intersection of many trade routes between the Red Sea and Egypt. During Alexander's brief rule, he utilized similar methods. Alexander's appointee, Cleomenes, used his position as financial administrator of Egypt to continue to extract tribute and taxation from trade in this region.

Although the Heronopolis region was important as a military zone, Cleomenes' appointment to the area called Arabia mentioned by Arrian was a special administrative region that was also extremely important as a trade route. Alexander's interest in Heronopolis and the area around it was probably of an economic nature, given the commercial activity that we know was centred on the city. As a military zone and an area where the Nile had been connected to the Red Sea, it also naturally had one other characteristic which seems to be directly related to Cleomenes' career: taxation, and in particular taxation of trade and commerce. It is widely known that in Egypt the pharaohs had taxed trade through an elaborate system of customs duties on both imports and exports.⁶⁷¹

Estimate of this trade taxation argue that Alexander the Great could have received more than nine talents of silver from this post alone.⁶⁷² When the Ptolemies desilted the Heronopolis canal

⁶⁷⁰ Manning, "Networks, Hierarchies, and Markets in the Ptolemaic Economy," 299-301; S. M. Burstein, "Alexander in Egypt: Continuity or Change," in *Achaemenid History VIII: Continuity and Change*, edited by H. Sancisi-Weerdenburg et al., (Leiden, 1994), 386-387 and J. Harmatta, "Das Problem der Kontinuität im frühhellenistischen Ägypten," *AAntHung* 10 (1963), 208-210.

⁶⁷¹ Andrew W. Collins, "Cleomenes of Naucratis, Heronopolis, and the Revenue from Red Sea Trade under Alexander the Great," *Zeitschrift für Papyrologie und Epigraphik* 180 (2012), 240. For primary source evidence (stele inscriptions) for customs dues in Egypt, see M. Lichtheim, *Ancient Egyptian Literature. A Book of Readings* Vol. 3 (Berkeley: University of California Press 1980), 86-89.

It should be noted that this reference to Arabia is not an area on the Arabian Peninsula or even an area which would be referred to as Arabia by the Romans; rather it is a city in Wadi Tumilat. For ancient sources and interpretations, see A. Calderini, "Ἡρώων πόλις," in *Dizionario dei nomi geografici e topografici dell'Egitto greco-romano* 2.3 (Milan 1975), 228-229.

⁶⁷² Collins, "Cleomenes of Naucratis," 241-42.

a few decades later, they likely doubled this amount.⁶⁷³ They then went further to build upon these institutional precedents by focusing their attention on building projects - ports, way-stations, and complete cities-, particularly in areas of economic concern.⁶⁷⁴

Under the Ptolemies, new avenues of networking and trade were created. In particular, the first Ptolemy acted as a patron of Alexandria so that it would flourish as a cultural center and major port. As Peter Green argues, “Alexandria, with its polyglot immigrants and diverse traditions, had no true ethnic or even religious center: one aim of the Ptolemies in fostering the cult of the new (or at least revamped and syncretized) deity Serapis was to offer the Greeks in Egypt some common focus of devotion.”⁶⁷⁵ In order to build Alexandria into the cultural capital that Ptolemy wished it to be, he traveled the Mediterranean enticing intellectuals and artists to come to Alexandria. In doing so, he made personal connections in Athens, Lampsacus, on Samos, and his son, Ptolemy II ‘Philadelphos,’ was even born on Cos.⁶⁷⁶ Although nominally a democratic Greek *polis*, Ptolemy utilized a bureaucratic hierarchy through which he effectively held monarchical power, just as the Pharaohs.⁶⁷⁷ In doing so, he was able to capitalize upon

⁶⁷³ Collins, “Cleomenes of Naucratis,” 242. The Ptolemies were likely the heaviest taxers of the Hellenistic Kingdoms; see Aperghis, “Population - Production - Taxation - Coinage,” 56.

⁶⁷⁴ Manning, “Networks, Hierarchies, and Markets in the Ptolemaic Economy,” 303-04.

⁶⁷⁵ Peter Green, “The Politics of Royal Patronage: Early Ptolemaic Alexandria,” *Grand Street* 5.1 (1985), 157.

⁶⁷⁶ Green, “The Politics of Royal Patronage,” 157.

⁶⁷⁷ Manning, “Property Rights and Contracting in Ptolemaic Egypt,” 761-62: “The Ptolemaic takeover of Egypt preserved the royal ideology of the ruler (and his right to collect the harvest tax) while it developed a regional administrative center in the new Greek city of Ptolemais in southern Egypt (displacing ancient Thebes), and a system of officials at the local (village) level. Banks and royal granaries were established for the payment of taxes, but direct state control of land in the south appears to have been much less than in the new area of the Fayyum. A poll tax was established, for the most part documented during the third century BCE and in the Fayyum, and a ‘monopoly’ and licensing system (for key industries like beer brewing) was put in place to raise revenue for the state.”

certain monopolies he held over many of the goods produced locally, such as papyrus and oil.⁶⁷⁸ This economic power within the city aided in maintaining his social connections throughout the Mediterranean.

This patronage may have also extended beyond the cities. As *emporoi*, *naukleroi*, and *ekdocheis* were identified as private associations of trade networks in the previous chapter, so too do *naukleroi* exist in Egyptian maritime contexts. However, in Egypt, *naukleroi* often appear alone in documentation or as markers of differentiation from the κυβερνήτης (*kubernetes*, captain) or the κύριος (*kyrios*, ship-owner).⁶⁷⁹ According to a review of the *Prosopographia Ptolemaica*, by the mid- to late-Ptolemaic period *naukleroi* functioned almost entirely as corporate entities, contracted by the Egyptian government through a variety of official magistrates, such as a *sitologos* (grain collector).⁶⁸⁰ Their main purpose was to bring grain down the Nile to feed the populace or across the Mediterranean to turn a profit for the state. The direct involvement of magistrates in this contracting process, as opposed to the more limited role of Athenian magistrates, indicates a more aggressive style of control in order to fulfill a common Mediterranean need - the securing of sufficient grain.

The Ptolemies differentiated themselves from simply building on the existing institutional history, and from their Seleucid neighbors, by taking an overtly active role in trade. In the case of the trans-Mediterranean grain trade, the Ptolemies intensified their economic practices

⁶⁷⁸ Manning, "Property Rights and Contracting in Ptolemaic Egypt," 762; Green, "The Politics of Royal Patronage," 160; and W. W. Tarn, "Ptolemy II," *The Journal of Egyptian Archaeology* 14.3/4 (1928), 257: "In Greece, a roll of papyrus in 333 cost over a drachma; in 296, with Egypt open to trade, a drachma bought several rolls; from 279, after Ptolemy II had established the papyrus monopoly, a roll cost nearly 2 drachmae; perhaps Ptolemy used a differentiation in the price of paper to attract writers to Alexandria."

⁶⁷⁹ Hans Hauben, "An Annotated List of Ptolemaic Naukleroi with a Discussion of BGU X 1933," *Zeitschrift für Papyrologie und Epigraphik* 8 (1971), 259-275.

⁶⁸⁰ Hauben, "An Annotated List of Ptolemaic Naukleroi," 267 and 272.

(urbanization, agricultural production, monetarization) and used the trade of grain to make a significant portion of their tax revenue.⁶⁸¹ While state revenue always consisted in large part of grain taxes and export, in the 220s BCE, the Ptolemaic government took more aggressive control of the grain trade in order to bolster the kingdom's treasury. Taxes once sent to the Temple of Ammon in Thebes were redirected to state coffers and more grain was exported through Rhodes.⁶⁸² According to Sitta von Reden, the combination of evolving monetary policy and “the economy in kind which supplied the kings with grain for export formed an «economic system» in Douglass North's sense.”⁶⁸³ Moreover, while the Ptolemaic government did not have a direct hand in the production of grain, they leased the most agriculturally productive land to trusted bureaucrats, such as the estate in the Fayum “gifted” to Apollonius which is the source of the Zenon Archive. Recipients returned this good will through the profitable administration of the land, both for private interests and so that state grain storehouses would be filled and traded according to state interests.⁶⁸⁴

Another example of this policy is the state-sponsored network of the elephant trade. Much like the Phoenician states, not only did the Ptolemies use their representatives and magistrates to make connections in areas that could produce war elephants, but they founded

⁶⁸¹ J. G. Manning, “Hellenistic Egypt,” in *The Cambridge Economic History of the Greco Roman World*, edited by Walter Scheidel, Ian Morris, and Richard P. Saller (Cambridge: Cambridge University Press, 2007), 434-4 and Sitta von Reden, “The Ancient Economy and Ptolemaic Egypt,” in *Ancient Economies, Modern Methodologies: Archaeology, Comparative History, Models and Institutions*, edited by Peter Fibiger Bang, Mamoru Ikeguchi, and Harmut G. Ziche (Apulia: Edipuglia, 2006), 161-77.

⁶⁸² von Reden, “The Ancient Economy and Ptolemaic Egypt,” 173.

⁶⁸³ von Reden, “The Ancient Economy and Ptolemaic Egypt,” 174.

⁶⁸⁴ As J. G. Manning, *Land and Power in Ptolemaic Egypt: The Structure of Land Tenure* (Cambridge: Cambridge University Press, 2003), 112 argued, “Its management, from irrigation to seed loans and transportation, was carefully watched as a result of its economic importance. The king clearly showed an interest in such large estates. But royal interest intersected with the private interests of Apollonius, and indeed his manager Zenon...”

colonies and ports with this specific need in mind. This policy seems to have begun under the leadership of Ptolemy Philadelphus (282-246 BC), successor to Ptolemy Soter. According to Strabo (16.4.5), “ἀπὸ δὲ Ἡρώων πόλεως πλέουσι κατὰ τὴν Τρωγλοδυτικὴν πόλιν εἶναι Φιλωτέραν ἀπὸ τῆς ἀδελφῆς τοῦ δευτέρου Πτολεμαίου προσαγορευθεῖσαν, Σατύρου κτίσμα τοῦ πεμφθέντος ἐπὶ τὴν διερεύνησιν τῆς τῶν ἐλεφάντων θήρας καὶ τῆς Τρωγλοδυτικῆς (and sailing from Heroonpolis, there is, in Troglodytike, a city called Philotera after the sister of the second Ptolemy, founded by Satyros, who had been sent for an investigation concerning the hunting of elephants and Troglodytike).” Satyros was sent by the Ptolemaic leader, also attested in an Egyptian papyrus,⁶⁸⁵ in order to secure the movement of war elephants for the benefit of the state.⁶⁸⁶ This first investigation and city founding were clearly successful, as two more trade centers, Ptolemais “Theron” and Berenice Troglodytica, and an overland road connecting Berenike to the nearest port on the Nile, Koptos, followed soon after.⁶⁸⁷ These colonies, which

⁶⁸⁵ Cited in Gary Reger, “The Economy,” in *A Companion to the Hellenistic World*, edited by Andrew Erskine (New Jersey: Wiley-Blackwell, 2005), 350: “As early as 255 a papyrus mentions an official charged with ‘the conveyance of elephants into the Thebaid’ (Mitteis and Wilcken 1912 1(2).513-15 col. 11.78-80).”

⁶⁸⁶ Lionel Casson, “Ptolemy II and the Hunting of African Elephants,” *Transactions of the American Philological Association* (1974-2014) 123 (1993), 248-49.

⁶⁸⁷ Casson, “Ptolemy II and the Hunting of African Elephants,” 248-49 and Strabo 16.4.7: μεθ’ ἣν ἡ Πτολεμαῖς πρὸς τῇ θήρᾳ τῶν ἐλεφάντων, κτίσμα Εὐμήδους τοῦ πεμφθέντος ἐπὶ τὴν θήραν ὑπὸ Φιλαδέλφου (after which was Ptolemais, near the hunting ground for elephants, a foundation of Eumedes, who had been sent to the hunting ground by Philadelphos).

For a further interpretation of this evidence, see Manning, “Networks, Hierarchies, and Markets in the Ptolemaic Economy,” 310: “With Ptolemy II’s reign we are on much firmer ground, aided of course by a much richer documentary base. It does seem that in his Nubian campaign c. 275/4 bc this king reasserted Egyptian control of the area, which was vital for control of the gold mining regions in the Wadi Allaqi and for the supply of elephants and luxury goods [fn. This campaign is not directly documented but can be inferred from its aftermath. See Agatharchides fr. 20; Diod. Sic. I.37.5; Burstein 1993: 42 and 2008. Burstein 2008: 138 argues that the campaign was treated in the now lost first book of Agatharchides, *On the Erythraean Sea*. Török 1997: 395 n. 284 dates the campaign to 274 bc on the basis of Theocritus, Id. 17.87. Cf. Hunter 2003: 165]. In the wake of this campaign, Ptolemy established a ‘small world’ network that re-linked what we might call the Egypto-Nubian ‘interaction sphere’ via new Ptolemaic nodes. A network of roads and settlements was built (Gates-Foster 2006), or in some cases rebuilt, that connected the southern Nile valley to the Red Sea coast from Berenike south to Ptolemais ‘of the Hunts’ (see below) and thence to Memphis, the place of the stables of the elephants (Scullard 1974: 133).” Bracketed addition of Manning’s footnote is my own edit.

grew to bring more than just elephants to Lower Egypt, worked together at the behest of the Ptolemaic ruler for the benefit of the state.

However, it is important to note that this trade control was often done in service to the military needs of the rulers and the state and not purely for commercial benefit. Historian Gary Reger argues, “rather than a royal mercantile policy, it is better to see the trade in luxury items as an adventitious growth on an infrastructure put in place for the elephant trade.”⁶⁸⁸ This assertion, however, overlooks the option for a mercantile and military policies functioning simultaneously. Certainly, the cities founded to aid the trade of elephants into Egypt were necessary for military matters, but to use these facilities and network simply for the trade in one good, no matter how large, would simply have been a waste of resources. Posts along roads running between Berenike and Koptos, for example, serviced the state postal service to facilitate communication between the ruler and the elephant trade node, but they also could act as way stations for other travelers or merchants along the route.⁶⁸⁹ Thus, it does not seem inappropriate to say that while originally trade in other goods along these network connections was perhaps a perk of the war elephant trade, it does not preclude these new opportunities to become factors in maintaining the network.

Particularly wealthy or particularly favored magistrates could also leverage their position and connections to build their own private, yet still state-linked, trade networks. One example is the position of the διοικητής (*dioiketes*, financial administrator). The *dioiketes* seemingly built networks in two styles. The first was as part of the hierarchical Ptolemaic bureaucracy, in which he functioned as a middle magistrate in the state-sponsored network. These connections, both

⁶⁸⁸ Reger, “The Economy,” 350.

⁶⁸⁹ Manning, “Networks, Hierarchies, and Markets in the Ptolemaic Economy,” 313.

between ruler/*dioiketes* and *dioiketes*/lower-level magistrates, such as an *oikonomos*, were political and personal in nature. Not only did the *dioiketes* have to rely on an *oikonomos* to purchase goods, such as grain, and begin its transfer to larger urban centers,⁶⁹⁰ the *dioiketes* also had to report their progress to the ruler. In order for this network to operate successfully,

The administrative style also expected constant communication in the other direction, from province to the capital. In fact, it was the king who was disadvantaged by asymmetric information. The tie, therefore, between the *dioikētēs* and nome officials was a hierarchical but also (ideally) a personal one. It was, in the language of network analysis, a “strong tie.”⁶⁹¹

It is unrealistic to assume that trust would be an automatic result of appointing a magistrate; thus, personal connections among magistrates served to bolster weaker institutional ties across geographical distance.

The second manner in which a *dioiketes* might be able to build a network was more socially founded. For while the position of financial magistrate for the kingdom came with its attendant economic responsibilities, it also created opportunities for personal exploitation of social connections. One of the most famous *dioiketai* was Apollonius, who worked under Ptolemy Philadelphus. Apollonius, whose social and economic connections are preserved by his steward Zenon in the papyri hoard, the Zenon Archive, leveraged his position as *dioiketes* and the gift of land he received upon his promotion in order to cultivate economic opportunities for his personal benefit.⁶⁹² While this land was a gift from the king for his service, he was allowed to improve and work it for his own benefit. To this end, he employed workers with various

⁶⁹⁰ As for example in the third century BCE letter in *P.Tebt.* 703, 3.70–87, published by R. Bagnall and P. Derow, *The Hellenistic Period. Historical Sources in Translation*, 2nd ed. (Oxford: Oxford University Press, 2004), no. 103.

⁶⁹¹ Manning, “Networks, Hierarchies, and Markets in the Ptolemaic Economy,” 308.

⁶⁹² W. L. Westermann, “Account of Lamp Oil from the Estate of Apollonius,” *Classical Philology* 19.3 (1924), 250: “Apollonius presumably received the δωρεά in connection with his elevation to the office of *dioecetes*, which would place the granting of the estate in the regnal years 25 or 26.” The δωρεά was 10,000 arourae of land.

social relationships, such as Zenon who retained close ties with his homeland Kaunos.⁶⁹³ These connections seem to have provided an opportunity to import sought after goods from distant lands, such as Theangelic honey from western Asia Minor.⁶⁹⁴

In addition, as can be seen from the surviving accounting lists from Apollonius' estate, he had economic dealings with dozens of individuals and businesses. Simply in a listing of lamp oil accounts, Apollonius' estate was connected to 27 people. Some were linked more closely, such as the eight names which can be identified in other Zenon papyri.⁶⁹⁵ However, such evidence may indicate that Apollonius' duties as *dioiketes* gave him access to a greater network of contacts, as well as the means by which to finance his endeavors. As J. G. Manning outlines, "The state's ability to control, to recruit and to maintain the loyalty of these officials [such as Apollonius] remained problematic, but state demand, in combination with this hierarchy and the control and building up of nodes, could perform spectacularly well."⁶⁹⁶ It may even be possible to theorize that Apollonius stayed loyal to Ptolemy because his position gave him the requisite access to build his own closer network ties, particularly with lower-level magistrates in more distant regions.⁶⁹⁷

⁶⁹³ Ann E. Hanson, "A Ptolemaic List of Aromata and Honey," *Transactions and Proceedings of the American Philological Association* 103 (1972), 162: "Not only do the other two specific references in the papyri to honey from Theangela, a coastal town near Halikarnassos, occur in the Zenon papers, but Zenon himself was a native of Kaunos, nearby along the coast. Zenon maintained a number of ties with his homeland and was, as well, part of a circle of acquaintances who were likewise of Karian origin."

⁶⁹⁴ Hanson, "A Ptolemaic List of Aromata and Honey," 162. For location of Theangela, see s by G. E. Bean and J. M. Cook, "The Halicarnassus Peninsula," *BSA* 50 (1955) 85-171. Cf. Wolfgang Radt, *Siedlungen und Bauten auf der Halbinsel von Halikarnassos* (Istanbul: Deutsches Archäologisch Institut, 1970).

⁶⁹⁵ Westermann, "Account of Lamp Oil from the Estate of Apollonius," 238-242.

⁶⁹⁶ Manning, "Networks, Hierarchies, and Markets in the Ptolemaic Economy," 309. Brackets are my own addition for clarification.

⁶⁹⁷ This theory is supported by Manning's argument for the resiliency and overwhelming predominance of "local, horizontal" networks which operated within the state system. "...the ancient social structure, with very ancient social relationships embedded within local institutions (e.g. temples), families, and inheritance patterns, suggests that at the local level there was (considerable) overlap between the formal state hierarchy, with its vertical linkages, and local,

In summation, a variety of examples illustrate the differences in the Ptolemaic versus Seleucid Kingdoms. Where the Seleucids loosely controlled a vast region of multi-ethnic semi-autonomous cities, the Ptolemies had a much more centralized rule with freer movement of information. Both followed a much more highly bureaucratic governmental structure than the Classical Greek *poleis*, but only in Egypt was that structure directly turned towards the creation and promotion of state-sponsored trade networks. These trade networks transported luxury goods into the kingdom, but that may have been a largely secondary concern. Materials and goods necessary for war and control of the kingdom seem to have been primary.

Decline and Invasion: Economic Implications

The decline of the Hellenistic Kingdoms resulted from a variety of factors. For the Seleucid Kingdom in particular, the exact causes of its disintegration are hard to identify. Whether it was as early as the loss of Antiochus I (261 BCE), the numerous foreign wars, internal strife and civil conflict, the coming of Rome, or the weak central leadership, the crucial blow remains debatable.⁶⁹⁸ However, the decline of these kingdoms plays an important role in shaping the political and economic landscape of the region. In particular, the decline of the Seleucid Kingdom allowed smaller Near Eastern kingdoms to grow and gain (or regain) economic footholds in the Mediterranean trade networks.

horizontal social networks. The goal of the Ptolemies was to turn these horizontal networks to the advantage of the state, but this was difficult to accomplish... (Manning, "Networks, Hierarchies, and Markets in the Ptolemaic Economy," 316)."

⁶⁹⁸ Susan Sherwin-White and Amélie Kuhrt, *From Samarkhand to Sardis: A New Approach to the Seleucid Empire* (Berkeley: University of California Press, 1993), 217-18; Paul J. Kosmin, *Time and its Adversaries in the Seleucid Empire* (Cambridge: Harvard University Press, 2018).

By the end of the second century BCE, the Seleucids had steadily lost control over bits and pieces of the kingdom, resulting in a growth of smaller independent kingdoms which were able to act in their own self interest. The Phoenician city of Tyre, for example, which had maintained several trade connections in the service of its conquerors, regained its independence in 126 BCE, putting Tyrian Phoenicians once again in direct control of their own port and diaspora and trade connections.⁶⁹⁹ Other regions, such as Persis, Commagene, Judea, and Nabataea, took this opportunity to break away from the Seleucid Kingdom or define their own borders and independence.⁷⁰⁰ The specific case of Nabataea will be the focus of the next chapter in order to analyze how the kingdom benefited from this decline and established its own network of trade diaspora from southern Arabia to Rome.

