

Christoph Schäfer (ed.)

Connecting the Ancient World

Mediterranean Shipping, Maritime
Networks and their Impact

Pharos

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Pascal Arnaud

Cities and Maritime Trade under the Roman Empire*

*To the memory of my friend Getzel M. Cohen,
who passed away on February 13th, 2015*

The recent influence of the New Institutional Economics has led large numbers of scholars to heavily stress the role of the empire in the development of the connectivity of maritime trade and trade throughout the Roman empire. They minimize the role of the private market to a marginal practice, emphasizing the role of grain supply as the engine of commerce. Moreover they sometimes give more space to comparativism than to extant evidence, and reduce the main movements of goods within the empire to flows directly or indirectly directed to Rome and to the army; inevitably, therefore, they privilege the Roman West even though the army was significantly present in the East too. It is not my purpose here to challenge these views, but rather to stress the importance of non-imperial institutions and their role in the development and organization of maritime trade under the Roman Empire. In particular I refer to the city. Although its role was no longer what it used to be in Classical Greece, it had never been abolished until the fall of the Roman Empire. As an ideological construct, the city embodied a strong identity for citizens and has earned the right to be considered as a major key for our understanding of the Roman Empire and, apart from imperial administration, was one of its institutional pillars, as has been argued in the works of François Jacques and Claude Lepelley. The importance of cities for the Roman Empire was not only important in areas where cities had long-formed part of the Graeco-Roman tradition, but also in new areas, where that form of organization did not exist before the Roman conquest.

It is surprising that the role of cities in Roman imperial maritime trade patterns has not been studied hitherto. As some have already pointed out, maritime trade cannot be reduced to flows directed to Rome or to the army¹, although this view still predominates² almost exclusively in the recent *Cambridge Economic History of the Graeco-Roman World*. It is remarkable how little attention has been paid to the role of cities in Roman economy by those who have argued

* I warmly thank Simon Keay for his reviewing the English text of this article.

¹ ARNAUD 2011; TCHERNIA 2011, 133-155

² KEHOE 2007; JONGMANN 2007; MORLEY 2007.

against or in support of P. Temin's vision of the Roman world as "an economic system that was an enormous conglomeration of interdependent markets"³.

The Empire was not only a distant central state acting for its own sake, but was also an aggregate, rather than a conglomeration, of cities whose level of autonomy could vary through time and space. In an article untitled "The Roman Economy: from cities to Empire", which echoed the prevailing attention paid to the centrality of the empire, W.M. Jongman⁴ relegates the role cities to a single line, reducing them to fairs and markets. They are entirely absent from recent economic studies, including P.F. Bang's reconstruction of a Mughal-like Roman empire. The general trend of focusing upon the supply of Rome as the main stimulus of Mediterranean trade, greatly under-estimates the need created by the development, throughout the Roman Empire, of an urban, and civic culture and way of life based on social inequalities and personal patronage. Recent studies have pointed out that Portus was not as attractive a port as some may have imagined because return cargoes were of only marginal importance to it⁵, but this point still needs to be demonstrated and not assumed, and we can also imagine flows from Rome to the other centres of trade and consumption, as it used to be the case from the port of Puteoli before the building of the Port of Trajan at Portus. Whatever one's view of this statement, the supply needs of cities as centres of consumption and the resultant streams of imports that are revealed to us by archaeology were such that we must integrate these non-centralized networks and inter-provincial routes, well-documented by Diocletian's prices edict⁶. These inter-provincial flows did not have their origin in the sole needs of the army. Aside from supplying Rome and the army, cities, as markets, generated specific flows of goods. They had framed classical trade and still existed as superstructures under the Roman Empire.

To what extent had the pattern of Classical trade survived under Roman rule? The works of A. Bresson have widely illustrated how much Classical Greek and Hellenistic patterns of trade have been impacted by cities. Bresson has suggested that these were essentially the products of a city-based system. He has identified the city as the place where the protection and control of trade, the levying of customs duties on ingoing and outgoing goods was organized, thereby satisfying its needs for supply, and, to some extent, exporting within something like a free-

³ Against: LO CASCIO 2007, 602; BANG 2008, 30-32; MIGEOTTE 2008 (albeit he accepts it for earlier periods); TCHERNIA 2011, 101-131; For: HINGLEY 2005, 106; MARZANO 2007, 7; ROMAN 2008.

⁴ JONGMAN 2002.

⁵ TCHERNIA 2011, 123.

⁶ ARNAUD 2007; 2008.

market. The question as to how far these patterns may have been affected by the Roman conquest has not generated much interest among scholarship hitherto, with the exception of the case of the foreign communities at Delos between 166 and 88 BC. The latter is a striking feature of the city-based organization of the performers of maritime trade, sailors, merchants as well as middlemen, but cities have so far remained the hidden face of Roman imperial maritime trade. The increasing interest paid by modern historiography⁷ to the importance of cities and municipal life as the basis of the imperial system in general has not so far led to any re-evaluation of the role of cities in framing Roman imperial maritime trade. It has instead nearly always been perceived as merely being the echo of the will of the emperor and the senatorial class, and allegedly centred upon the food supply to Rome and the armies at the boundaries of empire. Heavily challenged by the information that we have about the sociology of the performers of maritime trade, this *annona*-based perspective of the Roman maritime trade takes little account of the needs of cities as centres of consumption. My intention in this paper is to consider the role of cities in maritime trade, seeing them as micro-states within an empire, markets and centres of services, and as key to the organization of diasporas, commercial information, trade and networks. How far this consideration may challenge our understanding of the broader patterns of Roman imperial economy lies beyond the scope of this paper.

1. Sustainability of sovereign duties of the city within an empire?

Several inscriptions from the *stationes municipiorum* at Rome are dedicated to the *kyria patris* or [*kyrio?*]*tatè patris*: the “mighty homeland (city)” or the “all-mighty homeland (city)”. But what was the nature of imperial cities’ power? Was it only a sum of duties of the citizen towards his city, even abroad, or did this power still include sovereign duties, and to what extent?

1.1. Cities as port authorities

Very little interest has been paid so far to the administration of harbours outside Ostia and even less to ports throughout the provinces⁸. A famous edict of the proconsul of Asia, L. Antonius Bassus, states that only because the *grammateus*

⁷ JACQUES 1984; LEPELLEY 1979; HELLER – PONT 2012.

⁸ HOUSTON 1980. ROUGÉ 1966 has gathered part of the evidence but is entirely out of date.

tou dēmou, acting as the higher representative of the city, had failed to resolve a certain problem, did the governor decide to interfere in what appears to have been the sphere of authority of the city⁹: its port, otherwise mentioned as the "port of the Ephesians" (*portus Ephesiorum*)¹⁰. The fact that cities like Ephesus or Smyrna were funding the building of their ports through public subscriptions¹¹ is a consequence of their authority over them.

In an interesting text, Plutarch¹² wonders about the attractiveness of a certain number of compulsory services assigned by the city. Among these was the *epimeleia tôn limenôn* or *cura portuum*. The management of the port would thus have been part of the compulsory services of the city, later known as *munera civilia personalia*. This is confirmed by the later Roman jurist Aurelius Arcadius Charisius, who probably wrote under Constantine. The same *limenarchai* are mentioned on four inscriptions at Ephesus in Asia, Aradus in Syria, and Kreusae, the port of the Thespians, in Beotia¹³. In all three cities, these officers were clearly acting on behalf of the city, although the exact statute of these *archai* (magistracies or compulsory offices) is unknown and could vary from one city to another¹⁴.

The study of *limenarchai* is sometimes made confusing by the polysemy of the word, which, apart from municipal officials in charge of harbours, refers to the people in charge of a fiscal district¹⁵. The context alone, especially at Aradus and Kreusae, makes it clear that some of the *limenarchai* were municipal officers in charge of the port, but the exact nature of their attributions is unclear, although they were clearly involved in the life and infrastructure of ports. Were they also

⁹ This has been well pointed out by GUERBER 1995, 399: "le proconsul, prenant acte des carences de l'administration municipale décide de se substituer à elle". The dating of this edict is still a matter of discussion, cf. *ibid.* and KOKKINIA 2014.

¹⁰ Tac., *Ann.* 16.23: *At Barea Soranum (...) et quia portui Ephesiorum aperiendo curam insumperat*. "Barea Soranus (was sued) also because he had made opening the port of the People of Ephesus a matter of concern".

¹¹ Ephesus: ARNAUD 2015a; 2015b. The work takes place in A.D. 105. Two local euergetists have brought money in addition to what seems to have been a subscription (*IEph* 3066 = McCabe 1342 (slightly after A.D. 105); *IEph* 2061.II + *Add.* 21-22 = McCabe 1455; *IEph* 1391 = McCabe 122); Smyrna: *ISmyrna* 696 (and t. II 2 375) = McCabe 81 = *IGR* IV, 1418 (dated between AD 26 and 123).

¹² Plut., *An seni respublica gerenda sit* 794a(19).

¹³ *IEph* 558.1 (Ephesus, after Caracalla); *IEph* 802 = McCabe 1778 (Ephesus, A.D. 217 - May ?-); *IGLS* VII 4016^{bis} (Aradus, Syria, c. A.D. 207); *IG* VII. 1826 = Roesch, *Inscr. Thespies* 266 (found at Kreusae on the foreshore of the ancient port, II^d cent AD?).

¹⁴ For these *archai*, see SCHWARZ 2001, 290-300.

¹⁵ RASCHKE 1978, 778, n. 566. In the case of the four inscriptions quoted above.

in charge of the harbour police (as the *irenarchs* were for the territory of the city¹⁶)? This is the opinion of Jean-Paul Rey-Coquais and Hertha Schwarz¹⁷ and may be implied by a passage of the jurist Paulus, but there are strong reasons to doubt whether the *limenarchae* meant by this text were actually civic officers¹⁸.

One wonders whether placing the port under the control of municipal officers may have been proper to those cities that had been granted the status of *civitas libera*, and a result of this legal status. This would provide a possible explanation for the lack of evidence about port administration, but we should then imagine the existence of a Roman administration, an idea for which we have no evidence as yet. There are reasons to think that stipendiary cities as free cities were equally responsible for their ports. Thespieae surely was a *civitas libera*¹⁹, Aradus was not, as far as we know²⁰, while the status of Ephesus is a matter of debate²¹. From a practical point of view, the juridical statute of cities is probably a false problem, for the major ports of the Mediterranean used to be free cities or colonies, and there was little reason why the State would have wasted money and energy in managing minor ports. The authority of cities upon their ports in the East is confirmed by the numerous *epineïa* (a port-site which is the port of another city²²) that are characterized as "the *epineïon* of the People of such city", especially in Pausanias, even when the city was not a free city or a Roman colo-

¹⁶ ZAMAI 2001.

¹⁷ REY-COQUAIS 1974, 193; SCHWARZ 2001, 291, altogether with *eirenarchai*, *agornomoi* and *emporarchai*.

¹⁸ Dig. 11.4.4 (Paul): *Limenarchae and stationarii fugitivos deprehensos recte in custodiam retinent. Magistratus municipales ad officium praesidis prouvinciae uel proconsulis comprehensos fugitivos recte transmittunt*. It seems. "Limenarchae and stationarii, if any fugitive slaves are apprehended, do well to keep them in custody. Municipal magistrates, on arrest of such slaves, send them on securely to the office of the governor of the province or the proconsul". The text seems to consider *stationarii* (soldiers in charge of control and/or of tax-gathering) and *limenarchae* as a group, and to consider them apart from civic magistrates. The *limenarchae* mentioned in this text are therefore likely - if not certainly - to have been customs-officers acting on behalf of the State.

¹⁹ MÜLLER 2014.

²⁰ REY-COQUAIS 1974, 164-165 thinks it might have been a *civitas libera* in the early Roman empire, but that it was no longer the case under the Severans (on the ground of the inscription mentioning the *limenarchai*). There is no strong argument to support the idea of a previous *libertas*. About the weakness of the argument of the use of the local era, see GUERBER 1995.

²¹ GUERBER 1995 and full bibliography, who thinks it to have been a stipendiary city. Against, recently KOKKINIA 2014, without arguments.

²² ROUGÉ 1966, 107-110.

ny. The rarity of evidence would find its explanation in the fact that the office brought little dignity to his holder.

In the Latin West, no explicit mention of similar functions has been found so far, while mentions of *munera civilia personalia* are also very rare in honorary inscriptions. The official name of the *portus Victoriae Iuliobrigensium*²³, “the *portus Victoriae*, which is the port of the People of Iuliobriga”, indicates that a Roman imperial city, which is not known to have been either a colony or a free city, had authority over a port. The names of two other ports in the same area, the *portus Blendium*²⁴ and the *portus Amanum* (later known as *Flaviobriga*) are supposed to be in the genitive, but this is a likely, although dubious, interpretation. As in the case of *épinéïa*, the formula is only justified when the port and the city to which it was subject were different places. When the port and the city were one and the same place, the Republican way of naming ports (i.e. *portus* and the place-name or a derived adjective) has been a sustainable one and provides no help. The *portus Puteol(-)* may be the *portus Puteolani* as well as the *portus Puteolanorum*. It has been argued that the nature of the office held by an equestrian *procurator portus Puteol(-)*²⁵ was the same as that of the office held by similar equestrian *procuratores* known at Portus during the third century, and that the office could not be held at Puteoli by an equestrian *procuratores* before the *procuratela portus utriusque* had been transferred from freedmen to

²³ Pliny, *NH* 4.111. confirmed by *CIL* II, *242 = *ERCantab*, n°*2: *navic(ulari) qui Cantabr(ia) negot(iantur) / ad port(um) Iuliobrig(ensium)*. Since its publication by Hübner in *CIL*, and again in the recent *ERCantab*, this lost inscription from El Puerto between Bermeo and Santander has been considered as a fake, on the grounds of the titulature of Caracalla and the way that the authors of the dedication are named. The only unusual thing is the title of *Parthicus Maximus* instead of *Parthicus* granted to Severus, but the sequence *Arabicus Adiabenicus Parthicus maximus* finds an exact parallel in *AE* 1903, 269 = *IGLS* VI, 2765 from Baalbeck, dated AD199. The titulature of Caracalla fits perfectly with a date after December 9th 203 or early in 204 before the news he had been designed for a second consulship to be held in 205 had reached Cantabria, and these details of Caracalla's titulature, the supposed forger could not know nor invent. The formula finds parallels in *CIL* II, 1168 (p 841) = *CILA* II.1, 8 = *D* 7270 and *CIL* II, 1169 (Add. p. LXXIX, 841) = *CILA* II.1, 9 = *D* 355: *scapharii qui Romulae negotiantur*. There is no intrinsic reason why we should consider this inscription a forgery.

²⁴ The port is known only from the same passage of Pliny mentioned in the so-called “itinerario de Barro” *ERAsturias-app*, 5a = *IRPLeon* 328a = *ERPLEon* 339a = *AE* 1921, 6, whose authenticity has recently been proven by physico-chemical analysis, after decades of discussion (cf. OCHOA *et al.* 2012).