The last hundred years of the Hellenistic Period seem marked by an increase in the fracturing of old regimes and the establishment of new authorities in the Mediterranean. This in turn promoted an outpouring of Seleucid wealth from the treasury as Seleucid rulers attempted to regain control through military expeditions. Even in their failure to halt these changes, this silver and gold permeated the region and emboldened the fledgling states. However, certain aspects of economic life persisted, particularly long established trade networks, and smaller kingdoms may have taken the example of Ptolemaic Egypt as a model. With smaller geographical territories to

⁶⁹⁹ Evidence for the role of Tyre as the mother-city and central hub of this trade network extends into the second century CE with a letter from the Tyrian *koinon* in Puteoli. Now called a στατίων (*station* or *station*) of *naukleroi* and *emporoi*, this diaspora group asked for an injection of funds in order to continue their presence in the Roman port, as they had done for years (*OGIS* 595). Even now under loose Roman control, Tyre continued to exert its influence throughout the Mediterranean. *AGRW* 317/*OGIS* 595 and Philip Harland, “[317] Letter of the Tyrian Settlers at Puteoli to the City of Tyre (174 CE),” *Associations in the Greco-Roman World: An Expanding Collection of Inscriptions, Papyri, and Other Sources in Translation*, <http://philipharland.com/greco-roman-associations/317-letter-of-the-tyrian-settlers-at-puteoli-to-the-city-of-tyre/> (date accessed August 14, 2019).

⁷⁰⁰ Sherwin-White and Kuhrt, *From Samarkhand to Sardis*, 225-26 and Paolo Cimadomo, *The Southern Levant during the first centuries of Roman rule (64 BCE–135 CE)* (London: Oxbow Books, 2019), 47-87.

control and less diversity within their borders, centralized governments created a mosaic of small kingdoms. Without the geographical breadth and bureaucratic weaknesses of the Seleucids, these kingdoms established their own economic policies and build up new and existing trade networks.⁷⁰¹

Even with the threat of Roman invasion on the periphery of the region, these kingdoms were able to implement institutions and economic structures that carved a place for them in the Mediterranean world for nearly one hundred years. Even in the years following Alexander the Great's Hellenization of the Near East and the introduction of *polis*-style cities in the region, "strong" state systems remained a standard. This may be seen as a continuation of traditional political and economic organization, as well as institutional choices for inner- and inter-state regulation.

The Roman invasion of these regions in many ways can be seen as a continuation of Alexander's Hellenization, but as Warwick Ball argues the Near East had a profound influence on Rome as well. The strength of these "strong" state systems and the long-lasting cultural continuation affected Rome, possibly even more than Rome impacted these states in the early centuries of Roman expansion.⁷⁰² The Roman style of provincial governance replaced the leadership of a conquered territory, but otherwise the day to day systems of life and administration remained largely stable.⁷⁰³ As such, Seleucid and Ptolemaic patterns were

⁷⁰¹ See Chapter 6 "Hellenization, Romanization, and the Adaptability of Small Polities: The Case of Nabataea" for more information on the creation and expansion of new kingdoms' economic connections.

⁷⁰² Warwick Ball, *Rome in the East: The Transformation of an Empire* (New York: Routledge, 2001), 6-7. This is not to say that Rome did not have a profound impact on the East especially in the late antique period. However, the early years of Roman imperialism was a more tentative balance between Roman imperial ideology and the practical matters of establishing and maintaining control over regions far vaster than the extant Roman personnel.

⁷⁰³ This claim is widely regarded as standard; see for example David Potter's characterization, "Greg Woolf has recently helped us see the change from the Republic to the Empire in terms of the history of empire, arguing (completely coherently) that what we saw in the Republic was a classic conquest state that passed through the fire

generally maintained under the early Empire.⁷⁰⁴ The bureaucratic infrastructure of the Near Eastern states, lacking in Greek *poleis* and the Roman Republic, was then put to use under the High Empire, organizing and managing its acquisitions in order to connect them, and redirect the goods they could produce, to Rome.

Through the first century BCE, Rome imposed few changes on the economic and political structures of the Eastern regions it controlled. By mid to late first century CE, this indirect interest in the organization of the Near East had begun to evolve somewhat to include the building of physical infrastructure, such as roads and aqueducts, which aided in the movement of troops to withstand the threat of Parthia. However, instead of rearranging or harming the political and economic systems of these states, new infrastructure “stimulated local economies and helped to integrate trade across the Mediterranean... In effect, this meant regions along the Mediterranean basin could easily trade and interact, which encouraged easier movement of populations and goods.”⁷⁰⁵ It was not until the second century CE that provinces were directly reorganized, regions divided, new taxes applied, and the Near East, as a whole, was manifestly restructured for the needs of the Roman Empire.⁷⁰⁶ Thus, while the political

and sword of its self-generated chaos to become a tributary empire. The initial Roman version of a tributary empire was one in which individual people retained the right to choose how they would interact with their Roman overlords. So long as taxes were paid and violence abated, people retained considerable discretion in their personal lives...” in “Measuring the Power of the Roman Empire,” in *East and West in the Roman Empire of the Fourth Century: An End to Unity?*, edited by Roald Dijkstra, Sanne van Poppel, Daniëlle Slootjes (New York: Brill, 2015), 42-43. See also Ball’s brief, but effective, statement, “If the evidence of the cities and their monuments is anything to go by, the actual conquest and first few centuries of Roman rule in the Near East had little initial impact” (*Rome in the East*, 206).

⁷⁰⁴ Even when detailing some of the variances that occurred in Egypt once it became a province, Dominic Rathbone states, “Essentially the various categories of state land were all subject to the same system of fiscal administration, which derived from Ptolemaic and probably earlier practices” (“Egypt, Augustus and Roman taxation,” *Cahiers du Centre Gustave Glotz* 4 (1993), 84.

⁷⁰⁵ Altaweel and Squitieri, *Revolutionizing a World*, 223.

⁷⁰⁶ Altaweel and Squitieri, *Revolutionizing a World*, 223. One note should be added concerning the Roman presence in the Near East. Clearly, due to the heightened number of troops and garrisons in Near Eastern regions, fighting Rome’s various wars of the first centuries BCE and CE, certain aspects of Roman need had to be addressed

fragmentation of the Hellenistic world largely came to an end during the first century BCE, the institutions which had characterized the Near East remained in effect for nearly another hundred years.

Conclusion

As opposed to the Greek *poleis*, whose institutions and social networks make up the core of this project, the Near East has relied on a different attitude towards trade and inter-state exchange throughout its history. Within a strong ancient state, such as the Achaemenid Empire or the Hellenistic Kingdoms (for a time), centralized and bureaucratic institutions created longer lasting policies that could be administered throughout the territory. In turn, this allowed for states also to exercise control over their traders as they traveled beyond the borders of the state. As demonstrated with the Phoenicians and Ptolemaic examples, direct imperial control over trade networks was a clear possibility for kingdoms with a strong central government and bureaucratic infrastructure.

And while, some historians, such as Taco Terpstra, argue that private enforcement was the underlying requirement for any state enforcement of law, I believe that in the Near East, public institutions had their own teeth, so to speak.⁷⁰⁷ Under-valuing the role of the state, particularly within the Near Eastern Kingdoms, limits our understanding of how state-sponsored

immediately. Grain distributions, payment for troops, etc. did have an effect on the local regions. However, most of that expense was circulated back into the local economies, instead of being derived from the region and exported to Italy. See Fergus Millar, *The Roman Near East, 31 B.C.-A.D. 337* (Cambridge: Harvard University Press, 1993), 48-51 and Keith Hopkins, "Taxes and Trade in the Roman Empire," *Journal of Roman Studies* 70 (1980), particularly 126. It was not until the second and third centuries CE that Rome began to consider the eastern provinces as income generating realms (Altaweel and Squitieri, *Revolutionizing a World*, 223-24).

⁷⁰⁷ Terpstra, *Trade in the Ancient Mediterranean*, 126: "[The law and judiciary system's] efficacy, in other words, depended on mechanisms of reputation and social control, and thus ultimately on private order."

networks came into being and were maintained for medium- to long-term engagements. The duality of a small, but strong, central government promoting state needs in conjunction with private traders will particularly come under analysis in the next chapter, in the case study of the Nabataean Kingdom.

Chapter 6
Hellenization, Romanization, and the Adaptability of Small Polities
The Case of Nabataea

Near Eastern polities in the later Hellenistic often varied from one another in significant ways, such as size, character, and organization. However, they faced many similar challenges, not the least of which was how to relate to the world around them as independent states in the wake of Seleucid decline. The process of Hellenization, especially for states near the Mediterranean coast, influenced many of these decisions, as hundreds of years of interactions had smoothed over many of the major differences between Near Eastern cities and polities and traditional Greek *poleis*. But, as argued in the previous chapter, the history of Near Eastern economic and political organization was a dominant influence for these new kingdoms. As such, the newly minted states of the later Hellenistic and early Roman Empire, straddled two worlds in their economic pursuits, blending hierarchical political organization and policy with Hellenistic inter-state institutions and social networking.

The focus of this chapter is the Nabataean Kingdom. With its capital at Petra in modern-day Jordan, Nabataea controlled a central location for overland trade in Arabia and the Levant, as well as maintaining crucial access to maritime trade in both the Red Sea and the Mediterranean. Famous for the mercantile nature of its wealth and relationships with other polities, Nabataea acts as a well-rounded case study to show how a later Hellenistic Kingdom was able to use a variety of methods in order to promote its interests during the turbulent years following the decline of the Seleucids and the rise of Rome. Even though little evidence remains about the internal economic policies of the kingdom, epigraphical and archaeological evidence shows the

evolution of inter-state relationships, both private and state-run, stretching from the second century BCE until the formal incorporation of Nabataea into the Roman Empire in 106 CE.⁷⁰⁸

In many ways Nabataea is an exceptional state and atypical of the independent kingdoms which arose from the crumbling Seleucid Empire. However, its place as an unusually long-lived independent kingdom demonstrates how Near Eastern kingdoms could, and did, successfully employ the same types of inter-state negotiations as Greek *poleis* in order to gain access to markets and emporia.⁷⁰⁹ Moreover, as it was highly reliant on trade and the movement of goods through its borders for its income and influence, Nabataea has left a number of inscriptions and archaeological remains which are directly involved with or associated with trade and the cross-cultural economic interactions of the Mediterranean. Finally, as the organization of Nabataean cities remained beyond Hellenistic influence, they did not have *polis*-style administration.⁷¹⁰ As such, the *Grundvorstellungen* of Greek *poleis* are not evident within this kingdom. Other coastal cities, such as Alexandria, were built on Greek and Hellenistic standards, or reshaped under the

⁷⁰⁸ Nabataean influence and culture extended far beyond its annexation into the Roman Empire. However, for the purposes of this dissertation, I will be ending my analysis before this point because by the end of the first century CE, the Roman Imperial system had largely changed its approach to the lingering Greek economic institutions which have been the focus of this dissertation.

⁷⁰⁹ For example, Near Eastern states often engaged in the system of *proxenoi*, rarely honoring Greeks, but rather having their citizens honored in foreign locales. See for example, the five grants to Tyrians (*IG* II³ 468; *IG* XI 4 777; *IG* XII 4 15 (*Iscr. Cos* 54); *I.Oropos* 210; and *I.Oropos* 18), the single grant to Dikaiarchos from Laodikeia by the Sea (*SGDI* 2677), the grant to Aphrodisios of Ashqelon/Ascalon (*IG* XI 4 817), the thirteen grants to Sidonians (*IG* II³ 379; *IG* II² 141; *IG* XII 9 900A; *IG* XI 4 746; *Fouilles de Delphes* III.1:435; *BCH* 49 (1925), 89 no.18; *IG* XII 9 1187; *IG* IX 1² 1:24; *I.Oropos* 37; *Milet I* 3 180B; *I.Oropos* 210; *IG* XII 6 81; Georges Le Rider, *Monnaies crétoises du V Au I Siecle Av J.C.*, Etudes Crétoises publiées sous la direction de l'école Française d'Athens (Paris: 1966), 258 no.3), or even the single grant to a Babylonian by Andros (*IG* XII 5 715).

⁷¹⁰ One exception may be the later Nabataean port city Aila, which Strabo described as a *polis*. However, this identification is suspect (due to inconsistencies with descriptions in other authors) as well as belonging to a region only founded and built up in the mid to late first century BCE. See, Benjamin Dolinka, *Nabataean Aila (Aqaba, Jordan) from a Ceramic Perspective*, BAR International Series 1116 (Oxford: Archaeopress, 2003), 29-30 and Alexandra Retzleff, "A Nabataean and Roman Domestic Area at the Red Sea Port of Aila," *Bulletin of the American Schools of Oriental Research* 331 (2003), 45-65.

Hellenistic Kingdoms, and were thus more simply integrated into the Mediterranean milieu.⁷¹¹

Nabataea largely stood apart from these socio-political foundations, but still effectively permeated the Hellenistic Mediterranean and established trading diaspora in multiple locations.

In this chapter, I will begin with a brief overview of the history of Nabataea and the small quantity of information known about its internal economic organization, before moving into the various approaches to long distance trade which the kingdom used in order to access new markets and maintain those relationships. These relationships take different forms in the second and first centuries BCE, but highlight the adaptability of small polities and savvy leaders in times of political change. Benefiting from the generally consistent economic practices of the later Hellenistic and early Roman periods, Nabataea was able to build its own wealth and predominance in the trade of incense and other luxury goods, while maintaining a lengthy independence from the growing power of the Roman Empire.

The History of Nabataea

The earliest origins of the Nabataean Kingdom are widely debated as firm evidence for its growth and settlement in the region include contradictions and gaps in chronology.⁷¹²

⁷¹¹ For more on Greek, Hellenistic, and Macedonian-Greek influences on Near Eastern cities founded under the Seleucid and Ptolemaic dynasties, see F. E. Peters, "Hellenism and the Near East," *The Biblical Archaeologist* 46.1 (1983), 33-39; G. M. Cohen, *The Seleucid colonies: studies in founding, administration and organization*, Historia, Einzelschriften, 30 (Wiesbaden: Steiner Verlag, 1978); Leah McKenzie, "Patterns in Seleucid Administration: Macedonian or Near Eastern?," *Mediterranean Archaeology* 7 (1994), 61-68; Peter Green, "The Politics of Royal Patronage: Early Ptolemaic Alexandria," *Grand Street* 5.1 (1985), 151-63.

⁷¹² For a fifth century date, see Jean Starcky, "The Nabataeans: A Historical Sketch," *The Biblical Archaeologist* 18.4 (1955), 81-106; for the fourth century, see G. W. Bowersock, *Roman Arabia* (Cambridge: Harvard University Press, 1983), 12-7; for a contestation of the 312 date, see Jan Retsö, "Nabataean origins — once again," *Proceedings of the Seminar for Arabian Studies* 29, Papers from the thirty-Second meeting of the Seminar for Arabian Studies held in London, 16-18 July 1998 (1999), 115-118. An overview of this debate is given in Abdullah Al-Abduljabbar, "The Rise of the Nabataeans: Sociopolitical Developments in 4th and 3rd Century BC Nabataea," PhD Dissertation, Indiana University, 1995, 67 and Ursula Hackl, Hanna Jenni, Christoph Schneider, and Daniel Keller, *Quellen zur*

Although the traditional earliest date for a Nabataean King is 168 BCE (2 *Maccabees* 5.8), recognition of Nabataea as a clearly defined group was first recorded in 312/11 BCE, when the Nabataeans were engaged in military conflict with Athenaeus and Demetrius Poliorcetes (Diodorus Siculus 19.94.2-98.1).⁷¹³ Soon after, they were well-known for being heavily invested in the trade of incense (specifically frankincense and myrrh) from South Arabia and bitumen from the Dead Sea, all filtered through their capital at Petra. The territorial extent of the early kingdom remains unknown, due to the semi-nomadic nature of the population. To the north, the Nabateans seem largely restrained to the Transjordan region. To the south, however, during the height of Seleucid power, the Nabataeans became famous for their overland connections with Southern Arabia.

Centrally located between the Ptolemaic and Seleucid Kingdoms, Nabataea often needed military and political stratagems in order to maintain its own borders and interests.⁷¹⁴ However, surviving information about these conflicts comes only from external sources, particularly Greek and Roman. Diodorus Siculus describes this period, Book 2.48.1–5, thus,

Geschichte der Nabatäer: Textsammlung mit Übersetzung und Kommentar (Freiburg: Universitätsverlag Freiburg, 2003), 15-19.

⁷¹³ They appear again in the Zenon papyri (261-229 BCE; *PSI* 406, *P. Cair. Zen.* 59009, Fragment f, and *P. Cair. Zen.* 59004, Col. II, Z. 28f), but due to the fragmentary remains and/or the poor quality of the Greek, their specific involvement with the Ptolemaic businessman is unknown. For more on these papyrus fragments, see Hackl, et al., *Quellen zur Geschichte der Nabatäer*, 363-67.

⁷¹⁴ A full list of all literary sources referencing Nabataeans can be found in Hackl, et al., *Quellen zur Geschichte der Nabatäer*, 415-620. Authors include Appian, Dio Cassius, Diodorus Siculus, Josephus (*Jewish War* and *Jewish Antiquities*), Nicholas of Damascus, Pliny the Elder, Plutarch, Strabo, and Tacitus, as well as I *Maccabees* V.24-25, IX.35-36, II *Maccabees* V.8, the *Periplus Maris Erythraei* 19, and many later texts. For a thorough outlining of this history, see Hackl, et al., *Quellen zur Geschichte der Nabatäer*, 36-59 and Robert Wenning, "The Nabataeans in History," in *The World of the Nabataeans: Volume 2 of the International Conference The World of the Herods and the Nabataeans held at the British Museum, 17 - 19 April 2001*, edited by Konstantinos D. Politis, 25-44 (Stuttgart: Franz Steiner Verlag, 2007). It should be noted though that I do not agree with sections of their interpretations, such as Hackl, et al.'s statement on page 45, which is entirely unsupported by the evidence at hand: "Der Nabatäerkönig scheint sich hingegen für die Römer als verlässlicher Klient erwiesen zu haben, so dass sein Reich noch nicht in das römische Reich integriert wurde."

τὰ μὲν οὖν πρὸς τὴν ἕω μέρη κατοικοῦσιν Ἄραβες οὓς ὀνομάζουσι Ναβαταίους, νεμόμενοι χώραν τὴν μὲν ἔρημον, τὴν δὲ ἄνυδρον, ὀλίγην δὲ καρποφόρον... διόπερ οἱ ταύτην τὴν χώραν κατοικοῦντες Ἄραβες, ὄντες δυσκαταπολέμητοι, διατελοῦσιν ἀδούλωτοι, πρὸς δὲ τούτοις ἔπηλυν μὲν ἡγεμόνα τὸ παράπαν οὐ προσδέχονται, διατελοῦσι δὲ τὴν ἐλευθερίαν διαφυλάττοντες ἀσάλευτον. διόπερ οὐτ' Ἀσσύριοι τὸ παλαιὸν οὐθ' οἱ Μήδων καὶ Περσῶν, ἔτι δὲ Μακεδόνων βασιλεῖς ἠδυνήθησαν αὐτοὺς καταδουλώσασθαι, πολλὰς μὲν καὶ μεγάλας δυνάμεις ἐπ' αὐτοὺς ἀγαγόντες, οὐδέποτε δὲ τὰς ἐπιβολὰς συντελέσαντες.

Now the eastern parts are inhabited by Arabs, who bear the name of Nabataeans and range over a country which is partly desert and partly waterless, though a small section of it is fruitful... Consequently the Arabs who inhabit this country, being difficult to overcome in war, remain always unenslaved; furthermore, they never at any time accept a man of another country as their over-lord and continue to maintain their liberty unimpaired. Consequently neither the Assyrians of old, nor the kings of the Medes and Persians, nor yet those of the Macedonians have been able to enslave them, and although they led many great forces against them, they never brought their attempts to a successful conclusion.⁷¹⁵

Accordingly, the Nabataeans had a reputation as strong warriors,⁷¹⁶ but of a small and often desperately inhospitable land, with the exception of Petra and other oases. As small kingdoms began to break away from the Seleucid Empire, Nabataea progressively came into more conflict with the Ptolemies and the new kingdoms. Trade, especially for control of incense into the Mediterranean markets, was a main impetus for these conflicts. Border skirmishes, particularly with the Hasmoneans, were also exceedingly common, as each kingdom had successes and losses in controlling the territory and trade in the region near the border. Even though they were often in conflict during the second century BCE, the Nabataeans and Hasmoneans retained a fairly friendly relationship, likely in alliance against the quickly collapsing Seleucids.⁷¹⁷ The

⁷¹⁵ Translation by C. H. Oldfather, *Diodorus of Sicily, in Twelve Volumes* (Cambridge: Harvard University Press, 1935).

⁷¹⁶ Strabo argued that they were weak warriors, but his interpretation should be strongly questioned; Wenning, “The Nabataeans in History,” 35 and David Graf, “The Nabatean Army and the cohortes Ulpiae Petraeorum,” in *The Roman and Byzantine Army in the East*, edited by E. Dabrowa, 265–311 (Krakow: Jagiellonian University Press, 1994).

⁷¹⁷ See, for example, events in I Maccabees V.24–25, Josephus, *AJ* XII, 335–336, and *AJ* XIII, 359–360. For a summary of the continuing debate about this time period, see Paolo Cimadomo, *The Southern Levant during the first*

traditional result of this patchwork evidence is a picture of Nabataea as a state, with somewhat flexible political boundaries, on the periphery of the Hellenistic world and little direct impact on the ongoing events.

Nabataea becomes a more widely known kingdom once it came into military conflict with Pompey in 65-63 BCE. While many scholars declared the kingdom a client state of Rome from this point,⁷¹⁸ it seems more likely that Nabataea retained its independence through the first century BCE.⁷¹⁹ For example, Nabataea allied with Rome when their interests aligned, but worked against Rome in their war against the Parthians in 40 BCE.⁷²⁰ The Nabataeans went so far as to burn Cleopatra's Red Sea fleet after the Battle of Actium,⁷²¹ but this was likely due to their long-standing rivalry in trade and economic pursuits (detailed more below) rather than submission to Octavian's Rome. Nabataean-Roman clashes continued throughout the end of the first century BCE.

centuries of Roman rule (64 BCE–135 CE): Interweaving Local Cultures (London: Oxbow Books, 2019), 60-71 (although I am not in agreement with all of these conclusions).

As their history predates the decline of the Seleucid Kingdom, arguments have characterised Nabataea as “not a consequence of the dissolution of the Seleucid kingdom” (Cimadomo, *The Southern Levant*, 86). However, this characterization overlooks the opportunity for growth and development which bolstered the Nabataean state, once the tensions along its borders eased.

⁷¹⁸ See for example, Bowersock, *Roman Arabia*, 34-37; Wenning, “The Nabataeans in History,” 32; Hackl, et al., *Quellen zur Geschichte der Nabatäer*, 36-42; Dolinka, *Nabataean Aila from a Ceramic Perspective*, 6; D. Gibson, *The Nabataeans: Builders of Petra* (Bloomington: Xlibris Corporation, 2004), 42. *Contra*, Stephan G. Schmid, “Nabataean Royal Propaganda: A Response to Herod and Augustus?,” in *Herod and Augustus: Papers Presented at the IJS Conference, 21st–23rd June 2005*, edited by David M. Jacobson and Nikos Kokkinos, 325-60 (Leiden: Brill, 2009).

⁷¹⁹ For a more complete argument about the paucity of evidence for a Nabataean client status, see Anna Accettola, “In Roman Eyes Only: A Reassessment of Nabataean Client Status,” (forthcoming). This contestation has filtered into more modern scholarship on Nabataea, but has yet to be challenged directly.

⁷²⁰ Cassius Dio, *Historiae Romanae* 48.41.5.

⁷²¹ Cassius Dio, *Historiae Romanae* 51.6.2-7.1; Josephus, *AJ* 15.88-96; Josephus, *BJ* 1.358-361; Plutarch, *Antonius* 36.1-3, 69.3-5.

The murky history of Nabataea's independence before its annexation in 106 CE, as well as its lack of internal literature or chronological records, has obscured modern understanding of the development of Nabatea from the end of the fourth century until the first century BCE. Internal Nabataean organization and policies have been widely overlooked in the Hellenistic period due to the negligible amount of sources which come from or deal with this period. As the famous rock-cut monuments of Petra have been traditionally dated to the final decades of the first century BCE and the first century CE, many historians have relegated Nabataea to a largely inconsequential kingdom in the second century BCE.⁷²² New evidence, however, should aid scholars in recognizing that Nabataea was much more influential and integrated with the Mediterranean world in the second century than has been previously appreciated.

A few scholars, thus far, have pushed back against traditional dating. David Graf adds to the woeful amount of information about this period with a thorough analysis of Posidippus' book of epigrams, *Lithika*, one of which mentions a Nabataean king. The epigram, labelled AB 10 (II 7-16) is highly fragmentary, but has been reconstructed as follows:

7 ...cylinder
8 ...
9 ...mountain stream
10 ...
11 ...of a craftsmen
12 ...
13 ...through them
14 ...
15 ...Nabataean
16 ...king of Arabian horsemen.⁷²³

⁷²² See, for example, overview given in Hackl, et al., *Quellen zur Geschichte der Nabatäer*, 36-9.

⁷²³ C. Austin and G. Bastianini, *Posidippi Pellaei quae supersunt omnia* (Milan: University of Milan, 2002) and B. Acosta-Hughes, E. Kosmetatou, and M. Baumbach, eds., *Labored in Papyrus Leaves: Perspective on an Epigram Collection Attributed to Posidippus (P. Mil. Vogl. VIII 309)* (Washington, D.C., Center for Hellenic Studies/Cambridge, MA: Harvard University Press, 2004).

In his analysis, Graf argues for a much earlier coalescence of Nabataean hierarchy and political stability than is often offered.

In a recently published Nabataean text from the Museum in Damascus that has been assigned loosely to the third or second century BC, there is a reference to a «Nabataean king» (Milik 2002, p. 275; the date and name of the king are lost in the fragmented text, but the words *mlk nbt,w* are clear). In addition, another Nabataean inscription of the first half of the second century BC from Halutza (ancient Elusa) in the Negev refers to an «Aretas, king of the Nabataean» (Cantineau 1932, p. 44; see Bowersock 1983, p. 18, n. 22 for the date; cf. Retsö 2003, p. 386, n. 84), possibly the Arab «tyrant» (tyrannos) Aretas mentioned in Maccabean history of ca.168 BC (2 Macc. 5.8; cf. I Macc. 5:25-26). The previous assumption that the Nabataean «dynasts» followed the Jewish Hasmonean monarchs in adopting the title royal «king» only later when the Seleucid empire «disintegrated» in the late second century BC (cf. Goldstein 1983, p. 256) should be rejected. This hypothesis is now in conflict not only by the Nabataean inscriptions in the Negev and Southern Syria, but also by the new reference to a «Nabataean king» in the third century BC Milan papyrus. Nothing precludes Posidippus' Nabataean basileus in AB 10 from being understood in the traditional sense of «king». ⁷²⁴

The late third century epigrams argue a greater sense of political organization for the Hellenistic period and a basis for moving beyond thinking of the Hellenistic Nabataeans as nomads and brigands. ⁷²⁵

In addition, a recent reevaluation of the Petra monuments has revised the dates for the earliest buildings and routes into Petra. Netzer and Mouton and Renel began these arguments through re-dating tomb architecture to the second century BCE. ⁷²⁶ Graf and Parr have recently

⁷²⁴ David Franck Graf, "The Nabateans in the Early Hellenistic Period: The Testimony of Posidippus of Pella," *Topoi* 14.1 (2006), 60-1. Graf goes on to categorize the Nabataean king as keeping distinguished company even in this early period. "The Nabataean king makes his appearance in these epigrams right alongside the tyrants of archaic Greece, Persian royalty, and the Ptolemaic rulers of Alexandria, quite distinguished company for any monarch" (62).

⁷²⁵ For dating, see Graf, "The Nabataeans in the Early Hellenistic Period," 49. For a reductionist view of Nabataeans as unorganized tribes without political cohesion, see J. Retsö, "The Nabataean Problem," in *The Arabs in Antiquity: Their History from the Assyrians to the Umayyads*, 364-391 (London and New York: Taylor & Francis Ltd, 2003).

⁷²⁶ Ehud Netzer, *Nabatäische Architektur* (Darmstadt: Verlag Philipp von Zabern, 2003); Michel Mouton and Francois Renel, "The early Petra monolithic funerary blocks at Rās Sulaymān and Bāb as-Sīq," in *Men on the Rocks: The Formation of Early Petra*, edited by M. Mouton and S. G. Schmid, 135-62 (Berlin: Logos Verlag Berlin

argued for Petra city-center infrastructure development in the Hellenistic era.⁷²⁷ Moreover, the Brown University Petra Archaeological Project has found evidence of a “marked increase in activity” in the hinterland of Petra in the third and second centuries BCE.⁷²⁸ Furthermore, Björn Anderson argues persuasively that the Nabataeans had turned their attention to a “monumentality” as part of their later Hellenistic interests. This specifically took the form of the carving of monumentally sized merchants and camels, loaded with fine goods and wares to trade, into the rock walls of the Siq, the approximately one kilometer long, imposing gorge leading to the entrance to Petra.⁷²⁹ Nearly half again larger than life-size and carved several feet above the ground, these figures tower over passersby. According to Anderson, these engraved images were a signal to traders and merchants at the end of the second century BCE that Petra was the seat of Arabian trade. In conjunction with arguments that Hellenistic Nabataean sites, such as that of Oboda, a religious center and caravan station operated from the early third centuries BCE to the

GmbH, 2012). Robert Wenning also accepts the possibility of religious betyls in Petra in the second century BCE, but that date cannot be corroborated (“Nabataean niches and “Early Petra”,” in *Men on the Rocks: The Formation of Early Petra*, edited by M. Mouton and S. G. Schmid, 343-50 (Berlin: Logos Verlag Berlin GmbH, 2012)), 344.

⁷²⁷ P. J. Parr, “The Urban Development of Petra,” in *The World of the Nabataeans: Volume 2 of the International Conference The World of the Herods and the Nabataeans held at the British Museum, 17–19 April 2001*, edited by K. D. Politis, 273-300 (Stuttgart: Franz Steiner Verlag, 2007) and David Graf, “In Search of Hellenistic Petra. Excavations in the City Center,” in *Crossing Jordan. North American Contributions to the Archaeology of Jordan*, edited by Th. E. Levy, P. M. M. Daviau, R. W. Younker and M. Shaer, 333–339 (London/Oakville: 2007). Contra Wenning, “The Nabataeans in H1story,” 29 who argues that Petra was essentially a tent city until the Augustan period.

⁷²⁸ Susan E. Alcock and Alex R. Knodell, “Landscapes north of Petra: the Petra Area and Wādī Silaysil Survey (Brown University Petra Archaeological Project, 2010-2011),” *Proceedings of the Seminar for Arabian Studies* 42, Supplement: The Nabataeans in Focus: Current Archaeological Research at Petra. Papers from the Special Session of the Seminar for Arabian Studies held on 29 July 2011 (2012), 5-15 and Alex R. Knodell, et al., “The Brown University Petra Archaeological Project: Landscape Archaeology in the Northern Hinterland of Petra, Jordan,” *American Journal of Archaeology* 121.4 (2017), 621-683.

⁷²⁹ Björn Anderson, “The Camel Relief in Petra's Siq: Reflections on the Life and Afterlife of an Early Nabataean Monument,” *Jordan Journal for Archaeology and History*, Special Issue: Third International Conference on Petra and Nabataean Culture 14.4 (2020), 44 (in particular fn. 8, where I am in agreement with Bellwald and Anderson).

early first century BCE,⁷³⁰ were maintained as a “public concern,”⁷³¹ a reorientation of Nabataean Hellenistic history is timely. Hellenistic Nabataea, as a state, was much more engaged with the building of trade connections and promotion of economic concerns than has been credited.

These connections brought Nabatea into direct contact with a variety of inter-state influences from an early period. Hellenistic and Roman culture had a clear impact on the Nabataeans, especially in the realm of visual art. Early pottery and some architectural features were based on Hellenistic styles.⁷³² The facades of Petra, particularly that of the Khasneh, are populated with Hellenistic themes and syncretization of Hellenistic and Egyptian deities, seemingly in direct contrast to the typical aniconic worship of Nabataean religion.⁷³³ However, Near Eastern influences were incorporated as well, in the crenulated tomb facades, which follow traditional Achaemenid Persian iconography, and the use of zodiac figures on buildings.⁷³⁴

⁷³⁰ Avraham Negev, *The Architecture of Oboda: Final Report*, Qedem 36 (Jerusalem: Hebrew University of Jerusalem, 1997) and Tali Erickson-Gini, “Oboda and the Nabateans,” *STRATA: Bulletin of the Anglo-Israel Archaeological Society* 32 (2014), 81-108.

⁷³¹ Avraham Negev, *The Architecture of Mampsis, Final Report*, Qedem 26 (Jerusalem: Hebrew University of Jerusalem, 1988), 1: “Oboda was founded at the beginning of the Hellenistic period as a major station in the Nabatean caravan system, just as were Petra in the east and Elusa and Nessana in the central Negev.”

⁷³² S. G. Schmid, *Die Feinkeramik der Nabatäer. Typologie, Chronologie und kulturhistorische Hintergründe*, Petra Ez Zantur II.1 (Mainz: Philipp von Zabern, 2000), 110–25, 147–50, 157-58; S. G. Schmid, “The “Hellenistic” Tomb Façades of Nabataean Petra and their Cultural Background,” in *Proceedings of the Sixth International Congress of Graeco-Oriental and African Studies Nicosia 30 April – 5 May 1996, Nicosia*, edited by V. Christides and Th. Papadopoulos, 485–501 (Cyprus: Archbishop Makarios III Cultural Centre, Bureau of the History of Cyprus, 2000), 486–92; Robert Wenning, “Hellenistische Denkmäler aus Petra. Überlegungen zum Hellenisierungsprozess der Nabatäer,” in *Neue Forschungen zur hellenistischen Plastik. Kolloquium zum 70. Geburtstag von Georg Daltrop*, edited by G. Zimmer, 141-64 (Eichstätt/Wolnzach: Universitätsverlag Kastner, 2003), 150–161.

⁷³³ M. Lyttleton, “Aspects of the Iconography of the Sculptural Decoration on the Khasneh at Petra,” in *Petra and the Caravan Cities*, edited by Fawzi Zayadine, 19-29 (Amman: University of Jordan, 1990).

⁷³⁴ Björn Anderson, “Imperial Legacies, Local Identities: References to Achaemenid Persian Iconography on Crenelated Nabataean Tombs,” *Ars Orientalis* 32, *Medes and Persians: Reflections on Elusive Empires* (2002), 163-207 and Judith S. McKenzie, “Keys from Egypt and the East: Observations on Nabataean Culture in the Light of Recent Discoveries,” *Bulletin of the American Schools of Oriental Research* 324, *Nabataean Petra* (2001), 97-112, particularly 108-9.

Extensive modern research on the use of imagery and style on Nabataean monuments, both in archaeology and art history, has shown persuasively that Nabataea used the surrounding world and its various influences in order to make its capital attractive to foreigners of all origins.⁷³⁵

Nabataea seems to have maintained its original expressions of identity in private spheres, but the public faces of the region used foreign elements to forge an “international” identity and negotiate its role in the wider Mediterranean world.⁷³⁶ As it was so with art and archaeology, it may have been so in political and economic connections, building on well-established methods of interaction and inter-state institutions to infiltrate new markets.

With this evidence in mind, I argue that in contrast to a peripheral and unexceptional later Hellenistic kingdom, Nabataea not only developed the monumental architecture that made Petra such an attractive center of trade in the first centuries BCE and CE, but had already integrated with the Greek Mediterranean economic milieu in order to establish connections with far flung

⁷³⁵ For example (list not exhaustive), see: Joseph Patrich, “Nabataean Art Between East and West: A Methodical Assessment,” in *The World of the Nabataeans: Volume 2 of the International Conference The World of the Herods and the Nabataeans held at the British Museum, 17 - 19 April 2001*, edited by Konstantinos D. Politis, 79-102 (Stuttgart: Franz Steiner Verlag, 2007); Laurent Tholbecq, “Nabataean Monumental Architecture,” in *The World of the Nabataeans: Volume 2 of the International Conference The World of the Herods and the Nabataeans held at the British Museum, 17 - 19 April 2001*, edited by Konstantinos D. Politis, 103-44 (Stuttgart: Franz Steiner Verlag, 2007); Shaher Rababeh and Rama Al Rabady, “The crowsteps motif in Nabataean architecture: insights into its meaning and use,” *Arabian Archaeology and Epigraphy* 25 (2014), 22-36; Lucy Wadson, “The development of funerary architecture at Petra: the case of the façade tombs,” in *Men on the Rocks: The Formation of Nabataean Petra*, edited by M. Mouton and S. Schmid, 167–188 (Berlin: Logos Verlag, 2013); M. Gaifman, “The Aniconic Image of the Roman Near East,” in *The Variety of Local Religious Life in the Roman Near East*, edited by T. Kaizer, 37-72 (Leiden: Brill, 2008); H. Merklein and R. Wenning, “Ein Verehrungsplatz der Isis in Petra neu untersucht,” *ZDPV* 114 (1998), 162-78; Marie-Jeanne Roche, “Le culte d'Isis et l'influence égyptienne à Pétra,” *Syria* 64 (1987), 217-2; Anna Accettola, “The Nabataean Trade Nation: The Public and Private Cultures of the Nabataean Kingdom,” MA Thesis, Brandeis University, 2012; Wenning, “The Nabataeans in History,” 30-32.

⁷³⁶ Accettola, “The Nabataean Trade Nation,” 3-100. Arguments corroborated through continuing archaeological survey and excavation of the Petra region and personal conversation with Dr. Alex R. Knodell (2014). Dr. Knodell confirmed that Hellenistic and other foreign religious and artistic elements are essentially only used on Nabataean buildings where foreigners are anticipated. Private dwellings and areas without attractions for foreigners, such as markets, are largely devoid of foreign elements. While this may be just a matter of the different sensibilities and preferences of public versus private art, the stark contrast leads me to believe that there was an intentional and symbolic element.

markets for their goods. This process mirrors, to some extent, the opportunities provided by the decline of the Seleucid Kingdom, through which the Nabataeans felt an easing in their place between Ptolemaic and Seleucid disputes and benefited from the economic boost of released Seleucid gold. But it also reacts to the rise in competition for control over and taxation of trade routes in the later Hellenistic against the Ptolemies and, eventually, the Romans. By the mid-first century BCE, the Nabataean state was pursuing trade actively through the establishment of state-sponsored networks connecting diasporic nodes.

A Question of Nabataean Identity

Before discussing how the Nabataeans organized or pursued long-distance trade relationships, we must first define who are the “Nabataeans.” A long-standing debate recognizes the difficulties of defining a Nabataean identity, especially without internal literary source material.⁷³⁷ Conflations of identity and ethnicity complicate the matter further, as the few extant ancient authors sometimes use the more general term “Arab” in place of “Nabataean”⁷³⁸ and authors of Nabataean epigraphy, especially graffiti, often self-identify with personal names and other affiliations.⁷³⁹ In the following section, my goal is to show that, apart from the cultural

⁷³⁷ For the most exhaustive study to date, see Peter Alpass, *The Religious Life of Nabataea* (Leiden: Brill, 2013).

⁷³⁸ See for example, Josephus, *DBJ* 1.123-127 and *AJ* 14.14-21. For more on complications concerning differentiation of Nabataean ethnicity and identity, see Björn Peter Anderson, “Constructing Nabataea: Identity, Ideology, and Connectivity,” PhD Diss, The University of Michigan, Ann Arbor (2005), 38-42 and Philip F. Esler, *Babatha’s Orchard: The Yarden Papyri and an Ancient Jewish Family Tale Retold* (Oxford: Oxford University Press, 2017), 49-60.

⁷³⁹ For more on usage of names, see M. C. A. Macdonald, “Languages, Scripts, and the Uses of Writing among the Nabataeans,” in *Petra Rediscovered: The Lost City of the Nabataean Kingdom*, edited by G. Markoe, 37–56 (London: Harry N. Abrams, 2003); J. F. Healey, “‘May he be remembered for good’: an Aramaic Formula,” in *Targumic and Cognate Studies. Essays in Honour of Martin McNamara*, edited by K. J. Cathcart and M. Maher, 177–186 (Sheffield: Sheffield Academic Press, 1996); J. F. Healey, *The Religion of the Nabataeans. A Conspectus* (Leiden: Brill, 2001), 175–178; and J. F. Healey, “Nabataean Inscriptions: Language and Script,” in *The World of the Nabataeans*, edited by K. D. Politis, 45–53 (Stuttgart: Franz Steiner Verlag, 2007).

plurality of “Nabataeans,” one particular use of “Nabataean” could be a political marker and an official state identification associated with the King and his agents.⁷⁴⁰

This is not a new interpretation of the facts, as we have them. David Graf argued, “From this perspective, what we call ‘Nabataean’ and understand as an ethnicon is better seen as the designation of a ‘state’ involving the integration of various indigenous Arab groups into a political framework or system.”⁷⁴¹ “Nabataea” may only exist as an umbrella for the diverse and distinct tribes which fall under its official purview, perhaps as a form of citizenry.⁷⁴² Such differentiations of identification were likely acceptable within the boundaries of the kingdom and the region, where locals were in regular contact with one another and were familiar with the inner workings of the Nabataean state. Town of origin, family relationships, physical location of property - such indicators of identity would have been readily known or discoverable to others with ties to the same region.⁷⁴³

⁷⁴⁰ For more information on this cultural plurality and convincing arguments that “Nabataeans” may have been a tribe (of many in the region) which held power in the kingdom, see Alpass, *The Religious Life of Nabataea*, 1-20 and 229-40; M. C. A. Macdonald, “Arabs, Arabias, and Arabic Before Late Antiquity,” *Topoi* 16 (2009), 280; Anderson, “Imperial Legacies, Local Identities,” 163-207; Healey, *The Religion of the Nabataeans*; Ted Kaizer, “In Search of Oriental Cults. Methodological Problems concerning ‘the Particular’ and ‘the General’ in near Eastern Religion in the Hellenistic and Roman Periods,” *Historia: Zeitschrift für Alte Geschichte* 55.1 (2006), 26-47; and David Graf, “Nabataean Identity and Ethnicity: The Epigraphic Perspective,” in *Studies in the History and Archaeology of Jordan (Vol. VIII)*, edited by F. al-Khaysheh, 145-154 (Amman: The Department of Antiquities, 2004).

⁷⁴¹ Graf, “Nabataean Identity and Ethnicity,” 150.

⁷⁴² Esler argues that Alpass (2003) is too stringent in his determination that the identifier “Nabataean” meant nothing to those living in Nabataea. Instead Esler argues, based on the papyri contracts, that the parties would often identify themselves as Nabataeans, which he links with an ethnic identity (Esler, *Babatha’s Orchard*, 52-53). While I appreciate his overall argument, I think he misses the more politically driven reasoning for the use of “Nabataean” in these contracts, the need to express citizenship for the purposes of jurisdictional decisions and protections in the face of fraud or default.