²⁵ *AE* 1972, 79.

knights²⁶. For several reasons that we shall explain elsewhere in detail, and especially because the only known equestrian *procurator* known at Ostia, in AD 247²⁷, may well have been an exception at Ostia, for we find again a freedman *procurator* under Trebonianus Gallus (AD 251-253)²⁸, the parallel with Ostia apparently is not as well established as once thought²⁹. If equestrian *procuratores* were the exception at Portus, then, either Sucessus was an imperial *procurator* sent there to resolve a special issue and, against the usual rule, a native son of the city had been sent to his very city by the emperor, in order to witness the respect he was paying to the sphere of authority of the city, or he was just a municipal *procurator*.

We can find another important clue, if not an absolute proof, of the lack of direct imperial authority upon the harbour of Puteoli in AD 138 or 139 in two twin-inscriptions³⁰ commemorating the restoration by Antoninus Pius of twenty destroyed *pilae* in the harbour. One is the dedication of the work by the emperor, and took place on the *pilae*. The second one is the base of a statue erected by the *colonia* to thank the emperor for having achieved this restoration. It is important that this rebuilding was considered by the city as one among other *beneficia* granted to it by the generosity of the emperor. This restoration was clearly perceived as the work of two euergetists, and not as the work of the one who ruled the port. Restoring the damaged *pilae* was but part of a group of gifts promised by the late Hadrian or offered by Antoninus Pius in addition to the restoration promised by Hadrian – a lacuna does not allow to choose between the two possi-

²⁶ CAMODECA 1980-1981 and 1994 who dates the inscription on the ground of the supposed – and debatable – replacement of the freedman procurators at Ostia by equestrian procurators (this idea has later been supported by BRUNN 2002). Cf. ARNAUD 2015.

²⁷ *CIL* XIV, 170 = *CIL* VI, 1624 (p. 3811, 4721) = *IPOstie*-B, 338 = *D* 1433 = *Tyche*-2010-89 (Ostia Antica, 247 CE).

²⁸ *CIL* XIV, 5309,26 = *AE* 1913, 83.

²⁹ BRUNN 2002 considers that the procurators mentioned on leadpipes and the *procuratores portus utriusque* were different ones.

³⁰ *CIL* X, 1640 = *D* 336 = Horster p 290: *Imp(erator) Caesar divi Hadriani fil(ius) / divi Traiani Parthici nepos / divi Nervae pronepos T(itus) Aelius / Hadrianus Antoninus Aug(ustus) Pius / pont(ifex) max(imus) trib(unicia) pot(estate) II co(n)s(ul) II / desig(natus) III p(ater) p(atriciae) opus pilarum ui / maris conlapsum a divo patre / suo promissum restituit.*

CIL X, 1641 (p 1008)

[Imp(eratori) C]aesari divi [Hadriani f(ilio) divi Traiani] / [Part]hici nepoti divi [Nervae pronep(oti) T(ito) Aelio Hadriano] / [Ant]onino Aug(usto) Pio [pont(ifici) max(imo) trib(unicia) pot(estate) II co(n)s(uli) II p(atri) p(atriciae)] / [c]olonia Flav[ia Augusta Puteoli] / [quod s]uper cetera ben[eficia] a divo patre promis[um] or -sa op[us] pilarum vigi[n]ti ui maris conlapsum splendore] / [anti]quo et munitio[ne] adiecta restituit.

bilities³¹ –, probably in order to lighten the impression that building the two ports of Trajan – *portus Traiani* – at *Centumcellae* and *Portus* was in some way hostile to the interests of *Puteoli*, and to demonstrate that the emperor's love towards this city was undiminished. Anyway, the *pilae*'s restoration was considered a *beneficium*, or gift made by the emperor to the city, which would hardly be the case in a harbour placed under the sole authority of the emperor. He would then have acted as the one in charge of the harbour, and would not have been an euergetist.

In the West, ports are likely to have been under the responsibility of *aediles*, given the latter's concern with the whole public infrastructure and market.

1.2. Cities, police and jurisdiction

Many among the practitioners of maritime trade were people who used to travel from port to port. It was then absolutely essential to organize the most efficient way of settling disputes quickly and fairly, and in a form acceptable to both parties with the full certainty that even someone who had left a particular place could be sued.

As early as the late 6th century BC, clauses in the treaties that organised maritime trade between cities³² had also organised the jurisdictional treatment of disputes. They were a matter of concern to Xenophon, who considered that a fair and quick treatment of disputes could make one port more attractive than another, and therefore help bring in more supplies and more fiscal income. In the 4th century BC, this concern led to the creation at Athens of the *dikaî emporikai*, tribunals entirely devoted to disputes relating to maritime trade. At least until AD 212, the jurisdictional situation of the Empire was not that different from the previous Greek one. Not only did the *ius Quiritum* not apply to any city, but only to cities that had been granted the Roman right or – since Claudius – the Latin right as well, but the property of foreign passing through individuals – and traders for one – could not be seized unless they were possessing some good or estate in the city where they had to defend themselves³³. Not before AD 212 was *ius Quiritum* a common frame. Aside with *ius ipsum* (Roman Law), *TSulp* 106, unfortunately highly illegible, mentions *consuetudo*. The same distinction ap-

³¹ We think it more likely that we should restore "*super cetera beneficia a divo patre eius promissa*", and consider that the addition of some features (*munitione adiecta*) made Hadrian an euergetist, cf. ARNAUD 2015.

³² GAUTHIER 1972; SCARDIGLI 1991.

³³ A ship, if here, could be seized.

pears in the *Digest*³⁴. It underlines the importance of customary legal practices, both local traditions and centuries-old common rules such as framing maritime trade throughout the Mediterranean.

Under the Roman Empire, cities still played an important role as competent tribunals. To what extent is less clear. In a Latin city like Irni, the *lex Irnitana* gave the *aediles* a jurisdictional competence upon the same cases and between the same people as the *duumvir*'s competence, up to an amount of 1,000 *sestertii*³⁵. The *Tabulae Sulpiciorum* show that local authorities (*duumviri* and the *iudices* they had appointed) at Puteoli were competent to settle at least many of - if not all - private disputes raised by the port's activities. The status of the city (especially in the case of the *civitates liberae*, numerous in the East) could increase its jurisdictional competence.

Even when an affair came under the jurisdiction of the governor, as any *publicum iudicium*, preliminary stages of the process (arrest, hearing minutes, incarceration) were the city's affair³⁶.

Ulpian (60 *ad edictum* = *Dig.* 5.1.19) has discussed the issue of the place where a case had to be defended when the defender was someone who did not have his home in the place where the dispute had arisen.

“1. If a man has been carrying on a guardianship or a curatorship or has been engaged in business, or banking, or anything which has made him incur some obligation, in any particular place, he must be ready to defend actions in the same place, though he had no home there, and if he will not defend actions, and has no home there, he must submit to possession being taken of his property.

2. Similarly, if he sold goods in any particular place, or dealt with them in any way, or bought goods, it is held that he must sustain actions at the same place, unless it was agreed that he should do so somewhere else. Is the rule then this, that a man who has bought from a merchant who is a stranger, or sold to some one whom he knew to be on the point of leaving the place, has no right to

³⁴ E.g. *Dig.* 48.22.16 (Marcianus): *contra consuetudinem legemque publicam*.

³⁵ *AE* 1986, 333, § 19: *Eisque aedilibus, quique postea hac lege creati erunt, de is rebus et inter eos, de quibus et inter quos duumvirorum iurisdictio erit, at H[S(sestertia)∞ (mille)] iurisdictio iudicis reciperatorumque datio addictio, [it]a ut h(ac) l(ege) [l]icebit, esto.*

³⁶ *Dig.* 11.4.4 (Paulus); 48.3.3 (Ulpian, quoting a rescript of Antoninus Pius); 48.3.6.1 (Marcianus, quoting an edict of Antoninus Pius then proconsul Asiae). The latter document shows that in Asia, *irenarchae* were in charge of the audition and of the minutes, who were later sent by them to the magistrates.

an order for possession of the other party's goods on the spot [if the occasion arises], but must go to the party's place of abode, while if a man [buys] from one who has a shop or a place of business which he hired in some particular locality, then the [latter's] position is such that he ought to be sued there? This is on the whole the most reasonable rule; in fact, where a dealer comes to a place with the intention of speedily leaving it, you can only buy from such a person as if he were a mere traveller, some-one, that is, who is on his way by land or sea to some other destination, and it would be a very oppressive rule that whatever place a man came to in the course of a voyage or a land-journey he should [be compellable to] defend an action at every spot. But if he settles himself at some place,— I do not say as though the place were his legal home, but because he has hired some small shop or stall or warehouse or box or office at the place, and sells goods there or carries on business, — then he will be bound to defend actions at the respective places (revised transl. based on Monro's)³⁷.”

In other words, as in the pre-imperial Mediterranean, the jurisdictional apparatus allowed to settle disputes without slowing down maritime traffic and business. For that purpose, port-cities had long proved themselves to be the right solution. A convenient system was provided to practitioners: the competent jurisdiction was the city where the obligation had been undertaken and disputes were to be settled at the place where they would arise, when the defender had some kind of permanent attachment there, whether estate or goods, and had not left the place yet. If he was just moving from one place to another, then it may have been necessary to sue him at a certain place, where his property could be seized. In the case of travelling people (*mercatores, navicularii*) having no estate or goods (including goods from a cargo or ships given as security) to be seized at the place, the dispute would be settled in the place where they had their *domicilium*

³⁷ 1. *Si quis tutelam vel curam vel negotia vel argentariam vel quid aliud, unde obligatio oritur, certo loci administravit: etsi ibi domicilium non habuit, ibi se debet defendere et, si non defendat neque ibi domicilium habeat, bona possideri patietur.* 2. *Proinde et si merces vendidit certo loci vel disposuit vel comparavit: videtur, nisi alio loci ut defenderet convenit, ibidem se defendere. Numquid dicimus eum, qui a mercatore quid comparavit advena, vel ei vendidit quem scit inde confestim profecturum, non oportet ibi bona possideri, sed domicilium sequi eius? At si quis ab eo qui tabernam vel officinam certo loci conductam habuit, in ea causa est ut illic conveniatur: quod magis habet rationem. Nam ubi sic venit ut confestim discedat, quasi a viatore emptis, vel eo qui transvehebatur, vel eo qui paraplei, emit: durissimum est, quotquot locis quis navigans vel iter faciens delatus est, tot locis se defendi. At si quo constitit, non dico iure domicili, sed tabernulam pergulam horreum armarium officinam conduxit ibique distraxit egit: defendere se eo loci debet.*

or were registered in a guild, if the dispute had arisen after the defender had departed.

This could be the *domicilium*. In the later Roman Empire, *navicularii* would be personally attached to a forum – here a jurisdiction rather than market – and could not change it even on behalf of their *domicilium* or *origo*. Among the privileges granted by Constantine to the *navicularii orientis* in the year 334, Dec. 1st, was that of being sued in their local tribunal, and nowhere else, even by imperial rescript³⁸. This was undoubtedly a privilege, for this protected them from the ship's seizure by another tribunal, and allowed them to defend themselves "at home". This was apparently not the place where they had their *origo*³⁹, but the place where they were holding the *munus naviculare*, in other words, the place where they were registered in a *collegium*, and was an "old" practice in Africa in AD 369⁴⁰. Either as the port where disputes arose or as the place where traders and shipowners were registered in *corpora*, cities were, at least to some extent, competent to settle the disputes that arose between practitioners of maritime trade. In the 4th century AD, *iudices* and *decuriones* (when acting as tax-collectors?) are listed among those who used to impose *munera* on ships and apparently could constrain ships to leave the harbour⁴¹.

Cities were also market authorities. Since the classical period, there used to be two kinds of market: *emporion* and *agora*. The former was a gross market⁴², and was the affair of merchants from various origins, while the latter was a retail market, and was the affair of the city and people settled there. We unfortunately know little about the exact competence of the *emporiarchai* known in Asia Mi-

³⁸ *CTh.13.5.7: vel qualibet alia civili causa pulsati ne ex rescripto quidem nostro ad extraordinarium iudicium evocentur, sed agentibus in suo foro respondeant.*

³⁹ On the importance of the *origo*, see THOMAS 1996. *Origo* is likely to be the key issue of *CTh.13.5.1: Imp. Constantinus a. ad Volusianum. si navicularius originalis levamentarius fuerit, nihilo minus apud eosdem, apud quos et parentes eius fuisse videntur, firmiter permanebit. Dat. XIII kal. April. Volusiano et Anniano cons. (AD 314, March 19th).*

⁴⁰ *CTh.13.5.12: Idem AA. ad Demetrianum praefectum Annonae Africae. Si quis naviculariorum ex nostrae perennitatis indulto fori translationem potuerit optinere, fructu careat impetrati. Circa feminarum vero personas veterum statuta teneantur, ut, in quibus foris antiqua eas dispositione constet adscriptas, illic navicularii oneris munus agnoscant. Vt enim in litibus causisque privatis fora easdem sequi convenit maritorum, ita in publicis necessitatibus originis debent servare rationem. Dat. prid. id. Mai. Trevisis Valentiniano n. p. et Victore cons. (369 mai. 14)*

⁴¹ *CTh. 13.5.5, pr. (AD 326); CTh. 13.5.34 (AD 410).*

⁴² See *P. Ryl. Gr. 4 601* (26 BC, August 1st, Karanis) and *P. Oxy 59. 3989* (2^d cent. AD, Oxyrinchus); RUFFING 2006.

nor not only in ports like Ephesus, Nikaïa or Side⁴³, but also in cities of the mainland generally on the main roads, like Apamea, Aphrodisias⁴⁴. These municipal officials, appointed to an *archè*, are mentioned only during the Roman imperial period and are usually honored by guilds relating to trade. Policing and controlling of the gross market were probably their main duties.

Anything sold in a city was sold under the control and protection of authorities: weights and measures were placed under the control of the agoranoms in the East and the *aediles* in the West⁴⁵. As their name suggests, these were in charge of the *agora* rather than the *emporion*. The same officers were in charge of the fairness of trade. Goods given as security of loans had to be cancelled until the creditor had been refunded, and the order of credits had to be warranted. The mutilated document, *TSUlp* 106 (= *TPN* 110 = *AE* 1984, 224) shows how at Puteoli, in the case of the ship from Sido, the priorities in the seizure of an obligated cargo (or of the ship itself) have been established *iure ipso et consue[tu]dine* and put *sub praecone*. The *privilegium exigendi*, or order of creditors is here expressed in its Greek form, *protopraxia*. This word brings us into the sphere of *consuetudo* – customary practice – rather than within the sphere of Roman law. Nevertheless, local institutions prove themselves able to settle the case and protect the interests of creditors in a remote harbour; the local herald, in charge not only of proclamations, and who by tradition used to be the supervisor of the selling of cargoes as early as the Rome-Carthage treaties but also of public auctions was involved in this process. The same rules must have applied to bottomry loans or other kinds of loans involved in trade.

A strict control of weights, measures and coins was necessary not only to protect buyers against any fraud but also because various units were used from one place to the other within the empire. Many cities had their own systems of weights and measures, and, until the mid-3^d century AD, several monetary systems co-existed in various areas of the empire⁴⁶. Not to speak about the variety

⁴³ Ephesus: *SEG* 34.1107 = Mc Cabe 1886; Nikaïa: *INikaïa*, 1071; Side: *ISide* 76.

⁴⁴ Apamea: *IGR* 4. 796; Aphrodisias: *SEG* 45.1505.

⁴⁵ *Lex Irnitana* (*AE* 1986, 333), 19 lists among the duties of *aediles*: *annonam aedes sacras loca / sacra religiosa oppidum vias vicos cloacas bal[i]nea macellum pondera / mensuras exigendi aequandi vigilias cum res desiderabit exigendi / et si quit(!) praeter ea decuriones conscripti{s}ve aedilibus faciendum esse / censuerint eas res omnes curandi f[a]ciendi*. Cf. *CIL* XI, 6375 = *D* 5613 (Pesaro / Pisaurum): *Ex iniquitatibus / mensurarum et ponder(um) / C(aius) Septimius Candidus et / P(ublius) Munatius Celer aed(iles) / et stateram aerea(m) et pon/dera decret(o) decur(ionum) / ponenda curaverunt*. By decree of the decurions, because weights and measures were not exact, the two *aediles* have placed a bronze balance and weights.

⁴⁶ GATIER 1991; GATIER 1993; ALIQUOT – BADAWI 2013.

of weights, one must remember that three key-units of volume were in use to calculate the legal capacity of burden of ships and the cost of freight: *artabae*, *modii*, and *modii kastrenses*... Even when the same units were in use, controls were necessary to protect commerce. Measuring corn at loading and unloading is a well-known practice, documented by private charter-parties found in Roman Egypt⁴⁷. Weighing and numbering are well attested in customs practice⁴⁸ as well as commerce⁴⁹, and measures used at the gross market (*emporion*) and at the retail (*agora*) were certified by authorities⁵⁰. Weighing was very important in the practice of trade. Weights replaced capacity on amphora *tituli picti* by the Flavian period and Aelius Aristides links the unloading and weighing of cargoes⁵¹. People legally in charge of weighing and measuring, *mensores* and *sacomarii*, were a common feature of any market within the empire, and of several kinds of control procedures, either private or public. Measures and weights were probably checked not only at loading and unloading, but also likely at the entrance and exit of the warehouse – thence there control upon warehouses in late antiquity⁵² –, and the goods eventually reached the market. When they were not cheating themselves⁵³, *mensores* were considered as guardians against any fraud, protectors of the warehouses as well as of the deliveries to *pistores*⁵⁴. Guilds of *mensores frumentarii* are known only at Ostia. There was a guild of *prometroi*, likely

⁴⁷ *P.Oxy.*45.3250 (Oxyrhynchus, ca 63 CE)

⁴⁸ *Roman Customs Law of Asia*, 45-47= § 18: [ἃ μὲν ἄν τις βουλήται ἐμβαλέσθαι ἢ⁴⁸] ἐξελέσθαι ἢ εἰσαγαγεῖν ἢ ἐξαγαγεῖν κατὰ θάλασσαν, ἃ τε ἄν κατὰ γῆν εἰσάγῃ ἢ εἰσελαύνη, | [τῶν πραγμάτων τούτων τὴν τείμησιν] τειμάσθω[ι] vac [ὁ] μὲν ἄν ἴστασθαι δέη, τούτου τὸν σταθμόν, ὃ δ' ἄν ἀριθμηθῆναι δέη, τούτου τὸν ἀριθμὸν ὀρθῶς λεγέτω. ἐάν | [δ' ὑπεναντίον τι τούτοις γένηται, τὸ πρᾶγμα] ἐκεῖνο καὶ τὸ ὄνιον τοῦ τελώνου ἔστω. “Whatever anyone may wish to load or] to unload or import or export by sea, and whatever he may import or drive in or convey in or export or drive out by land, he is to estimate [the value of those goods;] whatever it may be necessary to weigh, he is correctly to state its weight, whatever to count, its quantity; [and] if [anything happens in contravention of these provisions], those [goods] and merchandise are to belong to the collector.”

⁴⁹ ERCOLANI COCCHI 2001; CORTI 2001.

⁵⁰ *P. Ryl. Gr.* 4 601 (26 BC, August 1st, Karanis).

⁵¹ *Tituli picti*: LAUBENHEIMER 2004 ; Ael. Aristid. *Περὶ ὁμοιοῦσας ταῖς πόλεσιν* (42), Jebb p. 537: οὔτε ἡσυχίαν ἄγειν οὔτε κοινόν τι φρονῆσαι δυνάμεθα, (537.) ὥσπερ δὲ ἐν τρυτάνῃ φορτίων ἐξαρεθέντων ἄνω καὶ κάτω κινούμεθα τὴν διὰ κενῆς, οὔτως ἔοικέ τι καὶ τρυφῆς ἐνεῖναι τῷ πράγματι.

⁵² *CTh* XIV.15.1; ROUGÉ 1966, 187.

⁵³ *CIL* III.14165.

⁵⁴ *CTh* XI.4.1. Contrary to the opinion of ROUGÉ 1966, ***(???) the *mensores machinari* known only at Rome controlled the volume of grain brought to the mills (*machinae*). There is no preserved occurrence of the word *machina* in the sense of "balance".

mensores, if not *mensores frumentarii*, at Ephesus⁵⁵. Neither at Ostia, nor at Ephesus, do these seem to have been State agents. At Ostia, aside from this corpus, we hear of *togati a foro et de sacomar(io)* “officials attached to the market and to the weighing-house” of the same city⁵⁶, who were in charge of the validation of the trade procedure, including weighing and measuring. One of these *togati* is probably the only man dressed in *toga* figured on the floor-mosaics of the *aula mensorum* at Ostia (I.xix.3) between the *mentor* and the *navicularius* (?) on the right side of the mosaics⁵⁷. Public slaves, dressed in two different robes weighing items - maybe timber - being unloaded from a ship on a beach on a mosaic from Hadrumetum are likely to be municipal ones⁵⁸. Evidence thus strongly suggests a control of cargoes under the authority of cities.

This may be confirmed by the *ostraca* found at the *ilot de l'Amirauté* at Carthage⁵⁹, which illustrate the everyday work of a certain Felix who calls himself *mentor olei fori Karthaginiensis* in the late 4th century AD. His activity has generally been related to the *annona*. The *kanon Urbis* is mentioned in a couple of the *ostraca*, indeed, but the work performed by Felix was a weight-control of all the oil that arrived by sea from the countryside before it was sent to a deposit or warehouse⁶⁰. As in the cases of others at Puteoli or Parma, he may have been a *mentor idem sacomarius* – and involved in measuring and weighing⁶¹. Part of this oil was approved and stored; some of it was not and was rejected. Nothing demonstrates to us that these *mensores* were at the service of the emperor. Hurst⁶² has pointed out that they might have been employees of the city of Carthage, and that the *ilot de l'Amirauté* was the trade-place of Carthage, the “mari-

⁵⁵ *I Eph* 3216.

⁵⁶ *CIL* XIV, 409 = *IPostie* B, 339 = *D* 6146. One of these *togati* is probably the one man dressed in a *toga* who figures on the floor-mosaics of the *aula mensorum* at Ostia (I.xix.3) between the *mentor* and the *navicularius* (?) on the right side of the mosaics. On these mosaics see JOUANIQUE 1969 and MINAUD 2004.

⁵⁷ On this mosaics, see JOUANIQUE 1969 and MINAUD 2004

⁵⁸ BLÁZQUEZ MARTÍNEZ 1998.

⁵⁹ PEÑA 1988.

⁶⁰ The amplification *condit(orio) Z(eugitano)* suggested by Peña is highly doubtful. The word *conditorium* always means a tomb (or a Mithraeum), but *conditum* may be used as a noun in the sense of “store” (*Dig.* 32.97 = Paulus, II *decretorum*; cf. *CTh.* 11.14.1. The verb *condere* is normally used to indicate the storage of goods in *horrea* (*CTh.* 11.14.0. *De conditis in publicis horreis*). At least the larger *horrea* in Rome used to be divided into *chortae* - courts - each bearing a number and placed under the authority of an *horrearius* *CIL* VI, 588 (Add. p 3006, 3757) = *D* 1624; *CIL* VI, 30901. “Z” then may well be here the Greek numeral: 7.

⁶¹ Puteoli: *CIL* X, 1930 = *CIL* I, 1623 (Add. p 1013) = *D* 7739 = *ILLRP* 801; Parma: *AE* 1993, 715 = *AE* 2004, 566.

⁶² HURST 1994, 114-115; HURST 2010, 55 & 65; PROCOPIUS, *DE AEDIFICIIS* VI, v, 10.

time agora” mentioned by Procopius, rather than imperial officials at the service of *annona*. During the same period, the word *forum* was used to express the packaging trade-place / competent tribunal and was of the responsibilities of cities⁶³. The title of these *mensores* suggests a direct link with the local market and authorities (including the control of goods sent and bought at the place). If trust is a necessary ground for trade, then institutions are essential to support it. Cities provided part of this institutional protection that created trust through certified weights and measures that could vary throughout the empire.

1.3. Supplying the city's market

The very first words of the edict of L. Antonius Bassus quoted above state that the port was essential for the life of the city. Implicitly, this aspect is connected to the authority of the city upon its harbour, and to its ineffective attempt to resolve its problems. Only because this port was not just essential for the city's life, but also for "the Universe" - in other words the order of the empire - did the governor interfere with the city's sphere of authority⁶⁴. They establish as a postulate that it was necessary or vital to the city to keep its harbour clear from any kind of hind. Ports were essential to the life of cities.

There were several reasons why a city could take a particular interest in the activity of its port. Amongst these was supplying its market. Supplies, called *annona* or *agora*, took an essential place in the life of the city, and were its own affair. They used to be the task of *aediles* in the West, and various *litourgoi* in the East. The needs of urban centres were substantial for any kind of item, food as well as clothes, and the development of urban civilization. Food shortage was an endemic threat for ancient cities, and a source of social trouble. A good supply of it meant a lower cost of life, and a higher standard of well being for the people. This also meant social peace. But a few cities could actually expect that their own products would have been attractive enough to justify that a significant number of ships would have reached it with a full cargo to be downloaded and sold there. A fleet of local traders and shippers could help supplying the city, but to some extent only. These would go and sail to where it was fruitful to do so.

⁶³ *CTh*.13.5.12 (AD 369 May 14th); cf. *CTh* 13.5.7 (AD 334, Dec. 1st).

⁶⁴ *SEG* 19.684 = *AE* 1967. 480 = *IEph* 23 = *Mac Cabe* 234 (AD 147?), ll. 3 sq. : Εἰ τῆ μεγίστη μητροπόλει τῆς Ἀσίας [καὶ] μόνον οὐχὶ καὶ τῷ κόσμῳ [ἀναγκ]αίον ἐστὶν τὸν ἀποδεχόμενον τοὺς πανταχ[όθ]εν εἰς αὐτὴν καταγομένους λιμέν<α> μὴ ἐνποδίζεσθαι. "If it is necessary not only to the greatest metropolis of Asia, but also to the Universe not to hinder the harbour that shelters those who come to it from everywhere..."

The opportunity of finding various valuable cargoes was probably a better stimulus for traders to visit one port, rather than another: this defines the “port-entrepôt” where goods from several origins could converge and can be re-exported⁶⁵. A well-supplied harbour was an attractive one and it remained well supplied as long as it was fully accessible and economically interesting. But what about smaller harbours?

A well-known inscription from Caunus in Lycia is very instructive of the consciousness of the interest of port-activities for cities, and can now be understood in a much clearer way than when it was fully published by Marek. Under Hadrian, two local euergetists had paid the yearly amount of the *Quadragesima* (60,000 denarii) due by the city to the Koinon of Lycia on ingoing goods in order to make Caunus something like a free harbour. This means that the yearly expected level of yield of the imports (by land and by sea) was estimated slightly under 2,4 million denarii or 10 million *sestertii*. This euergetists intended to stimulate the activity of local shippers and merchants, who had had the immunity of ships, imported and exported goods and to attract foreign merchants, who could come and sell at reduced cost and risk. As a result, the amount of ingoing and outgoing goods would have increased. In the current state of the text, it appears that imports were exempted of taxes, on the condition that merchants would sell on the place at least one third of their cargo. This provides a good example how conscious cities and their euergetists were of the importance of a high volume of imports and of the necessity of attractiveness of a city as a port for both its supply and collective wealth.

From that point of view, the importance of many ports should be re-evaluated. Aperlae, a small, uncomfortable harbour, has been considered a case study for understanding cabotage⁶⁶. The poor evaluation of its port led to that conclusion. It is contradicted, however, by the obvious wealth of the city, which would head a confederation of at least two coastal cities and other two towns from the hinterland under the Roman Empire⁶⁷. The source of its wealth has been identified as purple-shell,⁶⁸ and probably crocus as well (as in other cities of Lycia). These two high value / low volume goods may well have been attractive enough to incite traders to bring in supplies in order to export these precious items. Similarly, the worse place one might imagine for a port, cliffs opened to swell are exactly the place where *Kalabantia* stood. The place, named by the

⁶⁵ See for example African *amphorae* bought in Gades to be sold in Southern Gaul or Rome, cf. BONIFAY 2007; BONIFAY-TCHERNIA 2012.

⁶⁶ HOELFELDER – VAN, 2000.

⁶⁷ *IGS*, III, 690; 692.

⁶⁸ LEADBETTER 2003.

Stadiasmus Maris Magni (§ 250-251), was already mentioned in Attic tribute lists in 425 BC. As uncomfortable as it was, it was nevertheless the port of the neighbouring *Sidyra*, and made it a maritime city⁶⁹, with what could be meant by this in terms of supply.

1.4. Friend or foe? Good and bad relationships between cities.

As far as we know, relationships between cities were no longer ruled by treaties under the Roman Empire, and the previous existence of formal conventions were no longer a pre-requisite for trading in another city. Notwithstanding that, these relationships were as formally and sustainably established as *amicitia* and *inimicitia* between families could be. The hatred of Greek imperial cities for one another was also a well-known phenomenon in the East⁷⁰. Aelius Aristides (XXIII) and Dio Chrysostomus (XXXIII-XXXIV; XL-XLI) grieved over such disastrous conflicts. The list of known rivalities between cities is long and would fill pages: Beroia and Thessalonike, Laodikeia and Antioch, Tyre and Berytus, Prusias and Apameia (Myrlea), Nicomedia and Nikaia, Pergamon, Smyrna and Ephesus, Tarsus and Aigeia, Soloia or Adana, just to mention the most visible instances⁷¹. Friendship too was as notorious as hatred. Establishing or restoring Concord between cities has been celebrated by an abundant coinage, minted in various cities of Asia Minor. These large series (several types existed for each of them) of prestigious mintage consist in large bronze pseudo-medallions whose value could reach up to sixteen *assaria*. They provide a long list of officialized relationship of friendship between two cities⁷². Only exceptionally, this was explicitly the result of the personal intervention of the governor, as in the case of the *homonoiia* between the best enemies, like Smyrna and Ephesus, or Pergamon and Ephesus or Smyrna and Pergamon, and then, either sincere or just feigned under the pressure of authorities, the formal expression of reconciliation. It would be a piece of nonsense to reduce that list of officialized friendly relationship – sometimes against the trends of previous history if not against nature – to the celebration of mere economic agreements between cities or to a survival of the old *isopoliteia*⁷³. The kind of relationship they established was much deeper than a mere economic agreement. It made the home-gods of both cities *synnaoi*,

⁶⁹ CAVALIER – DESCOURTILS, 2011. Plin. *NH* 5.131 situates an island with respect to Sidyra, considered as a maritime city.