⁷⁴³ For more on “ethnic boundaries” and their relation to diverse identifications within Nabataea, see Fahad Mutlaq Al-Otaibi, “Nabataean Ethnicity: *Emic* Perspective,” *Mediterranean Archaeology and Archaeometry* 15.2 (2015), 299-300.

But outside the bounds of the kingdom and its direct neighbors, tribal names, family associations, and towns of origin begin to mean less and less the farther someone travels. It seems at this point that “Nabataean” began to take on a greater role. With rare exception,⁷⁴⁴ individuals outside of Transjordan identify or are identified as “Nabataean.” As will be analyzed in much greater depth below, these inscriptions show areas which Nabataeans were able to penetrate as early as the second century BCE and the term “Nabataean” became a common term of self-representation. Unlike with Greco-Roman authors who ascribed this term to the population etically, this seems to have been an emic choice,⁷⁴⁵ one which lasted for more than two generations in the case of the diaspora in Puteoli. This self-profession of being “Nabataean” meant something to foreigners, linking the individual to a kingdom famous for its wealth, trade, and warriors.

This profession of “Nabataean” also coincides frequently with the invocation of Dushara, the high Nabataean god. Dushara is overwhelmingly associated with the kingship of Nabataea and, specifically, as the “god of the king.”⁷⁴⁶ Alpass concludes that the use of Dushara outside of Nabataea proper was “an expression of some kind of common Nabataean identity.”⁷⁴⁷ Alpass also notes Dushara’s broad distribution throughout the territorial boundaries of Nabataea, which

⁷⁴⁴ One inscription (*CIL* VI.34196; *CIS* II.187) ascribes “from Petra” to the individual, but as Petra was already the capital of Nabataea and a famous city in its own right, this differentiation is less startling than it could be. A second set of inscriptions, undated, may have been found in Carthage. If the interpretation of these is correct, then four inscriptions written in Punic, mention individuals who come *bn ptr* “from Petra,” and could be another (undated) Mediterranean node. The singular interpretation of these inscriptions in this manner is Philip C. Schmitz, “An Unrecognized Punic Attestation from Carthage of the Nabataean Frit Trade,” *Carthage Studies* 5 (2011), 71-76.

⁷⁴⁵ On etic vs. emic perspectives, see Al-Otaibi, “Nabataean Ethnicity,” 293-303.

⁷⁴⁶ Klaus Dijkstra, *Life and Loyalty: A Study in the Socio-Religious Culture of Syria and Mesopotamia in the Graeco-Roman Period Based on Epigraphical Evidence* (Leiden: Brill, 1995), 34–80, chapter titled “For the Life of...Kings: The Nabataean Perception and Employment of the Formula,” and Alpass, *The Religious Life of Nabataea*, 234-37.

⁷⁴⁷ Alpass, *The Religious Life of Nabataea*, 237

is unusual among Nabataean gods who usually had regional affiliations and are almost never found outside of the kingdom.⁷⁴⁸ However, if these two ideas are put into cooperation, then a clear state link is forged between the invocation of Dushara and a representation of the king's official presence at these sites.

Within the kingdom, the link is obvious - all the territory is under the control of the king (and perhaps belongs to him⁷⁴⁹) and, thus, Dushara is worshipped throughout the land. Outside of the kingdom, the link is more tenuous, but it is possible that these individuals were sent on business, either political or economic, at the behest of the king, resulting in the official designation of "Nabataean" on these inscriptions and an invocation of the King's god. Whether or not the individuals would have personally identified themselves in such a way becomes secondary to the reason for their excursion and their positions as agents of the king. As the Ptolemies did, the creation of a state-run network has the benefit of linking rare goods with profitable markets to the benefit of the state. If this is true, then we could say that much of the evidence of "Nabataeans" in the Mediterranean was part of a politico-economic strategy by the Nabataean kingship to create relationships with economic markets and preserve their hold over the trade of incense and other luxury goods.

Nabataean Internal Economic Organization

⁷⁴⁸ Alpass, *The Religious Life of Nabataea*, 236: "While [Dushara's] cult did not expand greatly beyond the borders of the kingdom, his distribution within the kingdom was not matched by any other deity. Unlike the other gods we have encountered, he was well represented in every part of Nabataea."

⁷⁴⁹ For consideration of whether the king owned all the land of Nabataea and "rented" it to inhabitants, see Hannah M. Cotton, "Land Tenure in the Documents from the Nabataean Kingdom and the Roman Province of Arabia," *Zeitschrift für Papyrologie und Epigraphik* 119 (1997), 255-265.

Internal Nabataean organization, political, legal, social, and economic, is one of the great mysteries of modern Nabataean scholarship. No literary evidence from within the kingdom has survived, if there was any, and Greco-Roman writers were far more concerned with events external to the kingdom. Even Josephus, one of our best sources for Nabataean history in the Hellenistic and Roman periods, omits information about the structure of the kingdom, except for mentions of a king and ministers, whose exact functions are unidentified.⁷⁵⁰ Strabo as well glosses over the particulars of administration and simply says “It is always ruled by someone from the royal family; and the king has an administrator (ἐπίτροπος, *epitropos*), someone of his companions, who is called brother: and it has exceptionally good laws.”⁷⁵¹ The *Periplus Maris Erythraei* mentions, in chapter 19, a “παραλήπτης (*paraleptes*),” a receiver of the tax or, perhaps, customs officer of some kind, at the Nabataean port of Leuke Kome, but gives no more detail. As such, evidence for economic policy or institutions which promote and protect trade are equally opaque. Fortunately, rare literary references, recent archaeological evidence, and a few papyrus fragments have been able to shed some light on the practical elements underpinning the Nabataean legal system and its relationship to trade and exchange.⁷⁵²

One clear marker of state interest in the economic realm is the production of coinage. While coinage can be used for a variety of concerns,⁷⁵³ at their most basic function, coins are

⁷⁵⁰ For information about Josephus as a source for Nabataea, see and Anna Accettola, “Josephus’ Nabataeans: A Vision of Roman Power in the Near East,” *Journal of Ancient History* 8.1 (2020), 256-79.

⁷⁵¹ The last phrase can also be translated as “And it is exceptionally orderly.” Strabo, *Geography*, 16.4.21: βασιλεύεται μὲν οὖν ὑπὸ τινος ἀεὶ τῶν ἐκ τοῦ βασιλικοῦ γένους, ἔχει δ’ ὁ βασιλεὺς ἐπίτροπον τῶν ἐταίρων τινὰ καλούμενον ἀδελφόν: σφόδρα δ’ εὐνομεῖται.

⁷⁵² More information is available after the Nabataean incorporation into the Roman Empire, but that largely falls outside the scope of this dissertation. Moreover, it was produced under the rule of a Roman governor and firmly ensconced in the Roman High Imperial system of governance.

⁷⁵³ This has been mentioned in previous chapters. For more on the multiple uses of coinage, see M. Balmuth, ed., *Hacksilver to Coinage: New Insights into the Monetary History of the Near East and Greece* (New York: ANS Numismatic Series 24, 2001); C. H. V. Sutherland, *Ancient Numismatics: A Brief Introduction* (New York: The

units of exchange. Nabataea first produced its own coinage in the late third century BCE, using Ptolemaic flans and overstriking with insignia bearing a strong resemblance to Alexander staters (the heads of Athena and Nike) with a Greek Λ below Nike added on the reverse (Figure 6.1).⁷⁵⁴ The Λ has been interpreted by some scholars to be a poor facimile of a Greek Λ or an Aramaic π to represent the first letter of the king's name, Aretas/Harithat.⁷⁵⁵



Such an endeavor indicates a much earlier coalescence of Nabataean state formation than traditional dating of Nabataean history allows (and is in agreement with the revised history above). This does not disallow the place of imported coinage during the Hellenistic period, especially as Nabataean coinage likely did not yet have an inter-state reputation as trustworthy and worthwhile, but does indicate a state interest in this process. Moreover, by the mid-first

American Numismatic Society, 1958); A. H. M. Jones, "Numismatics and History," in *Essays in Roman Coinage presented to Harold Mattingly*, edited by R. A. G. Carson and C. H. V. Sutherland, 13-33 (Oxford: Oxford University Press, 1956).

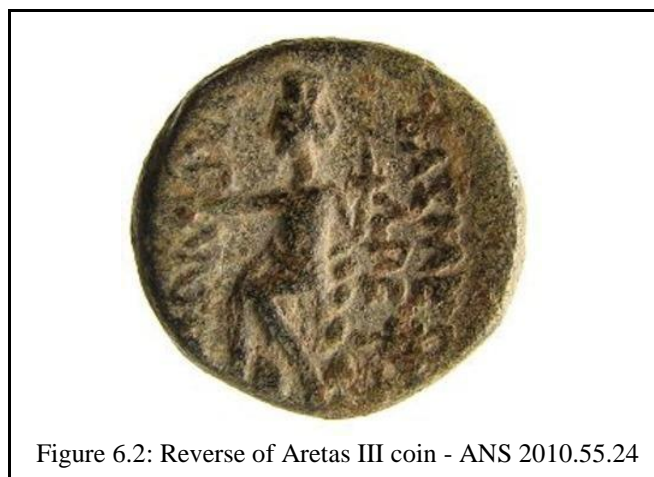
⁷⁵⁴ Rachel Barkay, "The Earliest Nabataean Coinage," *The Numismatic Chronicle* 171 (2011), 67-73, particularly 70-1. This was a long debated topic, with the previous earliest minting date ca. 110 BCE: see A.S. Kirkbride, "Note on a new type of AE coin from Petra," *Palestine Exploration Quarterly* 69 (1937), 256-7; Y. Meshorer, "Nabataean Coins," *Qedem* 3 (1975), 85-6, nos 1-4; K. Schmitt-Korte, "Nabataean coinage - Part II," *Numismatic Chronicle* 150 (1990), 125-6; G. M. C. Bowsher, "Early Nabataean coinage," *Aram* 2 (1990), 221-28; Julian Bowsher, "Monetary Interchange in Nabataean Petra," in *The World of the Nabataeans*, edited by K. D. Politis, 337-43 (Stuttgart: Steiner Verlag, 2007).

⁷⁵⁵ Meshorer, "Nabataean Coins," 10-11.

century BCE, foreign coins became significantly less common, especially in the capital city. As Julian Bowsher argues,

Petra was regarded as a cosmopolitan place, full of “Romans and other foreigners” (Strabo *Geog.* 16.4.21) and one might have expected more foreign currency than appears to be the case. However, this limited survey of coin finds suggests that the Nabataean monetary system was strong enough to withstand the use of foreign coins in Petra at least. Furthermore, inscriptions from the Nabataean site of Medain Saleh specify that fines (for tomb violation) must be paid in Nabataean state currency. Stratigraphic data, showing a continued circulation into the early 2nd century, would suggest a confidence in Nabataean money that was slow to change.⁷⁵⁶

Greek was also added to coins around this time, likely to make them more appealing in a wider realm. Coins of Aretas III (r. 84 to 60/59 BCE) had “βασιλέως Ἀρέτου Φιλέλληνος (of King Aretas, fond of the Hellenes)” on the reverse (Figure 6.2).⁷⁵⁷ Thus, while this indicator of state involvement in the economic realm is often overlooked, production of coinage and its requirement for payment of fines are important aspects of understanding that the Nabataean Kingdom did have well-developed internal economic policies, even though our information about them is obscure.



⁷⁵⁶ Bowsher, “Monetary Interchange in Nabataean Petra,” 342.

⁷⁵⁷ This is in line with the adoption of the Attic standard by various Arabian regions (northern and southern) during the third century BCE and as a reaction to the creation of the Hellenistic Kingdoms. For more, see Taco Terpstra, *Trade in the Ancient Mediterranean*, 112.

State involvement in trade is also documented through the archaeological discoveries along key overland trade routes and at ports and harbors within the kingdom. The Nabataeans began to build forts and guard outposts during the Hellenistic period in strategic places along the trade routes from southern Arabia to the Mediterranean. One such example is the site of Ma'agurah, which lies between Elusa and Oboda, two main cities on the Incense Route from Petra to Gaza. Archaeologists Tali Erickson-Gini and Yigal Israel report, "The early excavations revealed the presence of a rectangular caravanserai, 22 x 40m in size, which is among the earliest Nabataean caravanserais recorded...The ceramic assemblage uncovered in the excavations dated to the Hellenistic period and the earliest coins date to the second century BCE."⁷⁵⁸ In southern Jordan as well, caravanserais and forts were built along the routes leading to the main port, Aila (modern-day Aqaba), in the late second century BCE.⁷⁵⁹ Although not always successful in protecting their access to the trade route, as the Ma'agurah caravanserai was lost to the Hasmoneans along with Gaza in ca. 99 BCE,⁷⁶⁰ these buildings show that considerable organized effort went into securing these regions and passages.

Moreover, these structures became more common in the late first century BCE and through the first century CE and expanded southward. While the buildings had long indicated a state interest in both protecting traders from the harsh environment in the desert and facilitating

⁷⁵⁸ Tali Erickson-Gini and Yigal Israel, "Excavating the Nabataean Incense Road," *Journal of Eastern Mediterranean Archaeology & Heritage Studies* 1.1 (2013), 34.

⁷⁵⁹ For more on these buildings, see David Graf, "The Nabateans and the Ḥismā: In the Footsteps of Glueck and Beyond," in *The Word of the Lord Shall Go Forth: Essays in Honor of David Noel Freedman in Celebration of His Sixtieth Birthday*, edited by C. L. Meyers and M. P. O'Connor, 647–64 (Winona Lake: Eisenbrauns, 1983), in particular 649-53 and Glenn J. Corbett, "Desert Traces: Tracking the Nabataeans in Jordan's Wādī Ramm," *Near Eastern Archaeology* 75.4 (2012), 208-219: "Beyond the major settlements at Ḥawāra and Wādī Ramm, the Nabataeans established a series of forts and caravanserais in the Ḥismā, especially along the Ras en-Naqb escarpment and the winding valleys that guarded the main road to the port city of Ayla" (211).

⁷⁶⁰ Erickson-Gini and Israel, "Excavating the Nabataean Incense Road," 37.

the overland movement of goods from the south of the Arabian Peninsula to the Mediterranean Sea, we can also see that their construction was something of a response to trade pressures exerted on Nabataean control over these routes. The Hasmoneans were a threat to the Nabataeans in the second century BCE, likely inspiring some of the first buildings. The Ptolemies and Romans became the most prominent threat in the first centuries BCE and CE; thus, more defense was needed. The focus on defending the trade routes is particularly interesting, as these protections seem less about strict defense of territorial borders, but rather about protection of goods and economic profit.⁷⁶¹ If the claim that Nabataea imposed a 25% tax on merchants coming into its territory is correct, then rulers would have had a vested interest in protecting that income (*Periplus Maris Erythraei* 19). But, for the cost, they would also be required to ensure that merchants were able to transverse their land peaceably and effectively. There were other routes by which merchants could reach the Mediterranean (the basis of the trade rivalry between the Nabataeans and the Ptolemies), especially after technology allowed the Red Sea to be more easily navigable. The Nabataeans could not have levied such a tax, if it was not put to good use in protecting those who paid it.

In addition, the collector of a tax, the aforementioned “*παραλήπτης*,” at the port of Leuke Kome hints at an organized system by which importation taxes were collected. While some scholars doubt the reality of such a magistrate operating under the Nabateans, and instead prefer a Roman magistrate,⁷⁶² there is no reason to doubt that such a position could have been created

⁷⁶¹ Z. Al-Salameen, “The Nabataean Economy in the Light of Archaeological Evidence,” PhD Thesis, University of Manchester, Manchester, UK (2004), 52-53.

⁷⁶² See, for example, S. E. Sidebotham, *Roman Economic Policy in the Erythra Thalassa 30 B.C.-A.D. 217* (Leiden: Brill, 1986), 106-7 and Gary K. Young, “The Customs-Officer at the Nabataean Port of Leuke Kome (“*Periplus Maris Erythraei*” 19),” *Zeitschrift für Papyrologie und Epigraphik* 119 (1997), 266-268. This argument arises from the inclusion of a *παραφυλακῆς* in this same chapter, which is often equated with a Roman centurion. This attribution makes some sense due to the Roman date of the *Periplus*, but given Rome’s general hands-off approach

as part of the second century BCE caravanserai system, which would have created spaces for the collection of taxes, as well as shelter and protection. While the *Periplus* is a fairly late recording of the state of commerce in the region, most probably written in the first century CE and reflecting the growing control of Rome over the Mediterranean and its environs, Nabataea must have collected taxes in order to benefit from the trade constantly crossing its borders. Ports, caravanserais, and other state-run spaces would have been effective choke points in order to collect taxes and ensure that merchants and traders moved along the trade routes under the protection of the kingdom.

Specific laws are harder to uncover. Strabo provides a brief glimpse at early Roman-era Nabataean policies concerning acquisition and those involved with the movement of goods or property. He writes, 16.4.26, “σώφρονες δ’ εἰσὶν οἱ Ναβαταῖοι καὶ κτητικοί, ὥστε καὶ δημοσίᾳ τῷ μὲν μειώσαντι τὴν οὐσίαν ζημίᾳ κεῖται, τῷ δ’ ἀξήσαντι τιμαί (the Nabataeans are sensible and acquisitive, so much so that by public consent fines are given to anyone who diminishes their property and honors to anyone who increases/honors it).” While modern authors have interpreted this description in a variety of ways, from “an almost obsessive regard for, and attachment to, money” to a regressive taxation system,⁷⁶³ this description of Nabataean response to acquisition may have a simpler solution. Ζημία (*zemia*) is a penalty and may refer to levying a fine against someone who, through fraud or ignorance, causes loss in an economic transaction.⁷⁶⁴

to economic structures, it does not make sense to refuse the likelihood that Nabataea already had a magistrate at this post.

⁷⁶³ The first description is from Iain Browning, *Petra* (London: Chatto & Windus, 1994), 44. The second is from a highly problematic article, which while interesting in theory, suffers from an ahistorical approach to ancient economics and ignores evidence about Nabataean taxation provided by Diodorus Siculus entirely (J. S. Butler and Diana Weinhold, “Taxing Losses: Economic Suicide or Shrewd Trade Policy?,” *The Journal of Interdisciplinary History* 33.1 (2002), 47-57).

⁷⁶⁴ Alternately, τὴν οὐσίαν could refer to a person’s own essence, nature, or self. If we translate this less physically (rather than as “property”), then Strabo may be reporting that Nabataeans fine those who harm their own being or

Such a law would work to insure that merchants, both buyers and sellers, minimized dishonesty and informational asymmetry in their interactions. Moreover, if we translate αὐξήσαντι (*auxesanti*) as “strengthening” or “glorifying” (as in a Herodotian sense), instead of increases, then the final phrase could have a more personal implication, referring to honoring those with good reputations within the market or general economic transactions. While there is no other evidence to support such an interpretation, the idea that these fines and honors are given δημοσίᾳ (*demosia*, by public consent or publically) indicates that such matters were of common concern to the people of Nabataea and were well-known outcomes for positive and negative actions in the economic realm.

Strabo also mentions the legal disputes witnessed by his source Athenodorus (16.4.21): “τοὺς μὲν οὖν ξένους ὄρᾳν κρινομένους πολλάκις καὶ πρὸς ἀλλήλους καὶ πρὸς τοὺς ἐπιχωρίους, τῶν δ’ ἐπιχωρίων οὐδένας ἀλλήλοις ἐγκαλοῦντας, ἀλλὰ τὴν πᾶσαν εἰρήνην ἄγοντας πρὸς ἑαυτούς (and he saw that foreigners often had legal disputes against one another and against the local people, but the locals brought no charges against one another, but in every way lived peacefully with one another).” Strabo provides no details about the types of lawsuits or the court system within which they were argued. However, it is entirely unreasonable to assume that Nabataeans never had legal conflicts with one another, especially given the evidence in the papyri fragments of a legal system to ensure the terms of these contracts (discussed below). Perhaps instead we should understand Athenodorus as a witness of a place of inter-state adjudication where non-citizens could access the courts to engage in litigation against other foreigners and against locals. Nabataeans in conflict with other Nabataeans may have had

standing, i.e. reputations. This interpretation of the Greek depends heavily on the connection between the description of Nabataeans as κτητικοί and a more philosophical use of τὴν οὐσίαν as referring to the self. The use of κτητικοί sets the tone for the immediately following qualifiers.

another court or another system by which to resolve their conflicts. Such a division would indicate a state interest in providing foreigners a method of settling conflict which did not exclude them on the basis of citizenship or, perhaps, familiarity with the inner-workings of Nabataean law.

Any specific information about laws, enforcement, penalties, and contracts must also be gleaned from the few pieces of contractual evidence remaining. This evidence, unfortunately, comes almost entirely from near the end of Nabataean independence and a much expanded Roman imperial context. However, Nabataean law seems to have significant continuity with older Near Eastern precedents. As Muffs argued, “Norms didn’t die; they were simply transformed into a new linguistic garb and in their new form continued their functions as of old.”⁷⁶⁵ In addition, due to Rome’s relatively small impact on the economic practices of the Near East, even on client states, we may be able to theorize that the policies in these documents existed in earlier years, if in less fully-developed ways. In the fragments from within the Nabataean Kingdom, Roman legal processes are entirely absent until the second century CE.⁷⁶⁶

While Nabataean tombs famously include legal contracts regarding ownership and inheritance in their inscriptions,⁷⁶⁷ the most useful evidence for understanding internal Nabataean economic policies are the papyrus contracts, six of which are in the *P.Yadin* collection, often

⁷⁶⁵ Y. Muffs, *Studies in the Aramaic Legal Papyri from Elephantine* (Leiden: Brill, 1969), 13. For more on the origin of Nabataean law, see Al-Salameen, “The Nabataean Economy,” 74-6.