⁷⁰ NOLLÉ 1994; KIENAST 1995; THÉRIAULT 1996, 72-80.

⁷¹ For a list, THÉRIAULT 1996, 76-77.

⁷² Catalogue in FRANKE – NOLLÉ 1997.

⁷³ KIENAST 1995 challenged by THÉRIAULT 1996, 79.

and provided the grounds for a formal relationship based upon brotherhood and trust between the members of two communities. This necessarily impacted maritime trade and commerce. The list of the cities involved in celebrating *homonoïa* shows that most of these, if not all, were actually ports. In addition to the coins minted in Asia, various inscriptions from the same province underline similar officialised friendships, like the statues of Carthage erected in the theatre of Ephesus when the latter was granted a third neocorate⁷⁴, together with those of other cities honoured as sisters or brother-people of the Ephesians: Cnide, Cos and Nicaea Cilbianorum⁷⁵.

Unfortunately, no similar evidence has survived from the Roman West hitherto, but there is no doubt that the same kind of codified relationship existed in the Western provinces too, where Fronto considers Hippo Regius and Cirta as “a neighbouring and friendly city”⁷⁶. The walls of Pompeii are full of graffiti commemorating the hatred of Campanian cities to each other⁷⁷, and the hatred of Vienna towards Lugdunum and vice-versa is well known. In both cases it could lead to physical violence and human losses.

Collective friendship or enmity framed the relationship between entire cities, both as states and communities. It may reflect, emphasize, improve or challenge partnership between cities involved in maritime trade. It also provided a ground for the nature and quality of the relationship between their members abroad and between their patrons at higher levels of the society of the Empire.

1.5. *Did Cities levy taxes or port-fees?*

One of the reasons why the ports of Greek cities were essential to their life was also that they used to derive substantial revenues from them on the ground of taxes *ad valorem*⁷⁸. A higher level of value of the goods brought to and from a port would then have changed in a significant way the situation of the public treasury of the city who had the right to collect the taxes for its own profit. Un-

⁷⁴ *AE* 1913, 141 = *D* 9469 = *SEG* 28, 864 = *IEph* 2053 = Mc Cabe 1897. The link made between the statue and the first *Pythia* organized at Carthage by L. Robert (*BCH* 102, 1978, 469-470) is highly debatable: all four inscriptions honoring foreign cities are coetaneous and form a coherent group.

⁷⁵ Cnide: *AE* 1913, 142 *IEph* 2054 = Mc Cabe 1898; Cos: *IEph* 2055 = Mc Cabe 1896; Nicaea: *IEph* 2056 = Mc Cabe 1899.

⁷⁶ *Ad amicos*, II, 11 (Hayes t. I p. 292-294): *quom sit <e>uicina et amica ciuitate Hippone Regio*.

⁷⁷ E.g. *CIL* IV, 1329; *CIL* IV, 2183, where Nuceria and Puteoli appear to be friends against the people of Pompeii and Pithecussiae, just good to be sent to the butcher.

⁷⁸ *Xen.Ways*, III.1-15 ; 4.40; *Plb.*, XXX.31.12 ; *Dem.* 23.110. BRESSON 2002; 2003.

fortunately, the question whether cities were deriving revenues from their own ports and how much these could yield is currently an unresolved issue. The complex distinction made by some modern scholars between *telè* (customs duties) and *elliménion* (port fees) appears to be a misleading one at least as far as the Roman period is concerned⁷⁹. There is no specific word for possible harbour-fees, and the two worlds actually seem to refer to one and a single reality, as suggested by a well-known Hadrianic inscription from Caunus⁸⁰. This mentions the *elliménion* in connection with imports and exports by sea, indeed, but also by land. Its amount and other clues indicate that this was nothing but the *Quadragesima Lyciae*. In this context, using the occurrences of the word *elliménion* to demonstrate the survival of municipal port-fees under the Roman Empire may be misleading⁸¹. The reason why the city was involved in gathering it has now been made clear by the published parts of the Roman customs law of Lycia and Takmer's Commentary, and by the similar text from Myra⁸². The *koinon* of Lycia paid the taxes to the Central State, and each city within the *koinon* contributed to a defined part of this total amount and had to gather the corresponding customs duties. Any income above the fixed part due to the *koinon*, and by this to the central State was the city's (and the publicans whom the city had appointed to that office). The situation of Lycian cities is an exception, however. The cases generally quoted are those of Ambracia, which, in 182 BC, had had the right to gather *portoria* (except on the Romans and Latins)⁸³, Termessos in Pisidia, which later in 72 BC⁸⁴ had received *immunitas* along with the right to gather

⁷⁹ VELISSAROPOULOS 1980, 219-222.

⁸⁰ MAREK 2006, 171-221, n° 34, C, ll. 8-10; VELISSAROPOULOS 1980, 224-225.

⁸¹ DE LAET 1949, 93; 252.

⁸² MEROLA 2001; TAKMER 2007.

⁸³ Liv. 38.44: *referente Aemilio senatus consultum factum est, ut Ambraciensibus suae res omnes redderentur; in libertate essent ac legibus suis uterentur; portoria, quae vellent, terra marique caperent, dum eorum immunes Romani ac socii nominis Latini essent.*

⁸⁴ CIL I.1 204 = D 38 = BRUNS, *Fontes iuris Romani antiqui*, I, Tübingen, 1909, pp. 92-95, n. 14 = CIL I² (1918), n. 589 = FIRA I. 11 : *quam legem portorieis terrestribus maritumeisque/Termenses Maiores P{h}isidae capiundeis intra suos/ fineis deixserint, ea lex ieis portorieis capiundeis/ esto, dum nei quid portori ab ieis capiat, quei publica/ populi Romani uectigalia redempta habebunt; quos/ per eorum fineis publica-nei ex eo uectigali transportabunt [---].* “Whatever regulation the Termessians declare for collecting land and maritime customs duties within their own boundaries, this regulation for collecting these customs duties shall be effective, provided that not any customs duty shall be collected from those persons who shall obtain by contract the public revenues of the Roman people. Whatever produce from this revenue the tax farmers shall transport through their territories . . .” (transl. JOHNSON – COLEMAN-NORTON – BOURNE 1961, pp. 74-76, n. 79).

portoria, and of Stratonikeia⁸⁵ and Mylasa⁸⁶. But this right is also part of a package of privileges that followed the grant of the statute of *civitas libera* to Ambracia, Termessos, and Stratoniceia, who had received this privilege from Sulla along with *libertas*, *immunitas* and the authority over several other cities⁸⁷, and Mylasa was a free city too⁸⁸. It seems normal that *civitates liberae* could gather taxes. These occurrences, often quoted, are therefore inconclusive as far as the situation of stipendiary cities in general was concerned. The number of free cities, especially in the Roman East and among port-cities was high enough to make us think that the situation of the latter was representative of numerous, in not all harbour-cities.

The situation of other cities is less clear. Some scholars consider that gathering customs-duties of their own was the privilege of the sole *civitates liberae*, while others suggest that it was the normal situation in any city⁸⁹. The insistence of most occurrences quoted above on the fact that this right was the result of a special grant seems to contradict the idea that any city was gathering customs duties of its own. It is unlikely, however, that only free cities could gather customs duties. Textual evidence shows that the attitude of the emperors towards the customs charges levied by cities could vary from an emperor to another and from a city to another. The *jus vectigalium* could be granted or denied to cities, and it could be cancelled, and does not ever appear to have been systematic. As far as we can imagine it may have been rather common⁹⁰. A rescript of Vespasian is the more decisive piece of evidence. It establishes that the Spanish *Saborenses* who intended to rebuild their town in the plain and give it the name of the emperor (in other words, to found a new city), were allowed to

⁸⁵ *IK*, 22,1-Stratonikeia, n° 505, l. 55-58 & 97-114. = SHERK, 1969, 18.

⁸⁶ *CIL* III, 448 = *CIL* III, 7151-7152 = *CIG* 2701 = *IK* 34, 611 (Mylasa): *Suggestionem tuae sublimitatis de portorio vici Passalietum Mylasensium] / cibitatis(!) utpote et rei p[ublicae vel aerario et eius civitatis utilitatibus] / profuturam debita cum l[aude confirmamus et per hanc divinam pragmaticam defini]mus sanctionem nulli [dictum vectigal exigere licere neque quemquam id vertere in propria] / lucra posse quoquo modo --- merces quae] / de portu eius veniunt ac ne[gotiandi causa --- tuae proin]/de sublimitatis proficiunt [--- Eudoxi f(rater) a(mantissime)] inlustris igitur auctori]tas tua quae per hanc divi[nam pragmaticam sanctionem ---] / contra temeratores [---] / a consulibus curavi[mus ---] / pridie Idus Martias Co(n)s[antinopoli].*

⁸⁷ FERRIÈS 2011, 448.

⁸⁸ Plin., *NH* 5.108.

⁸⁹ BANG 2008, 222 & n. 62.

⁹⁰ Suet. *Tib.* 49: *plurimis etiam ciuitatibus et priuatis ueteres immunitates et ius metallorum ac uectigalium adempta*; SHA *Alex.*, 21.1: *uectigalia ciuitatibus ad proprias fabricas deputavit*; but Amm. 25.4.15 (*uectigalia ciuitatibus restituta cum fundis*) may rather refer to the revenues of public land of the cities rather than to taxes.

do so and keep the revenues (*vectigalia*) that the city had been granted by Augustus, but it also determines that the introduction of new taxes was subject to the proconsul's approval⁹¹. This jurisprudence has been confirmed by later constitutions of Severus and Caracalla⁹² and several others during the IVth century. Cities could not decide to create new taxes without the approval of the governor, and the emperors were very reluctant to allow it. These texts actually confirm two things. Cities were normally gathering taxes of their own when they had received this right from an emperor, and were keen to create new ones. Unfortunately, we have no precise idea of either the number of cities allowed to gather taxes, or of the amount of such taxes and tolls. Notwithstanding that, it is probable that cities gathering taxes were not the exception, and that the latter's amount was high enough to be a significant part of the cities' revenues, as pointed out by recent scholarship⁹³. Apparently, the sum of the revenues (*vectigalia*) of cities – yields of its estates as well as taxes – was high enough to cover their normal expenses, but sometimes too small to cover extraordinary expenses and fund important infrastructure works, such as ports, in addition to baths and aqueducts. Even in wealthy cities like Ephesus or Smyrna, the funding of ports could rely on subscription, or euergetism (either private or imperial)⁹⁴. It is not easy to estimate how pertinent is the poor idea of Roman cities' financial management elaborated by modern scholarship and to what extent a city's revenues were essential to its life, but we should probably follow Schwarz and adopt a less pessi-

⁹¹ CIL II, 1423 = FIRA 1. 74 = D 6092: *vecti/galia quae ab divo Aug(usto) accepisse dici/tis custodio si qua nova adicere vol/tis de his proco(n)s(ulem) adire debebitis ego / enim nullo respondente constitu/ere nil possum*)

⁹² CJ 4.62.: [1] *Impp. Severus et Antoninus Gavio Antonino. Non quidem temere permit-tenda est novorum vectigalium exactio: sed si adeo tenuis est patria tua, ut extraordi-nario auxilio iuvare debeat, adlega praesidi provinciae quae in libellum contulisti : qui re diligenter inspecta utilitatem communem intuitus scribet nobis quae compererit, et an habenda sit ratio vestri et quatenus, aestimabimus. PP. XII K. AUG. [2] Idem AA. Ventilio Callistiano. Vectigalia nova nec decreto civitatum institui possunt.* “[1] The emperors Severus and Antoninus to Gavius Victorinus. The exaction of new revenues cannot be permitted without due examination; but if your city is so poor that it ought to be aided by extraordinary help, go before the governor of the province and state to him what you have set forth in your petition. He, after carefully looking into the mat-ter, bearing in mind the common good, will write us what he shall have learned, and we shall then determine whether and to what extent we shall take account of your re-quest. Promulgated July 21. [2] The same Augustus to Ventilius Callistianus. New reve-nues cannot be levied even by a decree of the cities”. A later rescript of Valerian and Gallienus (CJ 4.62.3), however, states that cities could create new taxes after consult-ing the Emperor.

⁹³ MEROLA 2001; SCHWARZ 2001.

⁹⁴ ARNAUD 2015a; 2015b.

mistic attitude towards the capability of cities to master themselves. In addition to this, when cities were gathering taxes on behalf of the State, as was the case in Lycia and maybe in other areas as well, they enjoyed the same advantages as the farmers. Any revenue exceeding the fixed amount due to the State was the tax-gatherer's.

It is always difficult to treat Roman imperial cities as what they actually were. Neither fully independent - even in the case of "free cities", nor just administrated by Rome, even in the case of *civitates stipendiariae*, they still were civic centres whose magistrates and officers were accountable for their action not only to the city, but also to Roman authorities if necessary. Cities cannot be reduced to lower stages of Roman administration. They used to be self-administrated communities within an empire who had the higher authority but was not involved in city life as long as nothing went wrong. They were centres of services.

These were the normal interface between practitioners and State, either through the governor and other agents of the State, like *procuratores*, or through the numerous embassies sent by cities directly to the emperors. Every single city had specific relationship – good or less good, sometimes really bad – with every particular emperor or member of the imperial house. This has had a measurable impact on the infrastructure of cities⁹⁵.

Cities were also service centres where civic and State offices as well as private support was to be found. We have seen what was relating to police, justice, supplies, banks, changers, temple of the gods and control structure. This is also the case of customs. At the beginning of the Roman Customs Law of Asia is a list of the ports where it was legal to register the goods to be imported by sea⁹⁶. These were all cities. At any time, cities and their magistrate could replace a missing structure for fulfilling these formalities. Under the later Roman Empire, cities still were the place for the exaction of customs duties, all other places being considered as places for smuggling⁹⁷. Many port-cities in the East started bearing from time to time the title of *nauarchis* by the mid II^d century AD mainly on coins⁹⁸. The meaning of this title is not certain, but Reddé's idea⁹⁹ that this would follow the temporary presence of a fleet is the most likely. It seems that these *nauarchides* could become occasional naval stations of Rome.