⁷⁶⁶ Hackl, et al., *Quellen zur Geschichte der Nabatäer*, 376. For the delay in introduction of Roman legal processes, see also, Elisabeth Koffmahn, *Die Doppelurkunden Aus Der Wüste Juda. Studies on the Texts of the Desert of Judah, vol. V.* (Leiden: Brill, 1968), 98; Erich Gruen, *The Hellenistic World and the Coming of Rome* (Berkeley: University of California Press, 1984), 13-200; Fergus Millar, *The Roman Near East, 31 B.C.-A.D. 337* (Cambridge: Harvard University Press, 1993), 48-51.

⁷⁶⁷ Mahdi Abdelaziz, “Notes on the Nabataean Legal System,” *Dirasat, Human and Social Sciences* 32.1 (2005), 189-99 and J. Healey, “Sources for the Study of Nabataean Law,” *New Arabian Studies* 1 (1993): 203–14.

called the “Babatha Archive” after the Jewish woman at the center of the dossier,⁷⁶⁸ and a handful more in the *Seiyal* collection.⁷⁶⁹ These contracts, dated from approximately 43 CE to the early second century CE,⁷⁷⁰ preserve reference to a set of Nabataean laws, some of which govern sale and exchange, which has not been preserved elsewhere. For example,

...the word *ḥlyqt* also occurs in the Nabataean papyri in different legal phrases such as *ḥlyqt ml* “customary law of work” and *ḥlyqt zbnny’ wbr’wn’ dy mt[k]tbt l’lm* “the customary law of purchases and clearances which are writ[t]en forever” (P.Yadin 3, line 40), which indicates the existence of the Nabataean written law.⁷⁷¹

As such, the notion that a kingdom so entangled with the import and export of foreign goods would have a section of written law devoted to economic concerns is a likely assumption.

These texts, moreover, show a standard style for the creation and preservation of contracts. First, most of these contracts were of a double document style, in which the contract is written twice, once in a slightly shortened form and once in a more detailed manner. The shorter contract or “top” is then rolled and sealed, while the longer description remains available for various parties’ inspections.⁷⁷² Contracts could then be deposited in official locations, although little is known about the exact nature of these. These contracts are also exceptionally formulaic

⁷⁶⁸ Several dozen documents in Hebrew, Greek, and Aramaic make up the Babatha archive, which spans mid-first to mid-second century BCE. Published in many collections, such as Hannah M. Cotton and Ada Yardeni, *Discoveries in the Judaean Desert. Volume 27. Aramaic, Hebrew and Greek Documentary Texts from Nahal Hever and Other Sites: With an Appendix Containing Alleged Qumran Texts (The Seiyal Collection II): Desert* (Oxford: Clarendon Press, 1997).

⁷⁶⁹ See, for example, J. Starcky, “Un Contrat Nabatéen sur Papyrus,” *Revue Biblique* (1946-) 61.2 (1954), 161-181; Ada Yardeni, “The Decipherment and Restoration of Legal Texts from the Judaean Desert: A Reexamination of *Papyrus Starcky* (P. Yadin 36),” *Scripta Classica Israelica* 20 (2001), 121–37; and J. Healey, “On Stone and Papyrus: Reflections on Nabataean Epigraphy,” *Palestine Exploration Quarterly* 143:3 (2011), 163-165.

⁷⁷⁰ Yardeni, “The Decipherment and Restoration,” 126, on dating the earliest contract, P.Yadin 36.

⁷⁷¹ Al-Salameen, “The Nabataean Economy,” 68. *Contra* conclusions in Abdelaziz, “Notes on the Nabataean Legal System.”

⁷⁷² Al-Salameen, “The Nabataean Economy,” 68-9; Esler, *Babatha’s Orchard*, 229-30; B. Porten, “Aramaic Papyri and Parchments: A New Look,” *BA* 42 (1979), 78-81.

and are “all arranged as follows: the date of the issue of the document, the parties, the place (optional), the transaction, the investiture, the guarantee, the scribe and the witnesses.”⁷⁷³

Multiple witnesses are required and the scribe seems to be an official position, not simply a literate friend or colleague. While the formulaic nature of the contracts may be a feature of the late first century CE date, arguments have been convincingly made rather that the character of these contracts is a standard for the wider region, based on a much older precedent.⁷⁷⁴ As such, we may be able to assume that any laws or penalties preserved within were also in use for the duration of the Nabataean Kingdom.⁷⁷⁵

The text of the documents themselves reveal information about the legal structures which underpinned economic exchange and the inclusion of women acting independent owners of property. Unfortunately, none of these documents deal directly with trade, which undercuts their usefulness in understanding long-distance trade, but the information still shows the basic requirements for contractual agreements. Fixed terms, named parties (such as a Nabataean woman, ‘Abi’adan daughter of ‘Aftah, daughter of Manigros), and a variety of witnesses follow commonly known practices in the creation of a contract, similar even to those from Classical Athens and the wider Near East region.⁷⁷⁶ In addition, these contracts contain the identification

⁷⁷³ Al-Salameen, “The Nabataean Economy,” 75; B. Porten, “Elephantine Papyri,” in *ABD* Volume 2, edited by D. Freedman, G. Herion, D. Graf, and J. Pleins, 445-55 (New York: Doubleday, 1992), 450; Esler, *Babatha’s Orchard*, 229-254 for side by side comparison of the documents’ text (*P. Yadin* 1-4).

⁷⁷⁴ Al-Salameen, “The Nabataean Economy,” 75 and Muffs, *Studies in the Aramaic Legal Papyri*, 173-94. While it may seem problematic to assume little or no innovation in Nabataean law, any assumption of second or first century BCE changes within the system when older precedents and later (first to second century CE) systems are so similar would require an equally, if not more, problematic argument *ex silencio*.

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⁷⁷⁶ Cotton and Yardeni, *Discoveries in the Judaean Desert* and Hannah M. Cotton, “Continuity of Nabataean Law in the Petra Papyri: A Methodological Exercise,” in *From Hellenism to Islam: Cultural and Linguistic Change in the Roman Near East*, edited by H. M. Cotton, R. G. Hoyland, J. J. Price, and D. J. Wasserstein, 154-74 (Cambridge:

of a guarantor, who will ensure the fulfillment of the various terms of the contract.⁷⁷⁷ *P.Yadin* 36, the earliest of the Nabataean contracts, has been described as a writ of seizure.⁷⁷⁸ While the papyrus is fragmentary, it seems that one actor, ‘Isimilk, was able to seize property held by two men in debt to him for 400 *sela*, plus interest. He then auctioned off the property in order to pay off the debt. The contract at hand was an agreement by their heirs that all debts had been paid and ownership of all property was settled.⁷⁷⁹ While, again, not directly about trade, this document reveals the ability for someone owed money (either from a loan or payment of some other debt) to physically seize valuable land and perhaps goods in order to satisfy those debts. It seems probable that this law or one similar would apply also to goods traded, especially if a partnership was undertaken to fund long-distance trading expeditions.

In this same vein, penalty clauses are also a clear part of these contracts. *P.Yadin* 2 explicitly states that any deviation from the written agreement will result in a debt of the entire

Cambridge University Press, 2009). Contractual similarities extended even into Hellenistic Egypt, as mentioned in Chapter 2 (page 101; Gagarin, “Writing Greek Law,” 227).

P.Yadin 2 and 3, both written in CE, concern a grove sold by ‘Abi’adan daughter of ‘Aftah, daughter of Manigros. Throughout the document, she is seen to be acting on her own behalf and to own the land outright. For more, see Cotton, “Land Tenure in the Documents,” 255-6. Unfortunately, further evidence of women acting in economic contexts has not yet come to light.

⁷⁷⁷ *P.Yadin* 2-4 show evidence of this party, although agreement about the purpose of highly fragmentary *P.Yadin* 4 has yet to be reached. See Esler, *Babatha’s Orchard*, 178-9 for more information: “A preliminary yet major objection to characterizing *P. Yadin* 4 as a guarantee comes from the general practice of Nabatean law, where the available evidence reveals that a guarantee was provided *not in the form of a separate contract* by guarantor A with one of two parties, B and C, in a contract between B and C, *but as a clause in that contract*. This is what we find in *P. Yadin* 1, where ‘Abad-‘Amanu guaranteed the obligations of Muqimu to his wife ‘Amat-’Isi (line 16), where the word ער ב is used of the guarantor. Yet we also see this pattern in *P. Yadin* 3, line 43, where the son of Lutay offers Shim‘on a guarantee of ‘Abi-‘adan’s obligations using some word (ending in *nun*) meaning ‘is legally responsible for’ that serves the same purpose in this context as ער ב. As a matter of legal convenience, and to reduce the scribal costs of any transaction, it is obviously better to have a simple statement that A (the guarantor) is guaranteeing the obligations of party C to party B in the very document recording the contract between B and C than to have a separate and quite unnecessary contract of guarantee.”

⁷⁷⁸ According to Yardeni, “The Decipherment and Restoration,” 126.

⁷⁷⁹ Yardeni, “The Decipherment and Restoration,” 127-33.

price of the purchase (lines 14-5), seemingly due immediately.⁷⁸⁰ This penalty clause is found in contracts for the sale of immovable property (such as a farm or orchard in *P.Yadin* 2 and 3) and in the sale of moveable property (such as a donkey in *P.Yadin* 8, lines 8-9).⁷⁸¹ Unfortunately, how a penalty clause might be enforced has been omitted from these documents. The number of witnesses and a guarantor may indicate that social pressure ensured the agreed upon outcome. But the invocation of the King of Nabataeans in the penalty clauses is an interesting inclusion.⁷⁸² As mention of annual taxes paid to the King of Nabataea from the produce of these lands is also included in these contracts, state enforcement of agreements was probable and may indicate a state institution to which the injured party could refer a problem.⁷⁸³ Until corroborating evidence of such an institution is found, however, this is simply hypothetical.

And while as a sum total, the above information does not entirely illuminate the internal organization of the Nabataean Kingdom, it does allow us to appreciate that a well-structured

⁷⁸⁰ Translation by Esler, *Babatha's Orchard*, 182-86. Exceptions to the contract are allowed, but only with full agreement of both parties.

⁷⁸¹ Yigael Yadin, Jonas C. Greenfield, Ada Yardeni, and Baruch A. Levine, eds., *The Documents from the Bar Kokhba Period in the Cave of Letters: Hebrew, Aramaic and Nabatean-Aramaic Papyri*, Judean Desert Studies (Jerusalem: Israel Exploration Society, Institute of Archaeology, Hebrew University and the Shrine of the Book, Israel Museum, 2002), 112-113. *P.Yadin* 8 is in Jewish Aramaic, and not Nabataean Aramaic. However, the two come from the same time period and legal tradition and were even written by the same scribe (Esler, *Babatha's Orchard*, 61). Due to the paucity of the Nabataean contracts, I believe this ellision is acceptable. For another argument supporting the use of "sibling documents," see Cotton, "The Continuity of Nabataean Law," 154-55.

⁷⁸² This inclusion is normally only included on the lower contract or *recto* and occurs, for example, in *P.Yadin* 2, line 40, *P.Yadin* 3, line 46, and *P.Yadin* 4, line 18 (see translations in Esler, *Babatha's Orchard*, 241-53.)

⁷⁸³ Cotton, "Land Tenure in the Documents," 255-265.

Other information about penalty clauses comes from tomb inscriptions, particularly those of Mada'in Saleh. While not specifically associated with economics, three types of penalties have been preserved. The first is that any transgressor shall be cursed by the gods, normally Dushara; the second, is a monetary penalty to be paid to the gods; and the third is also a monetary penalty, but to be paid to the king. There is obviously some state institution which ensures the payments of these fines, but it remains unknown. For more information see, Cotton, "Continuity of Nabataean Law," 155-56; J. Healey, *The Nabataean Tomb Inscriptions of Mada'in Salih* (Oxford: Oxford University Press, 1993); Abdelaziz, "Notes on the Nabataean Legal System," 190-93; and Al-Salameen, "The Nabataean Economy," 73-4.

system was in place in order to ensure the free ownership and transfer of property, legal adjudication in the case of disputes, and some prevention of fraud. This system was enforced throughout the Kingdom, but still remained open enough that Babatha, not a Nabataean herself, submitted to its laws until the very end of Nabataean independence. Moreover, the resiliency of this system is demonstrated by the complete rejection of Greek as a *lingua franca* on legal documents produced within the Nabataean Kingdom until after the annexation of the Kingdom.⁷⁸⁴

Long-Distance Trade, Adaptation, and Evolution

The Nabataean Kingdom existed and engaged in inter-state negotiations and relationships for four hundred years, conservatively.⁷⁸⁵ They persisted through the turmoil of the rise and fall of the Hellenistic Kingdoms, the reordering of Mediterranean trade, the conquest of Ptolemaic Egypt, and the Roman High Imperial Period. It is a credit to their flexibility and adaptability as a state that they could persevere and prosper during such times and for such a duration. However, one facet of this continuity may have also been the continuation of common institutions in the Greco-Roman world. As I have argued previously, Rome's arrival in the Eastern Mediterranean

⁷⁸⁴ Hannah M. Cotton, "The Languages of the Legal and Administrative Documents from the Judaean Desert," *Zeitschrift für Papyrologie und Epigraphik* 125 (1999), 219-231, particularly 225-26: "Two contracts in Nabataean belong to the Roman period in Arabia...On the other hand there are no documents written in Jewish Aramaic or Greek from the Nabataean period" (225). While some Greek and Latin loan words can be found in Nabataean inscriptions (Juan Pedro Monferrer-Sala, "Greek Administrative Loanwords in Nabataean Inscriptions," *Mediterranean Language Review* 20 (2013), 97-111), these languages were not considered appropriate for officially filed documents until after 106 CE. Millar argues for a complete cessation of the Nabataean legal system as soon as it became a province (Fergus Millar, "Empire, Community and Culture in the Roman Near East: Greek, Syrians, Jews, and Arabs," *Journal of Jewish Studies* 38.2 (1987), 153; *contra* Cotton, "Continuity of Nabataean Law," 154-174).

⁷⁸⁵ This number is based exclusively on their first appearance in Greek literature (312/11 BCE) through their annexation by Rome in 106 CE. However, arguments could (and have) been made for the presence of a Nabataean Kingdom or population, in various forms, from the 6th century BCE until the fourth century CE.

did not signal a massive transformation in the structures that had underpinned trade for hundreds of years. As such, Nabataea was able to expand its trading connections within a largely economically continuous realm and take advantage of the increased demand for trade.⁷⁸⁶

The First Phase of Mediterranean Interaction: The 2nd Century BCE

The earliest evidence of Nabataean movement into the Mediterranean comes from the second century BCE.⁷⁸⁷ Three inscriptions place Nabataeans throughout the eastern Mediterranean, while a fourth indicates the importance of Petra as a center of commerce and trade. Arguably the earliest of these inscriptions is a funerary stele from Rheneia, which honors nearly two dozen individuals who worked for a man named Protarchos.⁷⁸⁸ One of these individuals was Zaidos the Nabataean, “Ζαῖδε Ναβαταῖε.” Nothing more is known about him or his employer (or patron). Of more use to our understanding the role of 2nd century Nabataea in the Mediterranean is a Greek honorary decree for a worthy gentleman from Priene, Moschion, written in the third quarter of the second century BCE.⁷⁸⁹ Moschion was honored for his role as a go-between for kings and embassies and working for the improvement of his community. In

⁷⁸⁶ Mark Altaweel and Andrea Squitieri, *Revolutionizing a World: From Small States to Universalism in the Pre-Islamic Near East* (London: UCL Press, 2018), 223; Neville Morley, “The Emporium of the World?: The Economic Impact of Empire,” in *The Roman Empire: Roots of Imperialism* (London: Pluto Press, 2010), 85; Millar, *The Roman Near East*, 50. See also, section “Decline and Invasion: Economic Implications” in Chapter 5.

⁷⁸⁷ The single exception to this is an inscription from Miletus, possibly dated to the mid-3rd century BCE, which refers to the “Petraioi.” However, little else is known about this inscription or whether these “Petraioi” correspond to Nabataeans (Georg Kawerau and Albert Rehm, *Das Delphinion in Milet*, Milet: Ergebnisse der Ausgrabungen und Untersuchungen seit dem Jahre 1899, Bd. 1, Heft 3 (Berlin: De Gruyter, 1914), 307-12, no. 140).

⁷⁸⁸ For a complete reproduction of the text, see Hackl, et al., *Quellen zur Geschichte der Nabatäer*, 134-35; Günther Klaffenbach, *Die Grabstelen der einstigen Sammlung Roma in Zakynthos* (Berlin: Abhandlungen der Deutschen Akademie der Wissenschaften, 1964), 16f. Nr. 28; *SEG* 23 134.381.

⁷⁸⁹ For dating of this inscription, see Hackl, et al., *Quellen zur Geschichte der Nabatäer*, 126-27 and Marie-Jeanne Roche, “Remarques sur les Nabatéens en Méditerranée,” *Semitica* 45 (1996), 73-100.

particular, he is praised for his interactions with the Ptolemies in Alexandria and Arabians at Petra.⁷⁹⁰ From this description, Moschion seems to be inhabiting a version of Curtin’s “cross-cultural broker” for the various regions of the eastern Mediterranean and incorporating, perhaps introducing, Nabataea into inter-state networking.⁷⁹¹ Moreover, this inscription equates the relative importance of the two cities, Alexandria and Petra, and their integration into the economic life of Priene - in direct contrast with the relatively unimportant position ascribed to Petra by literary authors.

The final two inscriptions from this period highlight the specific ways in which Nabataea and Nabataeans were able to integrate with the traditional inter-state institutions and networks of the Hellenistic period. These inscriptions provide a look at both state and private intersections between Nabataea and the Greek world. The earlier inscription comes from the second half of the second century and was inscribed and displayed in Tenos. This inscription honors a Nabataean man, “Salamenes, son of Edemon, the Nabataean,” for all of the good he has done for the people and the *polis* of Tenos. This inscription was inscribed on the occasion of Salamenes being named a *proxenos*.⁷⁹² This honor provides us with two main details about second century Nabataea. First, it shows that the *boule* of Tenos clearly felt Nabataea was a worthwhile region

⁷⁹⁰ C. Fredrich, et al., *Priene 2*, Collection V (Berlin, 1906), 82–91, Nr. 108, lines 167-8 and Hackl, et al., *Quellen zur Geschichte der Nabatäer*, 126.

⁷⁹¹ Curtin, *Cross-Cultural Trade in World History*, 53, 174, 198, *passim*.

⁷⁹² *IG XII Suppl.* 307, line 25. The identification of this inscription as a *proxenos* inscription has been largely overlooked in the scholarship, both by Greek and Nabataean historians and epigraphers. While the reconstruction of the text is fragmentary in places and only part of the word “[πρ]ό[ξενο]ν” remains, the formulaic nature of these inscriptions, as well as the descriptions of services and honors within, lays to rest any doubts about the attribution of this inscription. Taco Terpstra recognizes the *proxenia*, but downplays its possible connection to larger Greek institutions: “Roman Trade with the Far East: Evidence for Nabataean Middlemen in Puteoli,” in *Across the Ocean: Nine Essays on Indo-Mediterranean Trade*, edited by Federico De Romanis and Marco Maiuro, 73-194 (Leiden: Brill, 2015), 77-78.

with which to strengthen economic and political ties in the second century BCE.⁷⁹³ Second, as discussed in greater detail in Chapter 3, the function of a *proxenos* was to aid foreigners upon their entrance into a new city and during their stay. This was a formal relationship and normally one undertaken by the rich and well-connected citizens of a city. Under these known circumstances, we can say that while the role of *proxenos* employed private relationships, it was a marker of state interest in trade and improving relationships between different regions. In the particular case of Nabataea, it is unlikely that a man named as *proxenos* for a Greek *polis* would be able to return to Petra (as the main trading city of Nabataea) or one of the ports (Aila or Leuke Kome) and complete his duties without the approval of the king or his ministers. *Proxenoí* had to be integrated with the state institutions in order to aid foreigners and, in a trade-forward hierarchical system, significant aid to foreign traders would likely garner state interest.

The final inscription concerning Nabataea in the second-century Mediterranean comes from a Rhodian declaration, which was written in Greek. In this inscription, members of a *koinon* of the Aphrodisiastai Hermogeneioi, one leader of which was “Theudotos the Arabian,”⁷⁹⁴ records their payments to a man named Sostratus in order to purchase and dedicate a house or meeting space for the *koinon*. As with other *koina*, this group has a formal name, a hierarchical structure, and includes members from various areas, creating social connections far beyond political boundaries. Moreover, the name of the Rhodian official mentioned at the

⁷⁹³ As Terpstra argues, building from William Mack, *proxenoí* were important indicators of diaspora connections: “Greek political bodies thus provided selected foreigners with not only personalized but also multigenerational privileges. The institution of public friendship was a powerful device that could be greatly beneficial to diaspora trade. It gave foreigners both the means and the incentives to act as “cross-cultural brokers,” enabling them to establish intercommunity relations that were more encompassing than personal business connections, which by their nature were socially restricted and ephemeral” (Taco Terpstra, *Trade in the Ancient Mediterranean: Public Order and Private Institutions* (Princeton: Princeton University Press, 2019), 56).

⁷⁹⁴ This name is a common Nabataean and Safaitic name and has been determined to most likely reference a Nabataean (Hackl, et al., *Quellen zur Geschichte der Nabatäer*, 130).

beginning of the inscription, Archinos, has also been discovered at Petra, stamped onto wine amphora seals.⁷⁹⁵ This link may indicate that a single Nabataean did not simply move to Rhodes and reorient his life entirely to that location. Rather, he seems to have used this opportunity to build a network with his homeland in order to import wine, likely in exchange for incense and other goods. His lack of identification as a “Nabataean,” however, seems to indicate that there was no state support for his activities. Moreover, if Diodorus was correct in his assertion that the importation of wine to Petra was illegal (19.94.3), then Theudotos was more likely a smuggler than a state official.

Social networking through religious associations, however, was a popular way for Nabataeans to connect to one another and to others throughout the Mediterranean. Social groups have been detected in Petra through inscriptions carved into the walls of various monuments and *triclinia* in the city and the greater Petra basin. While rare groups may have been connected through tribe or profession, the most common way for groups to form was through the worship of a single god.⁷⁹⁶ While Dushara was the most popular choice, evidence for the worship of al-Kutbā, Zeus Hagios, and the deified Nabataean king Obodas has also been preserved. As Laila Nehmé argues, “it is possible that the distribution of the groups of inscriptions is actually not linked to a tribal organisation (or it may be superimposed on it) but to the worship of particular gods...the cults were distributed in the various massifs of Petra at an early stage and that the groups who were involved in this worship were, and this is significant, distinct from each

⁷⁹⁵ Ch. Schneider, “Die Importkeramik,” in *Petra. Ez Zantur I: Ergebnisse der Schweizerisch-Liechtensteinischen Ausgrabungen 1988-1992*, edited by Rolf A. Stucky, et al., 129-49 (Mainz am Rhein: Philipp von Zabern, 1996), 131

⁷⁹⁶ Laila Nehmé, “The installation of social groups in Petra,” in *Men on the Rocks: The Formation of Nabataean Petra*, edited by M. Mouton and S.G. Schmid, 113-27 (Berlin: Logos, 2012).

other.”⁷⁹⁷ Though we cannot call these groups *koina* in the same sense as in the Greek world, they present a relatable ideology on how individuals can relate to one another through worship. This ideology could very easily then be transferred into the Mediterranean proper, forging new links along religious lines. Becoming involved in a Mediterranean *koinon* seems to be a practical method of adapting local behaviors in foreign circumstances.

A final piece of evidence for the use of Nabatean cultic worship in the Mediterranean comes from the port of Chalchis. An undated inscription was found on a marble altar with “ὧι ἐστεφανώθη ὑπὸ Ἡρακλεωτᾶν ὧι ἐστεφανώθη ὑπὸ Ξουσαριαστᾶν (who was crowned by the followers of Herakles, who was crowned by the Dousharistai)” inscribed upon it (*IG XII 1.963*). The rest of the inscription, including the honorand, has been worn away, but the cultic association is clear and follows common *koina* behavior. However, the clear link between the Nabataean kingship and the worship of Dushara, as discussed above, may imply that this was more than a social network of cultists. This may, in fact, be a diasporic node of Nabataeans integrating with the local population, syncretizing their own diety with a comparable Greek figure,⁷⁹⁸ and adopting norms of Greek honorary inscriptional practice. While the lack of dating is problematic for understanding its context, Hackl et al. link this inscription with the second century inscriptions from Tenos and Rhodes, stating “Sie waren offenbar auch hier – wie auf Tenos und Rhodos (A.003.01 und A.008.01) – voll in das gesellschaftliche Leben der Stadt integriert.”⁷⁹⁹ To be integrated with the social life of the city, but kept separate by identification with the homeland, is a defining feature of diaspora. Moreover, the geographical location of this

⁷⁹⁷ Nehmé, “The installation of social groups in Petra,” 127.

⁷⁹⁸ Moreover, as previously discussed, we know that Herakles was a commonly syncretized figure, as he was made comparable to the Phoenician Melqart (see page 186).

⁷⁹⁹ Hackl, et al., *Quellen zur Geschichte der Nabatäer*, 134.

evidence, including that of Tenos and Rhodes, parallels the third century Ptolemaic push into the Black Sea region. The Ptolemies were a major threat to the Nabataean trade revenue, as they had their own ports in the Mediterranean and Red Sea and the state was aggressive in its pursuit of trade. If Nabataea wanted to compete in the Mediterranean, then they likely would have had to use similar methods in order to secure their place in the economic milieu. While not nearly as powerful as the Ptolemies, as indicated by the wider Ptolemaic use of their navy, cults, and *proxenoi*,⁸⁰⁰ Nabataea seems to have employed similar methods, though at a later time, to move up the Near Eastern coastal regions and into the Aegean islands.

The evidence from the second century BCE shows a split in private networking and state-involved institutions. Several of these inscriptions can likely be categorized as the various network connections of private individuals. But the Tenos *proxenos* inscription, the implications of Moschion's interactions with state authorities and role as an ambassador, and perhaps the Dusharists in Chalchis, show a state presence in anchoring trade to Nabataea. Even though there is little direct evidence of Nabataean involvement in creating a state-sponsored network, to completely exclude the Nabataean state from encouraging or protecting these networks goes too far. However, the lack of Nabataean Aramaic in any of these inscriptions seems to argue that Nabataeans were not powerful enough to exert their own cultural and linguistic preferences in the Mediterranean regions. It seems more likely that during the second century BCE, the Nabataeans availed themselves of the Greek inter-state institutions and networks which already existed in order to promote Petra and Nabataea in the Mediterranean, likely in part for the

⁸⁰⁰ Zofia Archibald, "Contacts between the Ptolemaic Kingdom and the Black Sea in the Early Hellenistic Age," in *The Black Sea in Antiquity: Regional and Interregional Economic Exchanges*, edited by Vincent Gabrielsen and John Lund, 253-71 (Aarhus: Aarhus University Press, 2007). *Contra*, Terpstra, "Roman Trade in the Far East," 77-80.

purposes of trade. The end result was the much more widely recognized importance of Nabataea as a center of commerce than literary sources have ascribed.

The Second Phase of Mediterranean Interaction: The 1st Century BCE - 1st Century CE

In the the first century BCE, we see a shift in Nabataean behavior in the Mediterranean region or what may be called a “second phase” of expansion and economic policy in regards to these markets. Perhaps invigorated by tensions with the Hasmoneans on the northern border, by Ptolemaic interference along the Red Sea, or the consolidation of Roman power in the rest of the Mediterranean, Nabataea began to expand outward and provided clear evidence of diasporic nodes to cement trade networks with critical areas of economic interest. This evolution as a response to external pressures highlights the ability of a smaller state to find effective ways to adapt to their changing environments. This is particularly important in the case of Nabataea, where too often this adaptation has been regarded as the beginning of economic policy, rather than an expansion.⁸⁰¹

One way by which we can deduce increased Nabataean interactions with other polities is through the dispersal of coinage, ranging from Masada to Cyprus to Antioch.⁸⁰² While this is not evidence of Nabataean trading networks, it does indicate that some Nabataean coinage was regarded well enough that it could be used outside of the immediate vicinity of the kingdom. Moreover, it maintained, for a significant time, a weight standard and accepted value which

⁸⁰¹ For example, Wenning consistently argues for Nabataean economic growth only in the first century BCE, early Roman period, or Augustan period (Wenning, “The Nabataeans in History,” 29-32, 37-38).

⁸⁰² Craig A. Harvey, “A Possible Hoard of Judaeian and Nabataean Coins from Cyprus,” *American Journal of Numismatics* (1989-) 27 (2015), 155-177; K. Butcher, *Coinage of Roman Syria: Northern Syria, 64 BC–AD 253* (London: Royal Numismatic Society, 2004), 177; K. Butcher, “Small change in ancient Beirut, coins from BEY 006 and 045,” *Berytus* 45–46 (2001-2002), 45-6; D. B. Waage, *Antioch on-the-Orontes, IV, part two, Greek, Roman, Byzantine and Crusaders’ Coins* (Princeton: Princeton University Press, 1952), 88.

correlated with wider monetary landscapes in the Mediterranean. Bronze coinage in particular was distributed in various locations in the Mediterranean, likely due to its interchangeability with other local productions, such as that of Judea.⁸⁰³ This would have eased transaction costs, especially in markets with foreign merchants and traders.

Epigraphic remains provide clearer evidence. Graffiti in Nabataean Aramaic from throughout the first century BCE has been found in Egypt, particularly along the routes leading from Red Sea ports, such as Berenike, to large markets and cities, such as Thebes and Pelusium near the Mediterranean coast.⁸⁰⁴ These graffiti indicate a long history of Nabataean traders moving through the region in order to take advantage of the Egyptian desire for incense, bitumen, and other products. However, in the eastern Nile Delta region, particularly Tell esh-Shuqafiya, located near the modern Tell ed-Defenna, and Qasrawet in the north-west Sinai, evidence of Nabataean merchants and diasporic nodes come from a series of inscriptions in Nabataean Aramaic, associated with shrines and dedications to Nabataean gods. Both of these sites fall along common trading routes within the eastern Delta and from Gaza to Pelusium.

In Qasrawet, the earliest evidence of a Nabataean temple, and possible settlement, comes from a first century BCE temple to al-Kutba, the Nabataean goddess of writing, who is associated with the Egyptian god Thoth.⁸⁰⁵ Pottery sherds, of common and fine Nabataean types,

⁸⁰³ Harvey, "A Possible Hoard," 171-2.

⁸⁰⁴ Enno Littmann and David Meredith, "Nabataean Inscriptions from Egypt," *Bulletin of the School of Oriental and African Studies* 15.1 (1953), 1-28, with an illuminating map on page 28 and Enno Littmann and David Meredith, "Nabataean Inscriptions from Egypt--II," *Bulletin of the School of Oriental and African Studies* 16.2 (1954), 211-246.

⁸⁰⁵ John Strugnell, "The Nabataean Goddess Al-Kutba' and Her Sanctuaries," *Bulletin of the American Schools of Oriental Research* 156 (1959), 29-36.

also indicate settlement in the first century BCE.⁸⁰⁶ Similar to caravan stations in Nabataea proper, although perhaps lacking in military accoutrement, Qasrawet was likely a way station for traders in the Sinai since the second century BCE.⁸⁰⁷ The evidence there, while multi-ethnic, does not provide much evidence for a Nabataean state presence. However, in Tell esh-Shuqafiya, a change occurs in the mid-first century BCE.

Two inscriptions in Nabataean Aramaic have been found thus far in Tell esh-Shuqafiya. The first dates to approximately 77 BCE⁸⁰⁸ and reads “This is the temple (?) which X son of Y built for Al-Kutba', the goddess, for the life of our lord Seyô, the priest, and for his own life, and in order that his name be remembered in her presence and in 'wytw. Peace. On the 21st of Paḥonsi in the fourth year of Ptolemy the King, which is the first (?) year of our lord Seyô, the priest.”⁸⁰⁹ This inscription is odd among Nabataean inscriptions discussed thus far as it does not mention a Nabataean king nor god Dushara. Instead, an alternate Nabataean god (the same as in Qasrawet) and the Ptolemaic king are stated in Nabataean script and language. This seems to indicate that the Nabataeans were only involved as private individuals and that their concerns - whether they be economic, social, or otherwise - were separate from the Nabataean state. They operated according to the standard codes of conduct for the realm of the Ptolemies and seem not to have been closely concerned with worship of their own state god, Dushara. This shifted,

⁸⁰⁶ Uzi Avner, “Nabataean in Southern Sinai,” *ARAM* 27.1/2 (2015), 407.

⁸⁰⁷ Strugnell, “The Nabataean Goddess Al-Kutba',” 35 and Terpstra, “Roman Trade in the Far East,” 86. Avner, “Nabataean in Southern Sinai,” 407 argues that Nabataean military settlements were used in the Sinai in order to protect caravans.

⁸⁰⁸ There is still some debate about the dating of the inscription. Terpstra, “Roman Trade in the Far East,” 86 states 77 BCE, while Hackl, et al., *Quellen zur Geschichte der Nabatäer*, 357 argue for several possibilities (74/64/54 BCE).

⁸⁰⁹ Translation courtesy of Strugnell, “The Nabataean Goddess Al-Kutba',” 32.

however, approximately 40 years later. The second Tell esh-Shuqafiya inscription, dated to 37/36 BCE, has more explicit, and standard, “Nabataean” elements. This inscription reads: “This is the (quadrangular) shrine which Wahb-’alahi son of ‘Abd’alga’ son of ‘Aws’alahi made to (the honor of) Dushares the god who is in Daphne (as it is known) in the Egyptian (language). (Dated) year 14 of queen Cleopatra, which is year 26 of Malichus, king of the Nabataeans, which are year 2 of *’tlh*. (Dedicated) in the month of Nisan.”⁸¹⁰ Once again Dushara and the king of the Nabataeans, Malichus in this case, have been named. In comparison with the first Tell esh-Shuqafiya inscription, the second argues for state concern in the dedication of this shrine. Instead of following the same political standards, the dedicants clearly felt more closely connected with the Nabataean state or at least the politico-religious hierarchy of their homeland.

The two formal dedicatory inscriptions, in addition to the history of Aramaic graffiti, supports an interpretation of a continual inhabitation by Nabataeans. While, unfortunately, the rest of this structure, possibly a temple, has not been found, the location itself argues for a likely long-standing Nabataean node. As Jones, et al. (1988) argued, “It appears that the site had a long history and involvement with trade because of its location on the Pelusium-Daphnae- Memphis road as well as the Babylon-Heropolis- Serapeum-Clysmia road along Wadi Tumilat.”⁸¹¹ This would have been an important juncture for the Nabataean state to take a direct interest in the trade moving through Egypt overland, from the Red Sea, and from the Mediterranean. The three-part dating of this inscription, however, is exceptionally unusual, giving first the Ptolemaic date, then the Nabataean, and then a final date based on the position of *’tlh*, which is likely a

⁸¹⁰ Translation courtesy of Richard N. Jones, Philip C. Hammond, David J. Johnson and Zbigniew T. Fiema, “A Second Nabataean Inscription from Tell esh-Shuqafiya, Egypt,” *Bulletin of the American Schools of Oriental Research* 269 (1988), 47-57.

⁸¹¹ Jones, et al., “A Second Nabataean Inscription from Tell esh-Shuqafiya, Egypt,” 53.

Nabataean priestly position.⁸¹² The multicultural nature of the declaration seems to show that this group of Nabataeans were operating as a go-between for the Ptolemaic and Nabataean regimes, finding common ground by acknowledging the Ptolemies, who owned the land, first, then Nabataean positions of authority. Just as diasporic nodes ideally work as “cross-cultural brokers,” so does this inscription point to a similar method of cultural negotiation for the merchants who worshipped, and possibly settled, in this area.

A similar node of Nabataeans also occurred in Puteoli, modern Pozzuoli, on the Italian Peninsula. Puteoli was a prominent center of trade and a main port for Rome, especially after the destruction and resultant economic collapse of Delos. The earliest evidence of Nabataeans at this site has a similar form as the evidence from Egypt. An inscription in Nabataean Aramaic (CIS II 158), dated to the 14th year of King Aretas (5/6 CE), commemorates the reconstruction of a sanctuary or shrine, most likely to Dushara. According to the inscription, the shrine was originally built in 52 BCE, during the reign of Malichus.⁸¹³ A second inscription from 11/12 CE records the dedication of two camels, probably figurines, to Dushara during the reign of King Aretas (CIS II 157). Finally, several betyls, aniconic stones worshipped as representatives of the gods, were found as well. These, unlike the shrine inscriptions, were engraved with *Dushari sacrum* and may have been placed in the shrine from the late 1st century BCE until the early

⁸¹² Hackl, et al., *Quellen zur Geschichte der Nabatäer*, 360.

⁸¹³ Precise dating is still under debate. Zeyad al-Salameen dates this inscription to 50 BCE (al-Salameen, “The Nabataeans and Asia Minor,” *Mediterranean Archaeology and Archaeometry* 11.2 (2011), 70). There may also be a bust of Dushara from this location, but that identification is extremely dubious, especially given the aniconic nature of Nabataean religion (Christian-Georges Schwentzel, “La présence des Nabatéens en Italie (I^{er} siècle av.-II^e siècle apr. J.-C.),” in *Étrangers dans la cité romaine: «Habiter une autre patrie»: des incolae de la République aux peuples fédérés du Bas-Empire*», edited by Rita Compatangelo-Soussignan, 145-53 (Rennes: Presses universitaires de Rennes, 2007. doi: <https://doi.org/10.4000/books.pur.6737>).

second century CE.⁸¹⁴ Unlike in Egypt and the Sinai, there is no evidence of earlier shrines to other gods, only Dushara in connection with Nabataean royalty.

The use of Nabataean Aramaic, instead of Latin or Greek, on the earlier inscriptions and the “state” character of the identifications, in conjunction with the timing of the original construction, seems to indicate that this was a long-standing, state-sponsored diasporic node, intended to pursue the most prominent economic markets and routes.⁸¹⁵ Moreover, if Taco Terpstra’s reconstruction of the temple is correct, then Latin inscriptions were used solely on external walls of the temple, while Aramaic was reserved for the sacred spaces.⁸¹⁶ This would indicate a clear decision by the Nabataean settlers to integrate partially with the local community. Just as with the *oikoi* of foreign *koina* and nodes on Delos,⁸¹⁷ they retain a clear sense of differentiated identity - they did not simply migrate to this new location, but occupied a liminal space for several generations.

Additional evidence of a Nabataean occupying this liminal space is “Tholomaios, son of Thaimallos, also [called] Maximus, from Petra” (*IG XIV 842a*, lines 1-6). His grave stele was written in Greek, but finds a way to negotiate between the two worlds of Puteoli and Nabataea.

⁸¹⁴ *CIL X*¹ 1556. For dating, see al-Salameen, “The Nabataeans and Asia Minor,” 70 and S. Schmid, “The Distribution of Nabataean Pottery and the Organisation of Nabataean Long Distance Trade,” *Studies in the History and Archaeology of Jordan VIII* (2004), 420-421. For a longer discussion on whether or not the betyls were part of a shrine or a more traditional Near Eastern Motab, see Hackl, et al., *Quellen zur Geschichte der Nabatäer*, 120-22. There were up to seven betyls in this location, possibly dedicated by up to seven families who worshipped at a common shrine to Dushara and brought their personal betyls from home.

⁸¹⁵ Puteoli was a market famously known for incense and perfumes, increasing the probability that Nabataeans had a vested interest in integrating themselves with that community. See Terpstra, “Roman Trade with the Far East,” 87; G. Camodeca, “L’ordinamento in regimes e i vici di Puteoli,” *Puteoli. Studi di storia antica I* (1977), 62-98, especially 65-66; Federico De Romanis, *Cassia, Cinnamomo, Ossidiana: Uomini e Merci tra Oceano Indiano e Mediterraneo* (Roma: L’Erma di Bretschneider, 1996), 247-50.

⁸¹⁶ Terpstra, “Roman Trade with the Far East,” 83-84.

⁸¹⁷ As discussed in Chapter 4, particularly page 180.

First, he retains his Nabataean-Semitic name and identifies his foreign ethnicity, but also identifies as having a Greek name, likely for interactions with the local population. However, his identification as “Πετραῖος (from Petra)” and not as a Nabataean somewhat complicates our understanding of his position in the Puteoli node. Due to his self-identification, he may be a private merchant, instead of a state agent. His clear ties to the local community of Puteoli, though, show his ability to find commonalities with the people of a foreign land, while also retaining a clear sense of self.

Further Nabataean inscriptions also appear in Rome proper. However, the content of these inscriptions may indicate a different purpose for their creation. One mid-first century CE grave monument features a bilingual Latin-Nabataean inscription (*CIL* VI.34196; *CIS* II 159), although the Aramaic lines are almost completely lost. The grave marker erected by “Abgarus, son of Eutyclus, from Petra (Abgarus Eu/tychi f[ilius] Petrae/us)” may indicate a settled Nabataean community, but it could just as easily have been a single man who migrated to Rome. A second, highly fragmentary, inscription was also found in Rome, near the temple of Magna Mater. Undated, but likely from the early to mid-first century CE, it reads

[---]w' mlk' [---]	[--- Malichos], the King, [---]
[---]' lh' b[---]	[---] to the God, in [---]
[---]A![---]	[---]A![---] ⁸¹⁸

The use of the Nabataean King and the use of a masculine identifier for the deity in line 2 (thus, Dushara), indicates that this inscription follows traditional “state” characteristics.⁸¹⁹ However, nothing else is known about this inscription, not even original context, as it was found in a spolia

⁸¹⁸ Reconstruction and translation courtesy of Hackl, et al., *Quellen zur Geschichte der Nabatäer*, 111.

⁸¹⁹ Identification of Dushara, Hackl, et al., *Quellen zur Geschichte der Nabatäer*, 111: “Die männliche Gottheit, welcher die Weihung galt, kann (auch wenn nur der letzte Buchstabe fragmentarisch vorhanden ist) nur Dusara sein.”

pit.⁸²⁰ There is, as of yet, no other archaeological evidence to support (or unequivocally disprove) the theory of a settled community or even a distinct shrine to any Nabataean gods.

One final inscription found in Rome is clearly political in nature and corresponds with an event fairly well-known from Josephus (*De Bello Judaico* 1.574-577 and *Antiquitates Judaicae* 16.271-299, 335-355, and 17.52-57). In 10/9 BCE, the King of Nabataea, Obodas III, died and was succeeded by Aretas IV. Just after this transition of power, the Nabataean minister Syllaeus went to Rome, where, according to Josephus, he intended to gain Augustus' help in being named the new King of Nabataea and avoid being put to death by Aretas IV on charges of murdering Obodas III. While the truth of these events is unknown, the outcome was the execution of Syllaeus in Rome and the continuation of Aretas IV's kingship.⁸²¹ The inscription comes from the embassy of Aretas IV, who came to Rome in order to present their evidence against Syllaeus (and according to Josephus ask for Augustus' approval of Aretas IV's kingship). The inscription is in Greek and Latin, without an Aramaic translation, and simply says (in both languages with little variation) "king/king of the Nabataeans," the names of several ambassadors, and the word "ambassadors." This inscription has no economic relevance, but the use of language is telling. Written in the languages of Rome, this inscription was for its benefit, not for that of Nabataea. This possibly signals submission of Nabataean independence to Rome, but it seems more likely that the Nabataean state had little to no need to commemorate the event. Inscriptions in Nabataean Aramaic are signals to other Nabataeans and local communities of belonging and

⁸²⁰ Hackl, et al., *Quellen zur Geschichte der Nabatäer*, 110. Hackl, et al. argue that this inscription must have been erected as a sign of Nabataea's client-status and submission to Rome.