⁹⁵ ARNAUD 2014; 2015A.

⁹⁶ COTTIER *et al.* 2008, (II. 22-26 = § 9).

⁹⁷ *Nov. Valent.* 24.

⁹⁸ REY-COQUAIS 2009.

⁹⁹ REDDÉ 1979, 292.

2. Cities, their ships and maritime *corpora*

2.1. The civic ship's ensign or port of registry and civic *curatores navium*

Ships also used to have a nationality. Ancient sources usually name the city of a ship as part of her identity altogether with the *parasemon*, or individual distinctive mark. A ship was basically the ship of an identified city. Most of the literary evidence associates, as early as the *Acts of the Apostles*, ships with a city of origin: one embarks on a ship of Alexandria, a ship of Adramyttion¹⁰⁰ or a ship of Carpathus¹⁰¹. The epitaph of a *naulerus* who was buried in Rome similarly says that he was commanding an “Alexandrian ship”¹⁰².

The parallel with an inscription honouring a patron of the *curatores navium* is striking. In the first version of the text, it has been dedicated by owners of ships who are said to be African (*domini navium Afrarum*), not their owners, although the later addition of the Sardinians (*item Sardorum*) shows that the distinction between the nationality of ships and that of shipowners was not that clear even for practitioners. Only one member of the college is known. He calls himself *curator navium Karthaginiensium* or curator of the ships of Carthage.

We learn from the *Corpus iuris ciuilis* that, at least under the later Roman Empire, the *navicularii* used to be tied to a *forum*, this being a city and its port. By that period, and increasingly since the times of Hadrian, the word *navicularii* tends to mean holders of the *munus naviculare*, those who had placed their ships at the service of *annona* and enjoyed substantial advantages as counter-parts. These could be members of the elite of cities of the mainland who had chosen that form of investment, as the *nauleri* of Oxyrinchus did¹⁰³. Then the ship's nationality was the nationality of the forum / port it was attached to.

In the later Roman Empire, and maybe as early as Commodus, they could be organized in a “fleet”¹⁰⁴. We hear of three of these fleet: the *classis Africana Commodiana Herculea* is known only through the questionable testimony of

¹⁰⁰ *Acta Apostolorum*, 27.2: ἐπιβάντες δὲ πλοίῳ Ἀδραμυττηνῶ “We stepped on board a ship of Adramyttion”; *Ibid.* 27.6. Κάκειϊ εὐρῶν ὁ ἑκατοντάρχης πλοίων Ἀλεξανδρίων “And thence, having the centurion found a ship of Alexandria”; *Ibid.* 28.11 ἀνήχθημεν ἐν πλοίῳ παραχειμακῶτι ἐν τῇ νήσῳ Ἀλεξανδρίῳ, παρασήμῳ Διοσκουροῖς “we embarked in a ship of Alexandria who had wintered in the island, whose distinctive sign was the Dioscuri”.

¹⁰¹ ROUGÉ 1963.

¹⁰² *IGUR* II.393 (*extra portam Nomentanam*): Ἀσκλᾶς ὁ καὶ | Ζήνων ναύκλη|ρος πλοίου Ἀλε|ξανδρείνου ἐν|θα κεῖται S (the letter “S” has found no explanation so far)

¹⁰³ *CIL* XIV, 4626 = *AE* 1914, 275.

¹⁰⁴ ROUGÉ 1966, 266-268. *SHA Commodus* 17.7: *classem Africanam instituit*.

Historia Augusta. It may echo the informal group of *domini navium Afrarum* that already existed in AD 173¹⁰⁵ and relied on a civic organization, as we have seen. The ground for the other known fleet is certainly a civic one (probably based upon the *corpora naviculariorum*). The *stolos Alexandreinos* is quite old. In 409 AD the *classis Carpathia* – if not a military one, as the mention of *navarchi* may suggest¹⁰⁶ – is mentioned altogether with the latter, and the building or repairs of ships by municipal *munerarii* in the late 3rd century (if not relating to the building of warships for the sake of the state)

Until recently, *curatores navium* were known only at Ostia, where, during the 2nd century, they were numerous enough to form two *corpora*, one of the *curatores navium marinarum* and the other of *curatores navium ammalium*, mentioned in at least four inscriptions, the mutilated inscription from *statio* nr. 42 of Piazzale delle Corporazioni¹⁰⁷, being dubious. The oldest document is an inscription displayed slightly before 102 AD in honour of *Cn(aeus) Sentius Cn(aei) fil(ius) / Cn(aei) n(epos) Ter(etina tribu) Felix* by his adoptive son, *Cn(aeus) Sentius Lucilius / Gamala Clodianus*¹⁰⁸. Among many other positions as a municipal magistrate or in relationship to the most important guilds of the harbour, the former had been, *quinq(uennalis) curatorum nauium marinar(um)*, the first mentioned. A certain Caius Granius, Cai filius, Quirina, Maturus, who had been

¹⁰⁵ CIL XIV, 4142 = D 6140, dated October 20th, AD 173.

¹⁰⁶ ROUGÉ 1963, 267 thought these were commercial ships, but there is place for a discussion.

¹⁰⁷ CIL XIV, 4549,42 : [curatores(?) n]avium d[e suo(?)] / [-----]N.

¹⁰⁸ CIL XIV, 364 : CIL XIV, 409 = IPOstie-B, 339 = D 06146 = EAOR-04, 00039 = CBI 859 = AE 1999, 407 : *Cn(aeo) Sentio Cn(aei) fil(io) / Cn(aei) n(epoti) Ter(etina tribu) Felici, / dec(urionum) decr(eto) aedilicio, adl(ecto) d(ecurionum) d(ecreto) d(ecurioni), adl(ecto) / q(uaestori) a(erari) Ostiens(ium), Ihuir(o), q(uaestori) iuuenum ; / hic primus omnium quo anno dec(urio) adl(ectus) est, et / q(uaestor) a(erari) fact(us) est, et in proxim(um) annum Ihuir designat(us) est, / quinq(uennali) curatorum nauium marinar(um), gratis adlect(o) / inter nauicular(ios) maris Hadriatici et ad quadrigam / fori uinari, patrono decuriae scribar(um) cerarior(um) / et librarior(um) et lictor(um) et uiator(um), item praeconum, et / argentarior(um), et negotiator(um) uinarior(um) ab Urbe, / item mensor(um) frumentarior(um) Cereris Aug(ustae), item corpor(atorum) / scapharior(um) et lenuncularior(um) traiecit(us) Luculli, et / dendrophorum, et togator(um) a foro et de sacomar(is), / et libertor(um) et seruor(um) publicor(um), et olearior(um), et iuuen(um) / cisianor(um), et ueteranor(um) Aug(usti), item beneficiarior(um) pro-c(uratoris) / Aug(usti), et piscator(um) propolar(um), curator(i) lus(i) iuuenalis, Cn(aeus) Sentius Lucilius / Gamala Clodianus, f(i)lius / patri indulgentissimo.*

As for the date, cf. COARELLI 1996; CÉBEILLAC-GERVASONI – ZEVI 2000, 11; 24-25. TRAN 2013, 49-88 and n. 67.

decurio of the city¹⁰⁹. He had been the author in 149 of an inscription dedicated to a prefect of Egypt he qualifies as *amicus*.¹¹⁰ By the time of his *adlectio* as a *decurio*, he was a *corpor[atus] c[urator(um)] / nau(ium) marin(arum)* and of the guild of the *mensores*. When he died, he had become patron of the former guild who had been renamed *corpus [curatorum n]avium marinarum / [et navium a]mna(ium) Ostiens(ium)*. A fifth inscription¹¹¹ dated October 20th, 173 has been dedicated by the *domini navium Afrarum* (later joined by the Sardinian ones) to a patron of the college, named again *cor[p(us)] / curatorum nauium marinar[um]*. This *M(arcus) Iunius M(arci) f(ilius) Pal(atina) Faustus* was a *mercator frumentarius* and his municipal career was very similar to that of the other two.

Always named before the mighty *mensores* in inscriptions mentioning both corpora, and protected by influential people, this guild seems to have been a prominent one and its members were numerous enough to justify its existence. Their exact function is not very clear, except that they were in charge of ships not as *custodes*, but as *curatores*. They may well have become, by delegation, the authority on the ship once in the harbour and were naturally very close to the ship-owners in place of the *magister navis* who had the *cura totius navis*¹¹².

The only occurrence from Ostia of one of these *curatores navium* is on a funerary inscription that sheds some light on their organization. A certain L. Caelius Aprilis Valerian[us] and his wife Arellia Eleuthera have erected there a funerary monument for themselves, for their freedmen of both sexes and for the latter's children¹¹³. The husband calls himself *curator navium Karthaginiensium*. He was therefore in charge of the ships from a particular city, this being Carthage. He likely had his own origin at Carthage, for his tribe, the *Arnensis*, is that of Carthage, and his *gentilicium*, Caelius, although not typically African, is quite common at Carthage (11 occurrences) and in Africa (133 occurrences). The wife's name is central-Italic and has had a large diffusion in Africa as well. This couple had obviously been settled at long at Ostia and did not have in mind to move from there, for it had chosen to build there the place where they would rest

¹⁰⁹ *CIL* XIV, 363 and 364 (Add. p. 615). Same man mentioned in *CIL* XIV, 362 = *D* 6135 and has been identified in *AE*, 1988, 212, cf. TRAN 2006.

¹¹⁰ *CIL* XIV, 4458.

¹¹¹ *CIL* XIV, 4142 = *D* 6140.

¹¹² *Dig.* 14.1.1.1 = Ulpian. XXVIII, 28 ad edictum: "*Magistrum navis*" *accipere debemus, cui totius navis cura mandata est.*

¹¹³ *CIL* XIV, 4626 = *AE* 1914, 275 : *L(ucius) Caelius L(uci) fil(ius) A[rn(ensi)] / Aprilis Valerian[us] / curator navium Kartha[g(iniensium)] / et Arellia Eleuthera eius / fecerunt sibi et / lib(ertis) libert(abusque) posteri(s)q(ue) eorum.* Cf. NOY 2002, 115.

for eternity. They had no children and probably were old enough when they built the monument. Although we know nothing of the monument itself, the high status of the family (although the wife's *cognomen* suggests that she was a freedwoman) is revealed by the fact that the marble plaque has been found on the *decumanus* between the “Via dei Molini” and the forum.

The most important thing is that we learn from this *curator navium* that at least part of these was organized on the ground of the city of origin of the ships. At Carthage, fellow-citizens were sent to remote ports (at least to *Portus*) to manage the ships from the city at destination. This was a lifelong position, allowing the best interface between two communities: the city of origin of both *curatores* and ships, and that of port where the *curatores* had settled themselves.

Such *curatores* were known only at Ostia until the discovery at Caesarea Maritima of an inscription mentioning a *κουράτορ πλοίων κολ(ωνίας) Καισαρείας* “curator of (the?) ships of the colony of Caesarea” provided us with another occurrence. A Roman citizen bearing a central-Italic *gentilicium* probably in the late 2nd - early 3^d century (on the ground of the onomastic formula and the hesitation between two formulae) had erected an honorary column, later reused for an imperial statue and eventually in the Byzantine palace, after a tsunami had destroyed the harbour. This probably originally took place on the waterfront of the port and honoured a certain Titus Flavius Maximus, called “a philosopher”. This has led the editors of the text¹¹⁴ to suggest that this would have been something like the local harbourmaster, but this interpretation seems rather unlikely, if not impossible. Although in a colony, the use of the Roman word *curator* in a Greek inscription leads us to consider that he was rather one of the *curatores navium* settled at Ostia. The inscription is full of parallels with Latin epigraphy: there is only one other occurrence of the word *κουράτορ* in the whole *IGR* (I.44), and this has been found... at Rome! The *hedera distinguens* is typically Latin, as is the use of the *omicron* instead of the *omega* in the word *κουράτορ* as B. Burrel perfectly noticed in her *editio princeps*.

It seems probable, then, that the *curatores navium* were a specific feature of *Portus*. This is likely for several reasons, including procedures, the fact that ships stayed at the port for longer periods than at other ports, and that the *magistri navium* used to stay at Rome rather than on board¹¹⁵. Once again cities appear to have been one of the grounds of the organization of ships.

¹¹⁴ LEHMAN – HOLUM 2000, n° 12 p. 47-8 = BURREL 1993, 287; 291f.; 294f..

¹¹⁵ *Chr. Wilck.445* = *BGU* 1,27 = *Sel. Pap.* I 113. The *dimissoria* mentioned in this papyrus is but a passport, cf. Purpura 2002.

2.2. *Navicularii* and municipal élites

It is necessary to have clearly in mind that far from relying on a huge service of public means or on brutal requisition, the *annona publica populi Romani* was entirely dependent upon private ships and, to some extent, upon private merchants too. In periods of shortage, while the main tasks of the officials of the *annona* was finding available surplus, it was also to find ships for bringing cargoes to Rome and paying wages to their masters¹¹⁶.

The sociology of shippers remains somewhat obscure. Known *navicularii* often belong to the elite of freedmen, those honoured as *Seviri Augustales* by cities. But besides those who claim themselves to be *navicularii*, either because they had reached some position in the college or because they derived most of their revenues as *navicularii*, and were identified as such, there also used to be people considering ship-owning as part of a diversified investment of wealth. Hadrian had targeted those who tried to escape their civic duties buying enough used ships to enjoy the legal privileges conceded to *navicularii*, but did not derive most of their revenues from that activity¹¹⁷ and defined one's activity as a *navicularius* as the "major source" of his income. A later rescript of the *divi fratres* pointed out that the membership of a college of *navicularii*, did not give them the right to enjoy the privileges granted to *navicularii*, although a couple of later, we find exactly the opposite decision¹¹⁸.

In spite of Hadrian's decision, the need for ships was so great that it appears from the list of exemptions granted by imperial regulations that the main beneficiaries of the privileges granted to municipal elites were supposed to be the group who may have found an interest in deriving money from ship-owning

¹¹⁶ ERKELENZ 2007, cf. *CIL* II, 1180 = *D* 1403 = *CILA*-2-1, 23 = *IDRE*-1, 179 = *AE* 1965, 237 = *AE* 1971, 171 = *AE* 1991, 993 (Hispalis / Sevilla), where Sex. Iulius Possessor defines himself as *adiutor Ulpii Saturnini praefecti annon(ae) ad oleum Afrum et Hispanum recensendum item solamina transferenda item vecturas naviculariis exsolvendis*

¹¹⁷ *Dig.* 27.1.17.6.8 (after Callistrate): *Negotiatio pro incremento facultatum exercenda est. Alioquin si quis maiore pecuniae suae parte negotiationem exercebit, rursus locuples factus in eadem quantitate negotiationis perseveraverit, tenebitur muneribus, sicuti locupletes, qui modica pecunia comparatis navibus muneribus se publicis subtrahere temptant: idque ita observandum epistula divi Hadriani scripta est.*

¹¹⁸ *Dig.* 50.6.6.6 (after Callistrate). The opposite jurisprudence can be read in a rescript of Pertinax (*Dig.* 50.6.6.13) who considered by the *adlectio* in one of the colleges of *navicularii* was the condition to enjoy these privileges: *Eos, qui in corporibus allecti sunt, quae immunitatem praebent naviculariorum, si honorem decurionatus adgnoverint, compellendos subire publica munera accipi: idque etiam confirmatum videtur rescripto divi Pertinacis.*

rather than in other sectors. The link between the ownership of certain pieces of land and the *munus naviculare* that became usual in the Later Roman empire makes it clear that at some time people who had bought ships for their commercial exploitation at the service of *annona* were also landowners. Notwithstanding the fact that municipal magistrates or *decuriones* explicitly known as ship-owners or *negotiatores* are rather rare, the privileges granted to the holders of the *munus naviculare*, mainly exemption of *munera*, *honores* and *tutela*, show that at the latest under Severus, the targeted beneficiaries of these were the municipal elites¹¹⁹. These privileges changed through time, for the emperors shifted from extensive grants to restrictive interpretations of previous legislation, as the supply issues – or the ideology of the emperor – changed. Although *stricto sensu* an individual who called himself "*navicularius*" likely derived most of his revenues from shipping activities, shipping and/or owning ships may have been part of the activity of many a member of the municipal élite of port-cities who never would call himself a "*navicularius*" in public inscriptions.

2.3. The city-based pattern of the corpora naviculariorum.

The organization of the guilds of ship-owners, shippers and merchants, was mostly a city-based one. Altogether with the traditional *centonarii*, *fabri* and *dendrophori*, and sometimes in association with those, ship-owners and shippers' guilds, known as *corpora naviculariorum*, are the most frequently mentioned in Roman epigraphy¹²⁰. Their specific titles or association with these other important *collegia*¹²¹ show their importance in the social and politic life of cities as

¹¹⁹ *Dig.* 50.6.6.3 (after Callistrate): *Negotiatores, qui annonam urbis adiuvant, item navicularii, qui annonae urbis serviunt, immunitatem a muneribus publicis consequuntur, quamdiu in eiusmodi actu sunt.* Paul (*Dig.* 50.2.9) considered that *navicularii* could not be made *decuriones* (because of the exemption of *munera*). Cf. *CTh.* 13.5.5pr. (AD 326). There are clues that the rescript of Hadrian was not being strictly applied *navic(ularii) marin(i) Arel(atenses) / corp(orum) quinq(ue)ed* well before Constantine and that beneficiaries were members of the municipal elite or of the equestrian order to be found in *Dig.* 50.5.3 (after Scaevola: senators only are excluded from these privileges because it is forbidden to them to own ships), *Dig.* 50.4.5 (after Scaevola again, where the "major part" of their wealth becomes "a large part" of their wealth), *Dig.* 50.6.6.9 (rescript of Antoninus Pius quoted by Callistrate); *Dig.* 50.6.6.13 (rescript of Pertinax) explicitly mentions municipal *decuriones*.

¹²⁰ Full list (mixed with Greek *naukleroi*) and map in DE SALVO 1992.

¹²¹ Titles: Arles (Arelate):, *CIL* XII, 672 (Add. p. 817) = *D* 1432 = *ZPE* 63, 173 = *AE* 1981, 400 = *AE* 1984, 631 = *AE* 1986, 479 = *AE* 1987, 753. Association: at Pesaro (Pisaurum): *collegiorum fabrum centonariorum naviculariorum* *CIL* XI, 6369 = *EAOR* II, 10 = *Pisaurum* 80 = *AE* 1982, 266; the same together with *vicomagistrorum*

intermediary bodies. There were several reasons for this importance. First of all, having ships and shippers based in the city meant a sustainable flow of supplies. Second, the social relevance of their members, wealthy enough to enjoy the privilege of the exemption of public *munera*, and sometimes to refuse it, made it worth considering these *collegia*. Last but not least they had close relationships with the Roman administration.

Other, non city-based forms of organization did exist, but they do not seem to have ever been the norm. In the Later Roman empire, a diocesan organization of *navicularii* may be suggested by the mention of *navicularii Orientis* or *navicularii Afri* as identified groups¹²² who could address to the emperor (and that the emperor could address in turn) at a time when city still was the entity to which a *navicularius* was attached; the mention of the *domini navium Afrarum et Sardorum*, confirmed by an inscription on a stone plaque mentioning the *Navicularii Africani* and found at the Piazzale delle Corporazioni would support the idea of possible previous forms of provincial organization. But the latter had been found in the east portico and seem to have indicated the location of the area where the *navicularii* of the African cities were grouped, rather than a formal organization and orientated possible charterers to the several guilds of the ports of a province of destination, for it was necessary to deal with the *navicularii* of the port of destination *stricto sensu*. Likely this marble label just exemplifies the same increasing sense of a common provincial identity we have also noticed with the *domini navium Afrarum itemque Sardorum* (sic) when provincials started to be identified as a coherent group in another country, but also when provincial destinations (instead of particular ports) could be the ground of charter-parties or bottomry loans¹²³. Either formal or informal, provincial or diocesan groups may have been substantially federal. Some guilds were also organized by area of sailing as *navicularii maris Hadriatici*¹²⁴, known only at Ostia and likely to have

CIL XI, 06378 = *CIL* V, *145,1 = *Pisaurum* 89; the same and *iuuenum forensium* *CIL* XI, 6362 = *D* 7364 = *Pisaurum* 73.

¹²² *CTh*.13.9.3pr. = *CJ* 11.6.3 (Rescript of Gratian, Feb 6, 380): *Naviculariis Afri salutem*.

¹²³ Bottomry loans: *CJ* 4.33.4 (Diocletianic). Charter-parties: Diocletian's Prices Edict – and the previous tariff it likely re-uses – mentions only Africa as point of origin or destination, and generally mentions provinces or areas rather than specific ports. Cf. ARNAUD 2007 and 2008.

¹²⁴ *AE* 1959, 149 = *AE* 1987, 191; *AE* 1987, 192; *AE* 1988, 178 = *AE* 1996, 284; *CIL* VI, 9682 (Add. p. 3895) = *D* 7277; *CIL* XIV, 409 = *IPOstie* B, 339 = *D* 6146 = *EAOR* IV, 39 = *CBI* 859.

been organized there, and the *navicul[arii ---] / qui ad ur[bem ---] / et copia[m -- -]* known at Puteoli¹²⁵, maybe a sub-group of a local *collegium*.

But clearly, a city-based organization remained the prevailing or most visible pattern of organization of shippers' guilds. It becomes clear in documents of the late 2nd century and early 3rd century that the *navicularii* “of a city” were not people having their origin in the city, but those who based their activity there and would become members of a guild there, like that *navicularius Puteolanus* who was *domo Roma* and settled at Lyon¹²⁶, the *navicularii qui Cantabria negotiantur ad portum Iuliobrigensium*¹²⁷, the *scapharii qui Romulae negotiantur*¹²⁸, the latter being also called *scapharii Romulae consistentes* under Severus¹²⁹, or ἡ συνεργασία τῶν ἐν Ἐφέσῳ [— |.] .ι. ρόδων [. . .] γαίων προ[—], the guild that honours a former *emporiarchès* at Ephesus¹³⁰. The “ships of the city” were likely the ships from the city where the people who managed them were registered and would corporate.

The *Piazzale delle Corporazioni* at Ostia reveals the names of at least thirteen city-based guilds (Tarraco, Misua, Musulum, Hippo Diarrytus, Sabrata, Gummi, Carthage, Turris, Karalis, Syllectum, Narbo, Curubi, and Alexandria)¹³¹. Some other cities probably still are hidden under unintelligible *sigla* or implicit iconography, as the delta and ship-bridge in *statio 27*, likely alluding to Arelate.

¹²⁵ *AE* 1928, 120.

¹²⁶ *CIL* XIII, 1942 = *D* 7029 = Schmidts 2011, nr 6 = *ZPE* 56, 261 (Lyon / Lugudunum): *D(is) M(anibus) / Q(uinti) Capitoni Probat(i) / senioris domo Rom(a) / IIIIIvir(i) Aug(ustalis) Lugudun(i) / et Puteolis / navic(u)lario(!) marino / Nereus et Palaemon / liberti patrono / quod sibi vivus insti/tuit posteribusq(ue) suis / et sub ascia dedicav(erunt)*.

¹²⁷ *CIL* II, *242 = *ERCantab* *2. See above n. 24 for the genuineness of this inscription.

¹²⁸ *CIL* II, 1168 (p 841) = *CILA* II.1, 8 = *D* 7270 and *CIL* II, 1169 (Add. p. LXXIX, 841) = *CILA* II.1, 9 = *D* 355.

¹²⁹ *CIL* II, 1183 = *CILA* II.1, 26.

¹³⁰ *SEG* 34, 1107 = Mc Cabe 1886.

¹³¹ *CIL* XIV 279 (Add. p. 614) = *CIL* XIV, 4549, 9: *Nav[ic]u[lar]ii Tarric(inenses) 4549,10: Naviculari Misuenses hic; 4549,11 : Naviculari Muliu[...]a[ni] hi(c) or Naviculari(i) Mu<s>lu[vit]a[ni] hic; 4549, 12: Navicular[i H(ippone)] Diarry(to) [---] / [---]sim c[---]; CIL XIV, 4549,14 = AE 1913, 203 (Ostia Antica): *Stat(io) Sabraten-sium; CIL XIV, 4549,17: Naviculari Gummitani de suo; CIL XIV, 4549,18: Navicu<l>(arii) Karthag(inienses) de suo; CIL XIV, 4549,19: Navic(ulari) Turritani; CIL XIV, 4549, 21: Navicul(ari) et negotiantes / Karalitani; CIL XIV, 4549, 23: Ne(gotiantes) / [navic]ulari Syllecti[ni]; CIL XIV, 4549,32-33 = AE 1917/18, 109: [Navi(ularii)] Narbonenses; CIL XIV, 4549,34-36 = AE 1917/18, 110: Naviculari(i) Curbitani d(e) s(uo) / s(tatio) n(egotiatorum) f(rumentariorum) c(oloniae) C(urbitanae); CIL XIV, 4549, 40-41: Ale|xandrin[---]*.*

The existence of city-based guilds is confirmed at Arelate, Narbo and Puteoli¹³², as well as at Alexandria¹³³. The *statio* of Arelate has left no inscription but the image of the ship-bridge on the Rhone, altogether with that of the delta, leaves little doubt about its identification. This is maybe the *statio* of the *navicularii Arelatenses* whose *apparitor* is mentioned in an epitaph from Arles¹³⁴ unless these *navicularii* had other *stationes* in some other port. In the East, there is evidence for similar city-based guilds at Tomi on the Black Sea, where οἱ ἐν Τόμει ναυκλήροι used to have their house (*oikos*)¹³⁵, at Nicomedia¹³⁶ and at Amastris¹³⁷. It is unclear whether the Ephesian *naukleroī* and *emporoi* were organized as guilds, but they are identified as a special and relevant group at Rome by a fellow-citizen pancratist who offered a building (or part of a building) with its ornamentation and statues and dedicated it January 28th, AD 154 for the use of the Ephesian *naukleroī* and *emporoi*¹³⁸. Although it would need further discussion in detail, the map published by L. de Salvo¹³⁹ may give some idea how general was that kind of city-based organization, which was also that of the ship-owners not named as *navicularii*, such as *scapharii* at Hispalis on the Guadalquivir¹⁴⁰.

Even the *navicularii* of the Red Sea had a city-based organization, like the Palmyrenian one, as shown by a member of the Ἀδριανῶν Παλμυρινῶν

¹³² Arelate: *CIL* XII, 672 (p 817) = *D* 1432 = *AE* 1981, 400 = *AE* 1984, 631 = *AE* 1986, 479 = *AE* 1987, 753 (Arles / Arelate); *CIL* III, 14165,8 (Add. p. 2328,78) = *D* 6987 = *AE* 1899, 161 = *AE* 1900, 201 = *AE* 1905, 216 = *AE* 1998, 876 = *AE* 2006, 1580 (Beirut / Berytus); *CIL* XII, 692 (Arles / Arelate); *CIL* XII, 704 (Arles / Arelate); Narbo: Puteoli: *CIL* XIII, 1942 = *D* 7029 = Schmidts 2011, nr 6 = *ZPE* 56, 261.

¹³³ *IGR* 1. 604, cf. VÉLISSAROPOULOS (JAHR?) p. 105, n. 77

¹³⁴ *CIL* XII, 718: [-----] / et quieti aeternae / M(arci) Atini Saturnin(i) [ap]/paritor(is) navicular(iorum) / station[is] -----].

¹³⁵ *IGR* I, 610. Cf. Vélissaropoulos (Jahr?) p. 104 & n. 76. Bounegru.

¹³⁶ *IGR* III, 4.

¹³⁷ MENDEL 1901, 36 n° 184: Ὁ οἶκος ὁ τῶν | ναυκληρ(ῶ)ν. | Μ. Οὔλιπιν| 'Ρουφωνιαν[ὸν] | τὸν διὰ βίου | προσ[. . .] | ἀρετῆ[ς ἔνεκα ναύ-] κλήροι [ἀνέθηκαν].

¹³⁸ *IGUR* 26.

¹³⁹ DE SALVO 1992, carta 1.

¹⁴⁰ *Scaphari qui Romulae negotiantur*: *CIL* II, 1168 (Add. p. 841) = *CILA* II.1, 8 = *D* 7270; *CIL* II, 1169 (Add. p. LXXIX, 841) = *CILA* II.1, 9 = *D* 355; *scaphari(i) Romul(ae) consist(entes)*: *CIL* II, 1183 = *CILA* II.1, 26, all three found at Sevilla, as the inscription mentioning the *scapharii Hispalenses*: *CIL* II, 1180 = *D* 1403 = *CILA* II.1, 23 = *AE* 1965, 237 = *AE* 1971, 171 = *AE* 1991, 993. I suspect that the otherwise unknown *[vina]ri(i) Romulae con[sist(entes)]* who have built a temple to Liber pater at Hispalis were actually the *[scapha]ri(i) Romulae con[sist(entes)]* (*CILA* II.1.2 = *AE* 1987.495).

ναυκλήρων Ἐρυθραϊκῶν¹⁴¹. On the Atlantic we must consider the *navic(ulari) qui Cantabr(ia) negot(iantur) / ad port(um) Iuliobrig(ensium)* at Santander, mentioned in an inscription usually considered as a forgery, but likely genuine¹⁴².

These used to be very close to Roman authorities in charge of *annona*, and more protected by authorities against the usual tradition of power abuse and organic corruption of subordinate officers, than threatened by higher authorities¹⁴³. This civic organization has probably been as important for the quality of public supply as for the dynamics of maritime trade, for at least three reasons. First, because administration could develop a direct contact with organized groups of practitioners, second because these guilds had mighty patrons, and third because, if necessary, cities could make a plea for their *corpora* and call their network of protectors. The civic dimension of these *corpora* may have provided a convenient dimension for possible private arbitration by some of the Haves of the city¹⁴⁴.