⁸²¹ These events have also added to the argument that Nabataea was a Roman client-state, as Augustus originally sides with Syllaeus due to his anger that Aretas IV took the throne without gaining approval from Rome. However, this seems to be to be a compelling factor arguing against client-status, as apparently Obodas III nor Aretas IV felt any need to ask approval from an outside power to organize the inheritance of kingship.

connection. While Rome would seem to be a natural extension of the diaspora settlement in Italy due to its size and importance, at this point, the evidence seems to point rather to politically-motivated or private expeditions to the capital city.⁸²²

Syllaeus also left two inscriptions from his travels (ca. 10 BCE), one on Delos and the other on Miletus.⁸²³ Whether or not these inscriptions both came from his flight to Rome after the death of Obodas III is unknown, as he could have undertaken several political trips in his service as minister. However, the text of the inscriptions is revealing. Inscribed first in Nabataean Aramaic and then in Greek, the two inscriptions are similar. Syllaeus, “brother of the King,” makes a dedication to Dushara.⁸²⁴ Several extra lines are preserved from the Delian inscription and as such we know that “τὸ δε[λίον]” or a little writing tablet was the god’s gift. This gift is similar to one dedicated to Dushara by another Nabataean official in Sidon, also in the last decade BCE (*CIS* II 160). This inscription, as well, begins in Nabataean Aramaic, before finishing with a shorter Greek section. While not economic in nature, these inscriptions seem to show a possible increase in Nabataean political activity throughout the Mediterranean - invoking Dushara and the kingship in regions where economic activity was plentiful. Moreover, the use of the languages appears to have evolved, since the evidence indicates that only Greek was used during the second century in the Mediterranean. In this second phase, Nabataean Aramaic is used equally with Latin and Greek, creating many examples of bilingual inscriptions following

⁸²² In addition, as Rome the center of the government actively trying to take over Arabian territory and threatening (at times) Nabataean sovereignty, this was probably not a politically-ideal location to set up a Nabataean node.

⁸²³ Delos: Félix Durrbach and Pierre Roussel, *Inscriptions de Délos* (Paris: 1935), 292, Nr. 2315; Hackl, et al., *Quellen zur Geschichte der Nabatäer*, 124-26. Miletus: Kawerau and Rehm, *Das Delphinion in Milet*, 387–389, Nr. 165; Hackl, et al., *Quellen zur Geschichte der Nabatäer*, 127-28.

⁸²⁴ “Brother” repeats again as a title for certain Nabataean officials (as in Strabo, *Geography*, 16.4.21). It is not likely that this was a blood connection, but rather a naming convention of close advisors.

the Greek tradition of public performative honors. The resulting combination seems to be an expression of Nabataea exerting its own voice and independence through the evidence of its presence and expansion into Greco-Roman spaces.

This is not to say that traditional Hellenistic methods of interaction were completely replaced. In addition to formal groups, maritime religious networks (similarly discussed in Chapter 4) were also a way to engage in local religious spheres and make connections with new communities. This form of connection is shown to have happened in the first century BCE (if not earlier) through the dedication of a shrine on Cos to Al ‘Uzza by a Nabataean named Ausallahi.⁸²⁵ In this bilingual, Nabataean and Greek, inscription Al ‘Uzza appears alongside Aphrodite, conflating the two goddesses into a single figure. The conflation of Nabataean gods and goddesses with Greco-Roman and Semitic gods is quite common.⁸²⁶ However, this is the only case in which a Nabataean god, other than Dushara, appears in the Mediterranean.⁸²⁷ The specific reason for Al ‘Uzza’s appearance is unknown, but the positioning of Aphrodite in Cos may allow an interpretation. Aphrodite was worshipped in her *Pandamos* and *Pontia* forms in Cos and her temple was located next to the harbor, port, and emporia facilities.⁸²⁸ Moreover,

⁸²⁵ The inscription can be found in these volumes: Giorgio Levi Della Vida, “Una bilingue greco-nabatea a Cos,” *Clara Rhodos* 9 (1938), 139–147; Franz Rosenthal, *Die aramaistische Forschung seit Th. Nöldekes Veröffentlichungen* (Leiden: 1939), 91.4; Francesco Vattioni, “Fenici, Siri e Arabi emigrati in area greca,” *AION* 9/10 (1987/88), 91–124, particularly 104, Nr. 10; Mario Segre, *Iscrizioni di Cos, Monografie della Scuola archeologica di Atene e delle Missioni italiane in Oriente VI* (Rome: “L’Erma” di Bretschneider, 1993), 242f., EV 259, 131.

⁸²⁶ Jean Starcky, “Pétra et la Nabatène,” *Dictionnaire de la Bible*, Supplément 7 (Paris, 1966), 1003; Robert Wenning, *Die Nabatäer – Denkmäler und Geschichte: eine Bestandesaufnahme des archäologischen Befundes*, NTOA 3, (Freiburg: Universitätsverlag, 1987), 357; Hackl, et al., *Quellen zur Geschichte der Nabatäer*, 76–85.

⁸²⁷ Hackl, et al., *Quellen zur Geschichte der Nabatäer*, 129.

⁸²⁸ Cos was clearly a *polis* aggressively interested in trade, along the same lines as those described in Chapter 3. As we can see from the archaeological remains, there was a vested interest in making the port and commercial areas as open to visitors and merchants as possible: “Breaking the rigid Hippodamian grid, the harbour district had a different layout: there, all the public buildings – the Sanctuaries of Aphrodite *Pandamos* and *Pontia* (Fig.16.1, no. 11) and Heracles *Kallinichos* (Fig. 16.1, no.12) connected by a monumental L-shaped stoa (Fig.16.1, no. 13), an *emporion* on the port (Fig. 16.1, no. 14) and the military ship sheds (*neoria*) (Fig. 16.1, no. 15) – were oriented

there is evidence of her worship in the *agora*, alongside that of Herakles *Kallinikos* and Dionysius.⁸²⁹ It is therefore unsurprising that Aphrodite “of the Sea” and “Common for All People” would attract worship from foreigners. In addition, Al ‘Uzza experienced syncretization with Isis within Nabataea,⁸³⁰ and Isis was more broadly syncretized with Aphrodite in the Mediterranean.⁸³¹ As such, Nabataeans would likely find a welcoming space for their worship as they conducted their business. Just as described in Chapter 4, religious networks built from local deities to find syncretized commonalities to stretch across regions. The use of Al ‘Uzza, though, likely indicates that this was a private dedication and erection of a shrine and unlikely to have direct connections with the Nabataean state.

radially around the inlet. Using terracing that raised the buildings above the level of the quay, these architectural complexes constituted an urban scenography offering a privileged view to those who came from the sea, as confirmed by Strabo. In the city centre, the *agora*, about 350 m long, was one of the largest of the ancient world. Its configuration was the result of a succession of different constructive moments: in fact, the original square (Fig. 16.1, no. 2a), located in the central area of the urban layout, between the end of the 4th and the beginning of the 3rd century BC, was substantially enlarged and joined by a further elongated square (Fig. 16.1, no. 2b) to the *emporion* at the port (Fig. 16.1, no. 14). The northern piazza, with its very practical and convenient position for trading purposes, had an obvious commercial function...” (Monica Livadiotti and Giorgio Rocco, “Building the Route Over Time: Memory of a Processional Road in Kos,” in *Cityscapes and Monuments of Western Asia Minor: Memories and Identities*, edited by Eva Mortensen and Birte Poulsen, 154-66 (London: Oxbow Books, 2017), 156).

⁸²⁹ Segre, *Iscrizioni di Cos*, 239.8, 180.8–9, and 206.23–24.

⁸³⁰ Manfred Lindner, “Eine al-'Uzzā-Isis-Stele und andere neu aufgefundene Zeugnisse der al-'Uzzā-Verehrung in Petra (Jordanien),” *Zeitschrift des Deutschen Palästina-Vereins* (1953-) 104 (1988), 84-91; Healey, *The Religion of the Nabataeans*, 80-154; Marie-Jeanne Roche, “A Nabataean shrine to Isis in Wādī Abū ‘Ullayqah, in the south-west of Petra,” *Proceedings of the Seminar for Arabian Studies* 42, Supplement: The Nabataeans in Focus: Current Archaeological Research at Petra. Papers from the Special Session of the Seminar for Arabian Studies held on 29 July 2011 (2012), 55-71.

⁸³¹ Stephanie L. Budin, “A Reconsideration of the Aphrodite-Ashtart Syncretism,” *Numen* 51.2 (2004), 95-145 and André Motte and Vinciane Pirenne-Delforge, “Du «bon usage» de la notion de syncrétisme,” *Kernos* 7 (1994), 20. For recognition of syncretization of Al Uzza and Aphrodite directly, see Robert Wenning, “Das Ende des Nabatäischen Königreichs,” in *Arabia Antiqua: Hellenistic centres around Arabia*, Proceedings of the First International Conference “Arabia Antiqua,” Rome, May 27-June 1, 1991, edited by A. Invernizzi and J.-F. Salles, 81-103 (Rome, 1993), 87.

Just as the Nabataeans moved more aggressively into the Sinai after Rome annexed Egypt,⁸³² Nabataeans seem to have pushed out in all directions in order to assure their economic stability through the first centuries BCE and CE. In addition to the diasporic nodes which were established along in the Mediterranean, the Nabataeans also pursued their trading interests into Southern Arabia. While a Nabataean presence in and around Yemen has always been associated with the movement of incense and other goods, new interpretations of evidence point towards established Nabataean nodes, along the incense route and at the southern anchors, particularly Sirwah and Marib in the kingdom of Saba, likely under the direction of the Nabataean kingship.⁸³³ In Sirwah, a bilingual inscription, in Nabataean and Sabaean, honors Dushara and the king of the Nabataeans. Dated to 7/6 BCE, it follows the same pattern as bilingual inscriptions at the state-sponsored nodes in the Mediterranean.⁸³⁴

⁸³² Hackl, et al., *Quellen zur Geschichte der Nabatäer*, 361: “Die nabatäische Präsenz in dieser Region noch während der Ptolemäerherrschaft zeigt, dass die anfänglichen Handelskriege der Ptolemäer gegen die Nabatäer diese nicht vollständig aus den ägyptisch dominierten Territorien heraushalten konnten. So erklärt sich die rasche Ausbreitung der Nabatäer über den Sinai (Region Z) ab 30 v.Chr., als Ägypten römische Provinz wurde, z.T. auch dadurch, dass die Nabatäer an solche verbliebene Stützpunkte an den Handelsrouten, wie die im Wlādī ṭ-Ṭumilāt, anknüpfen und von da aus die alten Strukturen neu für sich öffnen konnten.”

⁸³³ For the importance of areas along the overland routes, such as al-Faw, see A. M. T. al-Ansari, “Qaryat al-Faw,” in *Roads of Arabia: Archaeology and History of the Kingdom of Saudi Arabia*, edited by A.I. Al-Ghabban, B. André-Salvini, F. Démangé, C. Juvin, and M. Cotty, 311-63 (Paris: Somogy Art Publishers, 2010) and Alessandra Avanzini, “From South to North in Ancient Arabia,” in *The Archaeology of North Arabia. Oases and Landscapes: Proceedings of the International Congress held at the University of Vienna, 5-8 December, 2013*, edited by Marta Luciani, 337-44 (Vienna: Austrian Academy of Sciences Press, 2016).

⁸³⁴ N. Nebes, “Eine datierte nabatäisch-sabäische Bilingue aus Sirwah/Jemen,” *Antike Welt: Zeitschrift für Archäologie und Kulturgeschichte* 40/1 (2009), 52-53; P. Parr, “Pottery, People, and Politics,” in *Archaeology in the Levant: Essays for Kathleen Kenyon*, edited by R. Moorey and P. Parr, 203-209 (Warminster: Aris & Phillips Ltd., 1978); Accettola, “Nabataeans in Southern Arabia,” 113-26; W. D. Glanzman, “Pottery, people, and politics: a case from southern Arabia,” *Proceedings of the Seminar for Arabian Studies, Vol. 44, Papers from the forty seventh meeting of the Seminar for Arabian Studies held at the British Museum, London, 26 to 28 July 2013* (2014), 169-80: “Hence, Parr may well be right again: the official envoy at Sirwäh, certainly including at least one elite member of Nabataean society, may have had a lot to do with the presence of these wares, in this case far from the Nabataean realm” (173).

A second, badly preserved, inscription from a slightly more northern site Ṣa‘īb Ṣammā’, dated to August/September in the mid to late first century CE, is dedicated to the king of the Nabataeans.⁸³⁵ It is of interest because the months do not align well with the harvest of frankincense and its subsequent movement through this area. This seems to indicate a settlement along the trade route, instead of the more traditional picture of merchants solely moving back and forth between markets.⁸³⁶ In addition, fragments of Nabataean pottery, not commonly used by non-Nabataeans nor popular trade goods, have been found at these sites, likely indicating the presence of Nabataeans settling and bringing their preferred materials with them.⁸³⁷ The importance of these sites for controlling the movement of incense and funnelling it to the overland routes to Petra, rather than to Ptolemaic or Roman traders, argues for the placement of long-term Nabataean brokers in the Southern Arabian region.⁸³⁸

It should be seen as no coincidence that in most of the diaspora cases, the increase in cross-cultural, inter-state character of the inscriptions dates to the approximate middle of the first century BCE.⁸³⁹ It was at this time that the Nabataean Kingdom faced the greatest threat to its

⁸³⁵ M. C. A. MacDonald, “A dated Nabataean inscription from Southern Arabia,” in *Arabia Felix: Beiträge zur Sprache und Kultur des vorislamischen Arabien, Festschrift Walter W. Müller zum 60. Geburtstag*, edited by Rosemarie Richter, Igno Kottsieper, and Mohammed Maraqtan, 132-41 (Wiesbaden: Harrassowitz Verlag, 1994).

⁸³⁶ Contra MacDonald, “A dated Nabataean inscription from Southern Arabia,” 136-7.

⁸³⁷ Glanzman, “Pottery, people, and politics,” 175.

⁸³⁸ Sidebotham even argues for a Nabataean official comparable to the later Roman *negotiator* stationed at critical ports (Sidebotham, *Roman Economic Policy in the Erythra Thalassa*, 113-62). For more on the southern presence of Nabataeans, see Fawzi Zayadine, “The Spice Trade from South Arabia and India to Nabataea and Palestine,” in *The World of the Nabataeans: Volume 2 of the International Conference The World of the Herods and the Nabataeans held at the British Museum, 17-19 April 2001*, edited by Konstantinos D. Politis, 201-15 (Stuttgart: Franz Steiner Verlag, 2007).

⁸³⁹ Not many inscriptions exist from the first century CE outside of the general borders of the Nabataean Kingdom. While some might attribute this to Nabataea’s client status, we would have expected to see such a decline in the mid-first century BCE, not sixty or more years later. Instead, I attribute this change to changing Mediterranean attitudes towards demonstrative inscriptions (as discussed in Chapter 3) and a general lack of Nabataean propensity for inscriptions. Moreover, this could simply be a result of poor evidence preservation, as some inscriptions have

own prosperity and independence. As mentioned previously, Nabataea came into direct conflict with Rome by the mid-60s BCE. Roman campaigns against Nabataea took place in 62 BCE, 61/60 BCE, 59/58 BCE, and 55 BCE, often with undetermined results.⁸⁴⁰ The transformation of Judea into a client kingdom, however, laid the Roman threat immediately against Nabataea's borders. Nabataea retained her independence, but direct pressure for control over northern cities and access to Near Eastern and Mediterranean markets increased.

Not only did Rome and its clients threaten the physical borders of Nabataea, but the stability of their economies as well. In the last third of the first century BCE, Rome made aggressive steps to remove Nabataeans as middle-men in the procurement and sale of incense. Apart from the military conflicts, the annexation of Egypt in 30 BCE gave Rome a much stronger foothold in the southern Mediterranean and a launching point for direct control of Red Sea and Southern Arabian trade. "At the height of the Roman period, from the late first century B.C. to the second century A.D., seven main ports were operating on the Egyptian Red Sea coast. Although most of these were established by the Ptolemies, the Romans greatly expanded their economic importance."⁸⁴¹ The port of Berenike, in particular, allowed Rome to circumvent the Arabian Peninsula and the overland trade route to gain access to Southern Arabia and the

survived, such as one to the cult of Dushara in Palmyra (a powerful economic center; *CIS* II 174f., Nr. 399; undated), but in very fragmentary forms.

⁸⁴⁰ Appian, *Syrians* 51, Cassius Dio, *Historiae Romanae* 48.41.4-5, Josephus, *AJ* 14.80-81, 14.103-104, 18.115-126, and *DBJ* 1.159, 1.178-182.

⁸⁴¹ Robert B. Jackson, *At Empire's Edge: Exploring Rome's Egyptian Frontier* (New Haven: Yale University Press, 2002), 76.

subcontinent of India.⁸⁴² Even at its height, Nabataea only controlled two ports, Leuke Kome (modern location along the western coast of Arabia unknown) and Aila (modern Aqaba).⁸⁴³

Then, in ca. 25 BCE, procurator of Egypt, Aelius Gallus, attempted to establish direct control of Yemen and the kingdom of Saba through military conquest. Perplexingly asking the Nabataean state for a guide through the Arabian Peninsula and, if Strabo can be believed, being unsurprisingly deceived by that same Nabataean, the expedition failed and no immediate further action was taken to become directly in control of the incense trade.⁸⁴⁴ But, as the expedition of Aelius Gallus shows, Rome was not shy about trying to extend its influence to encompass Arabia or at least improve its access to Arabian goods.

Such provocations seem to have prompted Nabataea to re-envision the manner in which it related to foreign markets, especially those under the control of Rome. While Rome did not again attempt to change the status quo in the region and rather benefited from Ptolemaic trade indirectly through taxation,⁸⁴⁵ Nabataea bolstered their own methods of influence. Diasporic nodes reduced transaction costs and information asymmetry and created trust along the routes. Instead of crumbling before Rome, Nabataea flourished for another hundred years - building the famous temples and rock carved facades of Petra as showpieces of multi-cultural architecture, a

⁸⁴² Steven E. Sidebotham, *Berenike and the Ancient Maritime Spice Route* (Berkeley: University of California Press, 2011), in particular 206-11.

⁸⁴³ For more on the location of Leuke Kome, see L. Nehmé and F. Villeneuve, *Pétra: métropole de l'Arabie antique* (Paris: Seuil, 1999), particularly 164.

⁸⁴⁴ It should be noted here that our remaining literary sources concerning the incident suffer from an unreliable narrator, particularly in the case of Strabo who was a friend of Aelius Gallus and casts accusations at the Nabataean guide, Syllaesus, in defense of Gallus. Primary source evidence, of various levels of credibility: *Res gestae divi Augusti* 26.5; Strabo XVI.22-24; Josephus, *AJ* IXV.317; Pliny the Elder VI.32 and 158-62; Cassius Dio LIII.29.3-8. For a discussion of this event, see Róbert Simon, "Aelius Gallus' Campaign and the Arab Trade in the Augustan Age," *Acta Orientalia Academiae Scientiarum Hungaricae* 55.4 (2002), 309-18.

⁸⁴⁵ Simon, "Aelius Gallus' Campaign," 316.

space welcoming to foreigners, and extending their influence throughout the northern Arabia and Transjordan regions.

The End of Independence

In the early first century CE, Nabataea flourished. Even while Rome steadily grew and tightened its control over the Mediterranean regions, the Nabataean Kingdom benefited from the status quo which had been put in place during the first century BCE. Economic connections without direct threat to Roman political ambitions thrived and Petra itself bloomed into the immortalized “rose-red city.”⁸⁴⁶ As time progressed, however, Nabataea again came into conflict with Roman ambition and its stranglehold on Mediterranean polities. Finally, likely following the death of its last king in 106 CE, Nabataea lost its independence and was annexed, becoming a province of Rome.

The first century CE should not be viewed as the long, slow decline and eclipse of Nabataea. As Johnson and Fiema argued, Nabataea intensified its involvement in trade and agriculture through the first century CE with great success. Responding not to the threat of Roman imperialism,⁸⁴⁷ but rather to expanding overseas trade and the increased demand for incense, Nabataean overland trade became a year-round process, which was not hindered, as

⁸⁴⁶ From the poem “Petra” by John William Burgon (1845).