The first guilds of *naukeroi*, like the *Hippodromitai* from Memphis, did appear in late Ptolemaic Egypt in straight connexion with the State's need for private ships to carry goods at the service of the state¹⁴⁵. We learn that finding the ships and paying the fees due to *navicularii* was part of the tasks of an *adiutor*

¹⁴¹ *AE* 1912, 171.

¹⁴² *CIL* II, *242 = *ERCantab* *2. About the genuineness of the inscription, see above n. 64.

¹⁴³ *CIL* III, 14165,8 (p. 2328,78) = *D* 6987 = *AE* 1899, 161 = *AE* 1900, 201 = *AE* 1905, 216 = *AE* 1998, 876 = *AE* 2006, 1580 (Beirut / Berytus); *CIL* XII, 672 (p. 817) = *D* 1432 = *CAG*-13-5, p. 676 = *ZPE*-63-173 = *AE* 1981, 400 = *AE* 1984, 631 = *AE* 1986, 479 = *AE* 1987, 753 (Arles / Arelate); *CIL* II, 1180 = *D* 1403 = *CILA*-2-1, 23 = *IDRE*-1, 179 = *AE* 1965, 00237 = *AE* 1971, 171 = *AE* 1991, 993 (Sevilla / Hispalis). Cf. also *CTh* 13.5.4 (AD 324); 13.5.5.pr (AD 326); 13.5.8 (AD 336); 13.5.9 (= *CJ* 11.2.1, AD 357).

¹⁴⁴ Rather than the arbitration of the *collegium* itself, as supposed by BANG 2008, 263-264. In addition to the evidence gathered by BANG on private arbitration, see Vitruv., *Arch.*, 6.5.2: *nobilibus vero, qui honores magistratusque gerundo praestare debent officia civibus, faciunda sunt vestibula regalia alta, atria et peristylia amplissima, silvae ambulationesque laxiores ad decorem maiestatis perfectae; praeterea bybliotheas, pinacothecas, basilicas non dissimili modo quam publicorum operum magnificentia habeant comparatas, quod in domibus eorum saepius et publica consilia et privata iudicia arbitriaque conficiuntur*. For an arbitration *ex conventione*, see *CIL* IX, 2827 = *D* 5982.

¹⁴⁵ *BGU* 8.1741 = *SB* 4.7405; *BGU*.8.1742 = *SB* 4.7406; MEIJER & VAN NIJF 1992, 66-69; BOAK 1937, 212-220.

*praefecti Annonae Urbis*¹⁴⁶. Without the voluntary adhesion of shipowners, the whole *annona* system could not work. The more compulsory, authoritarian and brutal becomes the service of *annona*, the more difficult it became for the empire to find enough ships to satisfy the needs. The emperor had to grant them lucrative contracts and attractive privileges in order to dispose of a sufficient fleet managed by private entrepreneurs. This municipal organization provided a convenient scale for partnership and did not confer any single *corpus* too much power. For the *navicularii* were able to discuss collectively the conditions of their contract with the emperor. In return, they provided ships on interesting conditions. The conditions granted to them were the results of arduous, acrimonious, and sometimes tough, negotiations made possible only by the presence of representative institutions. A series of passages of one or several rescripts dated February 6th, AD380¹⁴⁷ show the dialogue that used to characterize the relationships between the central authority and *navicularii*, and at the same time the end of this dialogue. This included a clear *postulatio* of the *navicularii* that their fees would increase to an amount of 2.5% in winter. The African dimension of this dialogue was obviously the existence, under the authority of the diocese's *vicarius*, of a *praefectus Annonae Africae* in charge of collecting the canon Urbis within the *diocesis Africae*¹⁴⁸.

But even then, the ground for the organization of *navicularii* was still the city. Under the Later Roman Empire, *navicularii* were all attached to a *forum*¹⁴⁹ and in 410 could be jointly responsible and liable, altogether with the magistrates

¹⁴⁶ *CIL* II, 1180 = *D* 1403 = *CILA* II.1, 23 = *IDRE* I, 179 = *AE* 1965, 237 = *AE* 1971, 171 = *AE* 1991, 993 (Hispalis / Sevilla) where the man is said *adiutori Ulpri Saturnini praef(ecti) annon(ae) / ad oleum Afrum et Hispanum recen(sendum) item solamina transfe(renda) item vecturas naviculariis exsolvendas*; the same office held by the same man is simply described as *adiutor / praefecti annonae ad horrea Ostiensia et / Portuensia* in another inscription from Mactar (*IDRE* II, 435 = *AE* 1983, 976 = *AE* 1987, 1026), his homeland in Africa.

¹⁴⁷ *CTh*.13.5.16 ; *CTh*.13.9.3. On this dialogue, see VERBOVEN 2009a.

¹⁴⁸ *CTh*.13.5.12 (May 14th, 369); *CTh*. 1.15.10: *Canoni autem cogendo annonae praefectus immineat* (Aug. 26th, 379).

¹⁴⁹ *CTh*.13.5.12 *Idem AA. ad Demetrianum praefectum annonae Africae. Si quis naviculariorum ex nostrae perennitatis indulto fori translationem potuerit optinere, fructu careat impetrati. Circa feminarum vero personas veterum statuta teneantur, ut, in quibus foris antiqua eas dispositione constet adscriptas, illic navicularii oneris munus agnoscant. Vt enim in litibus causisque privatis fora easdem sequi convenit maritorum, ita in publicis necessitatibus originis debent servare rationem. Dat. prid. id. Mai. Treviris Valentiniano n. p. et Victore cons. (May 14th, 369). In *CTh* 13.5.7 (Dec. 1st, 334), the words *agentibus in suo foro respondeant* opposed to *extraordinarium iudicium* are used to characterize the local tribunal as the competent jurisdictional instance.*

of the city and the judges, if a ship did not leave the harbour while weather conditions made it possible.

3. Trading diasporas. Cities and the organization of active national networking: living aside with and altogether with local citizens

Foreign communities included two distinct groups. One was made of permanent residents (*incolae* in terms of legal nomenclature), who had an identified legal status and specific rights (voting, access to *honores*) and duties (*munera* and *honores*) within the foreign city where they had settled themselves. These were inscribed in a *curia* of this city. They still had the foreign identity provided by their *origo*, but actually were integrated into two communities, and were an interface between the members of the two cities (and possibly more)¹⁵⁰. Some, especially in the East could enjoy several citizenships. The other group was made of people just transiting or passing through for shorter periods of time: these were simply aliens.

Beyond that very theoretical image provided by Roman law, the patterns of cosmopolitanism appear more complex than at first sight. In a certain number of cities, foreign communities had reached a certain level of visibility and organization. The more visible ones were the organizations of Roman citizens, abroad (*cives Romani consistentes* and *conventus civium Romanorum*) until the *constitutio Antoniniana* of 212 made these purposeless. There is a certain confusion regarding the nature of the civic organization of other foreign communities. Many a scholar has tended to identify any city-based building with *stationes*, an otherwise very unclear term. Others have initiated never-ending and unsatisfactory discussions in order to decide whether such known group of foreigners was organized as a *statio* or not. Reality is probably less clear, but a certain number of permanent features seem to have organized the life of aliens in foreign port-cities.

Whatever the structure and function of buildings devoted to the members of an identified city, we must have in mind that there used to be places where the fellow-citizens of a certain city could meet each other, worship their home-gods, under the protection and control of the authorities of their mother-city, and make business. These allowed travelling fellow-citizens to find not only help and protection, but also mediation not only with the local citizens, but also with other communities. Any international harbour likely hosted a certain number of organized communities whose resident-members framed inter-community networks,

¹⁵⁰ THOMAS 1996.

although this organization is, for the moment, perceptible only in a small number of places throughout the empire.

3.1. Permanency of the city abroad: forms of civic organization and services to fellow-citizens.

The idea that foreign *diaspora*i relied upon a highly institutionalized pattern of relationship between the mother-city and its citizens settled abroad through *stationes* has been widely accepted but is highly debatable in recent in modern scholarship. Some have even imagined them ruling entire complexes of warehouses and offices ruled by the mother-city. This idea has been supported by two occurrences of the *stationes*. The first one is provided by the Piazzale delle Corporazioni at Ostia, which first was the *porticus post scaenam* of the theatre. The second is a long letter sent from the Tyrians of Puteoli to the institutions to their mother-city to get their help in maintaining the "statio" that they had in that city, and mention the existence of a similar *statio* in Rome. It is interesting that each occurrence characterizes a different pattern.

The word *statio* is one of the vaguest in the Latin language. It applies to any place where one stays. This may be a human settlement, a place to stop and stay-in in a voyage, as well as an office or guard-post.

The Piazzale delle corporazioni is organized into standardized *loculi* deprived of any real separation-wall between each other until the Severan period or later. David Noy tended to consider as *stationes* any of the organized communities existing at Rome and Ostia. He has thus increased confusion about the taxonomy of the organization of foreign communities. Actually, only three of the *loculi* at Piazzale delle Corporazioni are explicitly named "statio". These are:

- the *stat(io) Sabratensium* (CIL XIV. 4549.14 = AE 1913, 203)
- the *s(tatio) n(egotiatorum) f(rumentariorum) c(oloniae) C(urbitanae)*¹⁵¹
- The *s(tatio) c(orporis) f(rumentariorum) // O PE* (CIL XIV, 4549,38-39)

Only the first one at first sight refers to a city; the others are *stationes* of *corpora* or offices of *corpora*. The first one is probably implicitly the office of the local guilds: it appears to be a very large space made of three *loculi* without a partition (14-16). Nr 14 mentions only the *Sabratenses*, while the other two repeat, with different abbreviations, the same text: *navicularii et negotiantes de suo*, the space made by the addition of all three *loculi* may have been devoted to the guilds of *Sabratha*. With all reasonable probability, one may infer that although

¹⁵¹ *Naviculari(i) Curbitani d(e) s(uo) / s(tatio) n(egotiatorum) f(rumentariorum) c(oloniae) C(urbitanae)* - CIL XIV, 4549,34-36 = AE 1917/18, 110.

not explicitly named as *stationes*, the other *loculi* were *stationes* as well. All are referring to guilds, most (but not all) of them organized on a civic ground, and were the *stationes* of city-based guilds, not the *stationes* of the cities. Their footage excludes that they may have been anything else than offices but these were not civic offices, but offices of city-based guilds.

Municipal *stationes* may have been something slightly different. Some did exist at Rome. These *stationes municipiorum* may well have been located near Caesar's Forum, according to Pliny, who tells us that the roots of a *lotos* planted by Romulus in the Volkanal extended down to Caesar's forum through these *stationes*¹⁵², and Suetonius, who records among the odd reasons for suing people under Nero that Salvidienus Orfitus had rented three of ten *tabernae* around his *domus*, close to the forum, to cities for using them as *stationes*¹⁵³. These then would be situated in the area of the lower *clivus argentarius*, in close association with the area where bankers, changers had their activity and where business affairs were concluded and disputes were settled, in the main *basilicae*.

We actually know little more about these *stationes municipiorum* apart from the fact that these were supposed to be something different from the city-based guilds offices at Ostia. They may also have been something different from temples or shrines dedicated to national deities, for the temples of the eastern national deities are all located on the right bank at the foot of the Janiculum hill in Rome. The only detailed information relates to the *statio* of the Tyrians at Puteoli. Its organization and function are known through a letter sent by the Tyrians settled at Puteoli to the city of Tyre and the minutes of the deliberation of the Council at Tyre that followed. It is sometimes – maybe intentionally – obscure (rather than allusive), or even contradictory when it echoes the biased arguments developed by members of the Council to support the claims of the Tyrians from Puteoli in AD 174. It nevertheless allows, at least to some extent, a reconstruction of the way it worked¹⁵⁴.

According to the first lines of this text, this *statio* (the Latin word has been just transliterated into Greek, as well as the word *stationarius*) was but one

¹⁵² Plin. *NH* 16,236: *radices eius in forum usque Caesaris per stationes municipiorum penetrant*. The *stationes municipiorum* were then between Caesar's forum and the Roman Forum. Most of the inscriptions from the cities of the Greek East were found in the area of the Basilica Aemilia and via Sacra Cf. MORETTI 1958; ROHDE 2009.

¹⁵³ Suet. *Nero* 37.1: *Saluidieno Orfito obiectum est quod tabernas tres de domo sua circa forum ciuitatibus ad stationem locasset*.

¹⁵⁴ *OGIS* 595 = *IGR* 1. 421; SOSIN 1999; ALIQUOT 2009, 80-81; 88-90, who provides a more traditional interpretation. The letter is dated July 23rd, the debate at the Council December 8th.

among several others organized on the same pattern at Puteoli¹⁵⁵. “There surely are other *stationes* at Puteoli, as most of you know, but ours distinguishes itself being the most adorned and the biggest in size”, says the letter. This *statio* has long been interpreted as a large complex of warehouses and offices¹⁵⁶. This idea is challenged by the yearly amount of the rent – for it was not owned by Tyrians – : 250 denarii or 1,000 sesterii and does not fit with what we know of municipal *stationes* at Rome: these could be located in ordinary, rented *tabernae*, as shown by the text of Suetonius quoted above. As indicated by the word *statio*, they were basically offices. If the *statio* of the Tyrians was “bigger” than usual, this only means that it was bigger than a normal *taberna*, or retail-shop – roughly 25 sqm –. This average size is confirmed by the preserved *epistylum* of the entrance gate of the *statio* of Tiberias (*IGUR* 82), long 1,61 m, whose original length was about 1.80 m. Its functions are unclear. These might have been cultural. These are the only activities mentioned by a letter whose only concern was the sums charged to the *statio*. This paid for sacrifices and rituals for the home-gods “which are here (at Puteoli) worshipped in temples”¹⁵⁷.

The *statio* was not a cultural place devoted to the home-gods, although it organized and funded rituals mostly organized in temples clearly located outside the *statio* itself and distinct from it. One of these temples had been erected to “The God of Sarepta” on a public space given by decree of the decurions of Puteoli at some time under Domitian¹⁵⁸. The contribution to the sacrifice of the *Bouthousia* – a public festival at Puteoli – took place elsewhere in Puteoli. Only the sacrifice in honour of the emperor, on the same day, took place in the *statio* which had to be adorned for the occasion.

According to the letter sent to Tyre the sums due for the sacrifice to the home-gods were charged to the *statio*, probably by the temples, because these gods were worshipped explicitly elsewhere in one or several temples. For that reason and because new charges, including the yearly renting of the *statio*, had come in addition to this sum, the total amount was higher than that of other *sta-*

¹⁵⁵ Ll. 5-7: εἰ καὶ τις ἄλλη στατίων ἐστὶν ἐν Ποτιόλοις, (ὡ)ς οἱ πλείους ὑμῶν ἴσασι, καὶ [ἡ] ἡμετέρα ἐστὶν καὶ κόσμω καὶ | μεγέθει τῶν ἄλλων διαφέρουσα. The sentence reproduces a Latin syntax of good style. The use of the singular ἄλλη altogether with the plural ἄλλων can be explained by the Latin *si quae alia...*

¹⁵⁶ LA PIANA 1927, 255-258.