⁸⁴⁷ For a persuasive argument that Roman imperial policy was only rarely and always inconsistently influenced by matters of trade, see Gary K. Young, *Rome's Eastern Trade: International Commerce and Imperial Policy 31 BC - AD 305* (London: Routledge, 2001). He concludes that “...in the field of foreign policy, we have seen throughout the course of this book that the Romans undertook no policy moves which can be convincingly assigned to economic motives. Indeed, it is quite apparent that the needs of the trade were not a concern either positively or negatively when it came to Roman policy in the East” (190). Moreover, Appian tells us in the preface of his work, section 7, that Rome only annexed areas that could pay for themselves and would turn away tribes of barbarians who would be of no use to them.

maritime trade, by the seasonality of the trade winds.⁸⁴⁸ This period was also marked by an increase in the population and the development of the Hauran in the northern region of the kingdom. In addition, Wenning argues that a religious and cultural renaissance occurred under the last Nabataean king, Rabbel II (r. 70-106 CE).⁸⁴⁹

With this information in mind and the general lack of literary evidence concerning the annexation, debate continues to rage about its exact nature and cause.⁸⁵⁰ Rabbel II may have died in 106 CE and Rome took advantage of the power vacuum to finish what Pompey had started 150 years before. But there is evidence of several direct heirs to Rabbel's throne.⁸⁵¹ Use of the monuments in Meda'in Saleh seem to have ceased in the mid 70s CE, possibly indicating a loss of Nabataean control in the region.⁸⁵² But a lack of inscriptions does not provide definitive proof for lack of territorial control, especially as no other group created their own inscriptions at that point. Evidence from coinage shows a general decline in silver content, which may have led to a smaller monetary landscape for Nabataean silver coins and Rabbel II's coins were poorer in

⁸⁴⁸ D. J. Johnson, "Nabataean Trade, Intensification and Culture Change," Ph.D dissertation, University of Utah, 1987, 30; Zbigniew T. Fiema, "Roman Petra (A.D. 106–363): A Neglected Subject," *Zeitschrift des Deutschen Palästina-Vereins (1953-)* 119.1 (2003), 39-43; Nigel Groom, *Frankincense and Myrrh. A Study of the Arabian Incense Trade* (London: Longman Group, Ltd, 1981), 212-13.

⁸⁴⁹ Wenning, "Das Ende," 81-103.

⁸⁵⁰ See, for example, D. L. Kennedy, "Legio VI Ferrata: The Annexation and Early Garrison of Arabia," *Harvard Studies in Classical Philology* 84 (1980), 283-309; Z. T. Fiema, "The Roman Annexation of Arabia: A General Perspective," *Ancient World* 15 (1987), 25–35; P. Freeman, "The Annexation of Arabia and Imperial Grand Strategy," in *The Roman Army in the East*, edited by D. L. Kennedy, 91-118 (Ann Arbor: University of Michigan Press, 1996); and Paolo Cimadomo, "The controversial annexation of the Nabataean Kingdom," *Levant: The Journal of the Council for British Research in the Levant* 50 (2018), 258-66.

⁸⁵¹ Existence of Rabbel's heirs come from written and epigraphic sources: *Yadin* 2 ll.1, line 19 and Eadie 1985: 412–13, n. 26. For analysis see, Cimadomo, "The controversial annexation," 258-66.

⁸⁵² Young, *Rome's Eastern Trade*, 95 and J. Bowsher, "The Frontier Post of Medain Saleh," in *The Defence of the Roman and Byzantine East I*, edited by P. Freedman and D. L. Kennedy, 23-9 (Oxford: Oxford University Press, 1986), 25–7.

quality. But he minted in greater quantities than his predecessor, Malichus II.⁸⁵³ This could be interpreted as a decline in the economic prosperity of Nabataea, sudden preparations to pay for military endeavors, or simply a transition to using Roman silver coins for inter-state transactions, as they were accepted in a much wider realm. Wenning argues that the religious and “national” revitalization of Nabataea was a threat to Rome from one of the last independent regions of the Mediterranean, prompting direct action.⁸⁵⁴ Unfortunately, while many theories can account for various aspects of this evidence, nothing conclusive can be drawn from the remaining fragments of information.

Archaeological discoveries do seem to point towards a Roman military movement against Nabataea, which may have lasted up to five years between 106 and 111 CE. A partial destruction layer dates to the early second century CE and large quantities of *ballistae* have been found in contemporary excavations.⁸⁵⁵ While the traditional picture of the annexation was a generally peaceful transition from independence to direct Roman rule,⁸⁵⁶ this has now been at least partly called into question.⁸⁵⁷ What is known is that Rome had successfully incorporated

⁸⁵³ A. Negev, “Numismatics and Nabataean Chronology,” *PEQ* 114 (1982), 126 and Rachel Barkay, “The Coinage of the Last Nabataean King, Rabbel II (AD 70/1-105/6),” *The Numismatic Chronicle (1966-)* 174 (2014), 29-44, particularly 30-32: “...the legends are often crudely engraved, or because flans were often smaller than the dies so that many legends are wholly or partly off-flan...” (30).

⁸⁵⁴ Wenning, “Das Ende,” 98-103.

⁸⁵⁵ Stephan Schmid, “Nabataean fine ware pottery and the destructions of Petra in the late first and early second century AD,” *Studies in the History and Archaeology of Jordan* VI (1997), 413–20; T. Erickson-Gini and C. A. Tuttle, “An Assessment and re-examination of the American Expedition in Petra excavation in the residential area (Area I), 1974–1977: the Early House and related ceramic assemblages,” in *The Socio-economic History and Material Culture of the Roman and Byzantine Near East. Essays in Honor of S. Thomas Parker*, edited by W. D. Ward, 91–150 (New Jersey: Gorgias Press, 2017), 139, n. 64; M. S. Joukowsky, “A store of ballista balls,” in *Petra Great Temple Volume III*, Brown University Excavations 1993–2008, Architecture and Material Culture, edited by M. S. Joukowsky, 369–81 (Oxford and Philadelphia: Oxbow Books, 2017), 381; and

⁸⁵⁶ Bowersock, *Roman Arabia*, 81-31 and A. Spijkerman, *The Coins of the Decapolis and Provincia Arabia* (Jerusalem: Franciscan Printing Press, 1978), 32.

⁸⁵⁷ Cimadomo, “The controversial annexation,” 258-66.

the rest of the Mediterranean region, benefiting from the control and taxation of Egypt, Judea, and Syria. With the continuing wars with Parthia, a final unincorporated territory, especially one at the rich center of overland incense trade and who had sided with Parthia against Rome before, was perhaps too unsettled to allow. Rather, Rome may have no longer felt that the status quo, put into place under Augustus, was in their best interest. Instead, they used their strength as an established imperial power, surrounding Nabataea on multiple sides, to bring the last hold out under their control.⁸⁵⁸ The former laissez faire character of Rome concerning direct control of Nabataea gave way to their push for a politically unified Mediterranean.⁸⁵⁹

Whatever the precipitating factors were, in the end, the Nabataean Kingdom fell to the ever-increasing pressure of Rome. Whether this was due to crumbling internal cohesion or as a result of a planned military annexation by Rome, we cannot say. The inescapable result, however, was the loss of Nabataean independence and the incorporation of their economic connections into the Roman Empire. Clear changes were made in the internal policies of the Nabataean Kingdom (such as the switch to Greek on written contracts and the implementation of a Roman governor) and long-distance trade now directly fed the coffers of the Empire. Nabataean culture continued, even beyond the bounds of *Provincia Arabia*,⁸⁶⁰ but the state and “Nabataean” identity were dismantled.

⁸⁵⁸ This control was only partially successful as it seems there were rebellions and general discontent for decades after 106 CE. See Ammianus Marcellinus, *History* XIV.8.13 who describes Trajan needing to subdue the population “saepe/often” and Cimadomo, “The controversial annexation,” 258-66.

⁸⁵⁹ I agree with Young’s overall argument that Rome (especially in the first and second centuries CE) was not particularly economically motivated to incorporate Nabataea, but rather had political motivations which reaped economic benefits (*Rome’s Eastern Trade*, 197-98).

⁸⁶⁰ For example, in Palmyra several second century BCE Nabataean dedicatory inscriptions exist (*CIS* II 174f., Nr. 3991 and *CIS* II 156f., Nr. 3973) and Petra retained its population for centuries (Fiema, “Roman Petra,” 51-53).

Conclusion

Nabataea pursued trade and control over economic opportunities within and beyond its borders. And while the evidentiary record remains incomplete and, on occasion, near silent, we can reconstruct some of the policies and strategies which the state put into place. The Nabataean state clearly seems to have had various institutions to regulate local economic transactions and any disputes which arose therefrom. The main purpose of this chapter is to examine how Nabataea expanded its sphere of influence and inserted itself into far distant markets. Nabataea is an important Hellenistic case study as it managed to find a way to negotiate between Greek and Near Eastern traditions of economic institutions to find the methods which were most effective for its situation.

The evolution of these methods shows the power of inter-state institutions in the Hellenistic period. Nabataeans integrated with standard Greek institutions and adopted Greek inscriptional practices during the second century BCE, utilizing a combination of personal relationships and formal state relationships in order to expand into the Eastern Mediterranean. As the Hellenistic period ended and trade patterns once again rearranged, Nabataea turned toward state sponsorship of networks and the settlement of diasporic nodes. These networks anchored trade to Petra and promoted trade in regions under the control of the Ptolemies and the Romans, its two most significant trade competitors. Unlike earlier advances into the Mediterranean, these networks were much more aggressive in their demonstration of “Nabataean” identity. As a result, these networks combined state structure and personal connections in order to ensure the flourishing of Nabataean trade and economic prosperity for nearly 250 years.

Chapter 7 Conclusion

A straight line cannot be drawn between the Athenian *agoranomoi* and the Nabataean diasporic node in Puteoli. But the intricate weave of laws, social groups, and vast inter-state interactions which spanned the length and width of the Mediterranean connected these economic centers. Merchants and traders were central figures in ensuring the economic development and stability of cities and polities. But in order to succeed, all agents, individuals and states alike, depended on the order of the market, courted the needs of consumers, and risked the vicissitudes of the wine-dark sea. States and individuals developed complex interconnected methods by which they could benefit from one another.

I set the stage in this dissertation by analyzing Athenian contributions to economic activity, particularly with the creation of the *dikai emporikai* and the use of an array of magistrates to regulate behavior in the marketplace.⁸⁶¹ And while fourth-century Athens provides a template for the types of institutions that could promote economic connectivity, Greek *poleis* adopted and adapted these and other strategies in order to attract merchants across socio-political boundaries. In doing so, the disparities between citizen and non-citizen, Greek and non-Greek were lessened.

The Hellenistic period saw the slow erosion of independent *poleis* and the growth of Roman influence and control, especially in the eastern Mediterranean. In this change, we also see a developing (and eventually declining) pattern of inter-state cooperation, which was, in part, an effort to pursue economic prosperity and trade relationships. Many *poleis* engaged in efforts

⁸⁶¹ Bresson, *The Making of the Ancient Greek Economy*, 240.

to lure more merchants and traders into their ports through reductions of transaction costs. These efforts included the creation of magistrates, formal agreements of inter-state friendship, and the creation of magistrates intended to protect fair play in the markets. The end result seems to be a sense of security and possibility for both buyers and merchants. As demonstrated by the Nabataean evidence, these institutions opened *poleis* to connections with non-Greek merchants, not only creating access to foreign goods, but building a foundation for reciprocal trust between vastly disparate groups.

The question of “unity” for these institutions remains open to discussion. Perhaps it would be more effective to describe a parallelism across the Mediterranean states, rather than a singular notion of unity. Recurring magistracies (i.e. *agoranomoi*) and inter-state honors (i.e. *proxenoi*) demonstrate common methods by which states around the Mediterranean were able to communicate with one another, despite the differences in their culture, language, and political development. This is not to say that the differences were negligible, but rather that they were surmountable – especially in the pursuit of fulfilling the various material needs of the people. As demonstrated by the display of bi-lingual inscriptions and the commonalities of worship, humankind is more than capable of finding ways to overcome barriers when it is in their interest to do so.

In addition, social networks connected people on an individual level. Alongside the formal institutions of the Hellenistic period, networks based on personal connections and religious syncretism crossed territorial boundaries, political alliances, and even some cultural differences. While not always directly economic in nature, these networks allowed people to find commonalities with strangers and forge relationships upon which they could fashion business agreements. These networks operated beyond the rules and requirements of

governments and kingdoms, crossed deserts and oceans, and negotiated cultural differences. Their strength lay in the commonalities they uncovered in the group, the trust that grew from their similarities, and their integration with state institutions, rather than the overt differences which separated their individual members.

The disparate peoples, polities, and policies of the Hellenistic period present their own challenges for scholars and students of history. A full understanding of Hellenistic economics requires the historical appreciation of the empires upon which the Hellenistic Kingdoms were founded. However, the regional and political differences are often seen to be sharply divided. To push back upon this perception, I have worked to show that continuity and moderate innovation allowed economic interactions around the Mediterranean to be multifaceted and substantial. Certain states, such as the Phoenician cities and Ptolemaic Egypt, deployed more overt strategies in order to control and direct trade, signalling stronger state policies and direct control than the Greek *poleis*. However, these states and private individuals still had to negotiate within traditional forms of inter-state interaction in order to build lasting connections with foreign markets.

This project culminated in a case study of the economic strategies of the Nabataean Kingdom. The final chapter focused on how Nabataea functioned as an example to show the ways in which states were not bound to the “Greek-Near East” divide that so often disconnects the modern study of Near Eastern and Arabian kingdoms from the study of the Hellenistic Mediterranean. Nabataea, in particular, was closely integrated with the Mediterranean markets and needed access to that milieu for its economic lifeblood. However, its geographical placement often makes researchers wary of overstating the connections between the two regions, especially during the second century BCE. Moreover, its use of the cult of Dushara and

diasporic nodes may indicate a strong state push to create economic connections in popular ports, such as Puteoli, with strong links to the Nabataean kingship. In demonstrating the evolving character of Nabataean economic practices through the later Hellenistic period, I hope to have shown that the distinct identity of Nabataea was not lost as it stretched its influence and economic advances well beyond the Arabian Peninsula.

The ancient Greeks may not have intended market exchange and inter-state commerce when they spoke of *oikonomia*, but long-distance, profit-seeking economic interactions were realities of the ancient world. Moreover, attracting merchants and traders into port and marketplace was a concern of the ancient *poleis* – not only for vital substances, such as grain, but for the little luxuries that enhance daily life, including perfumes and exotic foods. Individuals as well labored to find entrances to new markets and regions in order to sell their goods and load their ships for return voyages. Across the sea, people from all different backgrounds intermingled, sometimes for decades and sometimes for only a few days, relating to one another through their common interests and pursuits. The ability to travel the Mediterranean Sea and find an accepting niche in a different space was a bridge, between individuals, between states, and between economic possibility and reality.

Appendix A: Grants of *Proxenia* to Romans⁸⁶²

Attestation	Date of proxeny	Granting community	Proxenos
<i>IG VII 4127</i>	f.ii BC	Akraiphia/Akraiphnion (IACP no. 198)	Gaios Oktaios, son of Titos
<i>BCH 23 (1899), p.93</i>	s.ii BC	Akraiphia/Akraiphnion (IACP no. 198)	Maarkos Noorkinios, son of Leukios
<i>IG IX¹ 11</i>	ii/i BC	Ambryssos (IACP no. 171)	
<i>SEG 52 543</i>	ii/i BC	Amphissa (IACP no. 158)	Leukios Kaikilios Mnaseas
<i>IC II³ 5A</i>	a.189 BC	Aptara (IACP no. 947)	[Kornē]lios Scipio, son of Poplios; Poplios Kornēl[ios]; Leukios Aim[ulios], son of Maarkos; Gnaios Kornēlios, son of Gnaios
Le Guen, <i>Les Associations de Technites dionysiaques</i> , no.76	47-45 BC	association of the artists of Aphrodite Hilara (Syracuse)	Maarkos Akilios Kaninos, son of Maarkos
Le Guen, <i>Les Associations de Technites dionysiaques</i> , no.77	s.i BC	association of the artists of Aphrodite Hilara (Syracuse)	-- Ateilios Sarranos Sōpatros
<i>IG II² 907</i>	c.160 BC?	Athens (IACP no. 361)	Leukios Or-/Hor-
<i>IOSPE I² 697</i>	ii AD	Chersonesos Pontica (IACP no. 695)	L(oukios) Kornēlios
<i>AE 1917, p.2 n.310</i>	f.ii BC	Chyretiai (IACP no. 460)	Sextos Orphidiēnos, son of Markos

⁸⁶² Data collected from “Proxeny Networks of the Ancient World.” <http://proxenies.csad.ox.ac.uk/places/home>.

<i>IG XI</i> ⁴ 808	f.ii BC	Delos (IACP no. 478)	Sōtiōn, son of Theodōros
<i>IG XI</i> ⁴ 809	f.ii BC	Delos (IACP no. 478)	Maarkos, son of Poplios
<i>IG XI</i> ⁴ 712	iii/ii BC	Delos (IACP no. 478)	Poplios Kornēlios, son of Poplios, of the Skipioi
<i>Syll.</i> ³ 585	189/8 BC	Delphi (IACP no. 177)	Titos Koigktios, son of Titos
<i>Syll.</i> ³ 585	189/8 BC	Delphi (IACP no. 177)	Leukios Akilios, son of Kaisōn
<i>Syll.</i> ³ 585	189/8 BC	Delphi (IACP no. 177)	Maarkos Aimylios Lepedos, son of Maarkos
<i>Syll.</i> ³ 585	190/89 BC	Delphi (IACP no. 177)	Maarkos Oualerios Mottonēs; Poplios Oalerios, son of Maarkos; Gaios Oualerios, son of Maarkos; Maarkos Oualerios, son of Maarkos; Kointos Oualerios, son of Maarkos
<i>Syll.</i> ³ 585	195/4 BC	Delphi (IACP no. 177)	Kointos Otorios, son of Kointos
Fouilles de Delphes III.4:44	f.i BC	Delphi (IACP no. 177)	Markos Kaphranios Gallos, son of Markos
<i>SGDI</i> 2688	f.i BC	Delphi (IACP no. 177)	Leukios Tillios, son of Leukios
<i>SGDI</i> 2691	i BC	Delphi (IACP no. 177)	Gaius Mannaëus; Lucius Mannaëus; Gnaeus Mannaëus
Robert (1938), <i>Études Épigraphiques et Philologiques</i> p.14	i BC	Delphi (IACP no. 177)	Dekmos Iounios, son of Dekmos
<i>Syll.</i> ³ 771	i BC	Delphi (IACP no. 177)	astrologer

Fouilles de Delphes III.4:438	i BC/i AD	Delphi (IACP no. 177)	Gaios Solpikios Galba
<i>SEG</i> 18 189	ii/i BC	Delphi (IACP no. 177)	Quintus Alfenus, son of Quintus
Fouilles de Delphes III.3:142	ii/i BC	Delphi (IACP no. 177)	Poplios Pharsoleios
Fouilles de Delphes III.4:45	m.i BC	Delphi (IACP no. 177)	Titos Oariēnos Sabeinos, son of Titos
Fouilles de Delphes III.4:46	m.i BC	Delphi (IACP no. 177)	Gaios Orkōnios, son of Gaios
<i>Syll.</i> ³ 585 App.1	m.ii BC	Delphi (IACP no. 177)	Nikandros, son of Menekratēs
<i>IG</i> XII Suppl. 127	c.200 BC	Eresos (IACP no. 796)	Poplios Arellios, son of Koin[tos]
<i>IG</i> XII Suppl. 127	c.200 BC	Eresos (IACP no. 796)	Gra[-] Antōnios
<i>Gonnoi</i> 20	f.ii BC	Gonnos/Gonnoi (IACP no. 463)	
<i>Gonnoi</i> 42	ii BC	Gonnos/Gonnoi (IACP no. 463)	Gaios Phlauios of the Bokkoi; Gaios Phlauios, son of Gaios of the Bokkoi
<i>IG</i> V ¹ 1146	m.i BC	Gytheion (IACP no. 333)	Nemerios Kloatios, son of Nemerios; Maarkos Kloatios, son of Nemerios
<i>IG</i> IX ² 1	ii BC	Herakleia Trachinia (IACP no. 430)	Sextos Kornēlios, son of Maarkos
<i>I.Thess.</i> 15	m.ii BC	Kierion (IACP no. 398)	Maarkos Perpenna, son of Leukios; Maarkos Popillios, son of Gaios; Kointos Paktomēios, son of Maarkos; Leukios, son of Noulaios

<i>IG IX 1² 1:17</i>	b.262 BC	koinon of the Aitolians (Thermon)	Leukios Olkaios, son of Leukios
<i>SEG 43 227</i>	168/7 BC	koinon of the Akarnanians (Aktion)	C. Baebius
<i>IG IX 1² 2:208a</i>	m.ii BC	koinon of the Akarnanians (Aktion)	Poplios Akilios, son of Poplios; Leukios Akilios, son of Poplios
<i>AE (1910) p.344, no.3 (SEG 57 512)</i>	88/87 BC	Larisa (IACP no. 401)	Koinktos, son of Titos
<i>I.Thrac.Aeg. E.178</i>	ii BC	Maroneia (IACP no. 646)	Maarkos son of Poplios
<i>IG IX² 1292 (SEG 56 648)</i>	m.ii BC	Oloosson (IACP no. 467)	Leukios Akoutios, son of Leukios
<i>SEG 23 551</i>	ii/i BC	Oloos (IACP no. 978)	Gnaios Tudikios Aquila, son of Markos, of the tribe Horatia, husband of Megō; Megō, daughter of Dionysios, wife of Gnaios Tudikios Aquila
<i>I.Rhegion. 1</i>	ii/i BC	Rhegion (IACP no. 68)	Gnaios Auphidios, son of Titos
<i>IG XII¹ 48 (Syll.³ 745)</i>	f.i BC	Rhodes (IACP no. 1000)	Leukios Likinios, son of Leukios; Aulos Terentios, son of Aulos
<i>Cicero, Ver. 2.4.145</i>	70 BC	Syracuse (IACP no. 47)	Lucius Tullius Cicero; M. Tullius Cicero
<i>IG XII⁵ 917</i>	f.i BC	Tenos (IACP no. 525)	Gaios Pandusinos, son of Gnaios
<i>IG XII⁵ 841</i>	ii BC	Tenos (IACP no. 525)	Kointos Kalpornios, son of Kointos
<i>IG XII³ 1299/1300</i>	ii/i BC	Thera (IACP no. 527)	--, son of Poplios

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