¹⁵⁷ Ll. 9-10: εἷς τε θυσίας καὶ θρησκευίας τῶν πατρίων ἡμῶν θεῶν ἐνθάδε ἀφωσιωμένων ἐν ναοῖς and ll. 23-24: εἷς τε θυσίας | καὶ θρησκευίας τῶν πατρίων ἡμῶν θεῶν ἐκεῖ ἀφωσιωμένων ἐν ναοῖς.

¹⁵⁸ *IGR*, I, 420 = *OGIS*, 594 ; *AE*, 1950, 31b; ALIQUOT 2009, 84-85 nr 3 V. TRAN TAM TINH, *Le culte des divinités orientales en Campanie en dehors de Pompéi, de Stabies et d’Herculanum*, Leyde, 1972, p. 156-158, S 18).

tionēs. The *statio* had no proper revenues, but the one at Rome did have. At that point, the *stationarii*'s pride probably explains some confusion about the sources of funding. The *stationarii* say that for the sake of the mother-city, and with the support of local euergetists, it had from immemorial times been self-sufficient, but now were constrained to ask the city of Tyre to pay the yearly rent.

It appears from the speech of Philokles in front of the Council that from the money gathered by the *statio* at Rome, the latter used to repay 250 denarii to the *statio* at Puteoli. Once the proper charges of the Roman *statio* were paid, a significant amount was probably left for the benefit of the Roman *stationarii*. But the Roman *statio* had stopped paying these 250 denarii to the Tyrians at Puteoli. Why does the letter from Puteoli not mention that? Pride probably provides part of the explanation. As a hypothesis, one may imagine that the real purpose of the *stationarii* of Puteoli was getting the allowance from the city to charge the *nauleroi* and *emporoi* as the Roman *stationarii* did.

Instead, the Council just decided to go back to the *status quo ante* and bid the Romans pay for the *statio* at Puteoli. As a consequence, we must conclude that, as an official part of Tyre, this *statio* had been involved in festivals, and that, although other *stationēs* normally included the main shrines or temples of the home-gods, this one did not, and that these *stationēs*, as part of the mother-city, were subject to its arbitration, and could not act completely on their own. It would have been the duty of the city to pay for its *stationēs* (as recalled in the last preserved lines of the text), but this particular one had found it more convenient to make users pay at the main *statio* only.

There are serious reasons to doubt whether these *stationēs* in any way resembled consular legations. Nor were these the common institution of the Tyrians settled at Puteoli or Rome. These *stationēs* afforded services that supported the existence of fees due, and these services were hired by passing through *naukleroi* and merchants. These services were probably the access to worshipping and networking (contacts, advice, finding shelter...).

It is interesting that the Council at Tyre is supposed to have been familiar with the topography of the city and that members of the Council had information about both *stationēs* that the letter did not reveal. Straight ties between the city and the port where the *statio* lay did exist, but it does not appear that the activity of the *statio* had generated a strong institutional link between the *statio* and the city in which it had originated. Scholarship has probably over-estimated the dependency of both *stationēs* with respect to the mother-city of Tyre. Self-sufficient and inter-dependent, they do not appear as tools of something like a city-governed trade policy, but rather as meeting points in big port-complexes where passing-through citizens could find the assistance of their fellow-citizens

settled there on behalf, and under the protection and authority of, their common mother-city. Worshipping home-gods, supporting fellow-citizens and providing arbitration between them were the main duties of the city. It is not surprising to find it involved when significant numbers of its members were settled or passing through for business purposes.

All of this suggests rather loose functions, and something like a meeting point for passing-through Tyrians. It is clear that the resident Tyrians were closer to their gods than to their *statio*, which probably remained the affair of shippers and merchants. The Tyrians themselves apparently did not have a very clear idea of the real meaning of the *statio*, for the Council of Tyre – causing some confusion in modern historiography –, calls all the resident Tyrians *stationarii*. It was the duty of all Tyrians at Puteoli, Rome or Tyre to help other Tyrians, as it was the duty of any city and any citizen to help any fellow-citizen and groups of fellow-citizens. Once numerous enough to allow an entire area at the periphery of the city (*pagus*), along the harbour, to bear the name of the Tyrians (*pagus Tyrianus*), the Tyrians had their temples, their settlement and a place for their representation, where any Tyrian passing through could make contact with his fellow-citizens¹⁵⁹ and a place for the official and collective expression of the whole community, especially when festivals required its presence.

The kind of help provided by this *statio* and that of Rome was nevertheless substantial enough to justify that passing through shippers and merchants would pay fees to the *statio* of Rome. But social conventions and a certain idea of the Tyrian community settled there had led the *statio* at Puteoli to be maintained by endowments rather than fees. We must imagine that this was the interface between Tyrians involved in maritime trade and the place and society of the ports of Puteoli and Rome. Its role would then have been similar to the one that TACO TERPSTRA (2014) attributes to the *stationes* at the Piazzale delle Corporazioni: a building where ethnically-based networks of foreign traders and shipmasters connected with the Ostian business community and a place that facilitated inter-community exchange and economic information. One difference is essential: the *stationes* at Ostia were held by guilds, not by cities. At Ostia, the guilds all had their offices at the Piazzale, making this Piazzale a connecting place. As far as we know, *stationes* at Puteoli were not located in a single place, and each of these may have played its own role as a connecting entity. If the Roman municipal *stationes* were located at the same place, then each *statio* there would have been part of a connecting-system. The *statio* of the Tyrians illustrates a much weaker form of organization than the city-controlled trading structure often im-

¹⁵⁹ *AE* 2006, 314.

aged by scholarship, but a stronger form of organization than a place merely devoted to worshipping the home-gods and honouring the emperor.

This impression is confirmed by the little information we have about the *stationes municipiorum* at Rome. These were located in an area between the lower *clivus argentarius* and the so-called "tempio di Romolo", and mainly between the latter and the temple of Antoninus and Faustina, where very little space was left by the development of the imperial *fora* and other dynastic monuments and where all the evidence is early Severan. Two communities had *stationes* explicitly mentioned as such by inscriptions: Tiberias-Claudiopolis in Syria Palaestina¹⁶⁰ and Tralles¹⁶¹. In both cases, euergetists from the city were involved and, although written in Greek, the inscriptions are Latin in structure. Some attention was clearly paid to the beauty of the place, always relating to small places, in a very common spirit of competition between cities. The construction *a fundamentis* of the *statio* of Tralles with all its ornament by a female euergetist from the city suggests that this *statio* was owned by the city. Two identified cities had spaces in the same area, although the word *statio* does not appear in the preserved fragment of the respective *epistylia* of the relating premises: Tarsus¹⁶² and Sardis¹⁶³. The name of the community was given at the genitive above the entrance door. Other four inscriptions were dedicated to cities¹⁶⁴. Of these, only one provides grounds for a likely identification: the city of Anazarbus¹⁶⁵. The *stationes* ascribed by D. Noy, following Moretti, to Mopsuestia and Nysa are doubtful¹⁶⁶.

Fragmentary as it is, evidence does not allow very firm conclusions, indeed, but it is striking that at least the Severan Roman *stationes*, all from Eastern cities, look like a complement of the western city-based *stationes* of the *corpora* at

¹⁶⁰ *IGUR* 82 (*epistylum* of the *statio*'s entrance. Severian or later on the ground of the mention of *Syria Palaestina*) and 83 (base of small statuette offered to the *statio* - maybe the allegory of the *statio* - by Ismènos son of Ioènos before 212).

¹⁶¹ *IGUR* 84. Two fragments of a plaque that probably stood above the entrance gate (reign of Caracalla).

¹⁶² *IGUR* 79. From the same area comes a base dedicated to Gordian III by the same city, *IGUR* 80.

¹⁶³ *IGUR* 85-87. The two bases (86-87) are dated after 212.

¹⁶⁴ *IGUR* 90;91. The dedication to *Herakles Alexikakos* (same as *Hercules defensor*) is too common to give any firm ground to the identification of a city of Heraklea.

¹⁶⁵ *IGUR* 78, dated after 207.

¹⁶⁶ Mopsuestia: *IGUR* 24, dated AD 140, is dedicated by the city (*boulè* and *dèmos*) to the emperor and only comes from the same area, near SS Cosimo e Damiano. Nysa: *IGUR* 162, of unknown origin, is an altar to Hestia patria dedicated by a Nysean senator active under Antonine, S. Iulius Maior Antoninus. There is no occurrence of the cult of Hestia at Nysa.

Ostia... Although a mere hypothesis, it is not unlikely that the *stationes municipiorum* and the *stationes corporum* of Ostia have to some extent played the same role.

This form of organization is significantly different from the collegial pattern known through formal *synodoi*, like the one formed by the citizens of Herakleia of Pontus at Callatis in the II^d century AD. This had at least 39 members, and its main purpose was worshipping the homeland gods¹⁶⁷. This supposes another function: a place for meeting and celebrations, likely including a space for banquets.

Civic presence and organization abroad may have generally been merely an affair involving cults. These were the cement, expression and protection of any civilized human group in the Roman world. Dionysius of Halicarnassus clearly expressed how binding was worshipping the home-gods for foreigners settled at Rome¹⁶⁸. The first civic organizations of communities involved in maritime trade go back in Athens to the early 4th cent. BC, or late 5th century BC, when the Egyptians, and then the Kitians, won the right to worship their home-gods in temples built at Piraeus¹⁶⁹. The houses of the Italians, Tyrians and Berytans at Delos in the late 2nd to early 1st century BC have been studied at length¹⁷⁰.

A list of foreign civic cults has been made for Rome and Ostia by D. Noy and K. Verboven¹⁷¹ and at Puteoli by Camodeca and Steurnagel¹⁷². They provide additional information upon the list of organized civic-cults, if not of *stationes*. At Rome, many people from the Near East apparently were settled in the area between Porta Portese and Gianicolo where their main temples stood together with their cemeteries¹⁷³. The Palmyrenian inscriptions from a temple in the area of Porta Portese all honour the local triad (Bel, Aglibol, Malkbel)¹⁷⁴. Two are

¹⁶⁷ cf. CHIRICA 1998, p. 722-731; CORSTEN 2007, p. 133-134; AVRAM 1999 (*ISM*), III, 72.

¹⁶⁸ Dio. Hal. 2.91.3: καὶ ὁ πάντων μάλιστα ἔγωγε τεθαύμακα, καίπερ μυρίων ὄσων εἰς τὴν πόλιν ἐληλυθόντων ἔθνων, οἷς πολλὴ ἀνάγκη σέβειν τοὺς πατρίους θεοὺς τοῖς οἴκοθεν νομίμοις, οὐδενὸς εἰς ζῆλον ἐλήλυθε τῶν ξενικῶν ἐπιτηδεύματων ἢ πόλις δημοσίᾳ, ὁ πολλαῖς ἤδη συνέβη παθεῖν, ἀλλὰ καὶ εἴ τινα κατὰ χρησμούς ἐπεισηγάγετο ἱερά, τοῖς ἑαυτῆς αὐτὰ τιμᾶ νομίμοις ἄπασαν ἐκβαλοῦσα τερθρεῖαν μυθικὴν, ὥσπερ τὰ τῆς Ἰδαίας θεᾶς ἱερά.

¹⁶⁹ *IG* II² 337 = *Syll.* 280.

¹⁷⁰ LA PIANA 1927, 251-254; PICARD 1920; DUSSAUD 1923; BRUNEAU 1978; RAUH 1993, 27-40; TRUMPER 2002.

¹⁷¹ NOY 2002, 160-161; STEURNAGEL 2007; VERBOVEN 2011.

¹⁷² CAMODECA 1991; CAMODECA 2001; STEURNAGEL 1999; STEURNAGEL 2009.

¹⁷³ LA PIANA 1927, 218-9; NOY 2002, 240.

¹⁷⁴ *IGR* I, 43-47. nr 45 and 46 clearly call the triad "home-gods". Inscriptions are mostly bilingual and known worshippers were all Palmyrene, although the origin of C. Licin-

prayers for the sake of the Emperor and are bilingual, Greek and Latin. A third one, dated 235 CE, is a private dedication of a statue. This, Palmyrenian and Greek bilingual insists on the fact that these are the home-gods and the Greek text is full of latinisms, such as the Greek *σήνον* for the Latin *signum*. The links between the sanctuary of Syrian Gods, on the Gianicolo¹⁷⁵ and an identified city are not explicit, but a dedication made in this sanctuary to the Heliopolitan triad¹⁷⁶, home-gods of Berytus may suggest a link with Berytus.

Only one cult whose national character can be confirmed is known from Portus. Under the reign of Gordian III, Marsas (referred to simply as "the home-god"), the home-god of Gaza, had a *hieron*, placed under the *cura* of an *épimélētēs* (i.e. *curator*), at which the city erected a statue of the Emperor, in fulfilment of the god's will¹⁷⁷. At Puteoli, the cults of Juppiter Heliopolitanus¹⁷⁸ and Dusares, like the Tyrian gods, were located at the periphery of the city in a suburban area, but still close the harbour, and organized the collective life of the people of Berytus and Petra, as Camodeca and Steurnagel have rightly pointed out¹⁷⁹.

We know much less about similar organization in other harbour cities. Jupiter Heliopolitanus may have had *proselytes* outside the Berytan community, but his worship as a home-god does leave specific traces. He is mentioned in Syene¹⁸⁰ altogether with the city of Berytus. His cult may have opened the way to some relationship between civic worshippers and outsiders, but the way inscriptions from Puteoli distinguish between the two groups suggests that worshipping and Bosra¹⁸¹ and Syene.

ius N[---] is unclear. The presence of Astarte amidst the home-gods is not surprising: chapels dedicated to other gods are a common feature in near-eastern temples. It is not certain whether IGR I, 47 belongs to the same sanctuary.

¹⁷⁵ GAUCKLER 1912; GOODHUE 1975.

¹⁷⁶ CIL VI. 420 (p. 3005 ; 3763) = VI. 30764 = 36749 = XIV p. 612 = IG 14. 985 = D 398 (p. 170) = IGR 1.70 = IGUR 1.166 = 4, p. 148 = SEG 29. 995 = AE 1980,38.

¹⁷⁷ IGR I, 387 = IGIPorto 5.

¹⁷⁸ CIL X, 1634 = D 300 : *Imp(eratori) Caesari / divi Nervae [f(ilio)] / [Nervae] Traian(o) / Optimo Aug(usto) Germ(anico) / Dacic(o) Parthic(o) pont(ifici) / max(imo) trib(unicia) potest(ate) XX / imp(eratori) XII co(n)s(uli) VI patri patr(iae) / cultores Iovis Heliopo(litani) Berytenses qui / Puteolis consistunt.*

¹⁷⁹ CAMODECA 1991; CAMODECA 2001; STEURNAGEL 1999; STEURNAGEL 2009 .

¹⁸⁰ AE 1909, 107, under Vespasian: *Iovi O(ptimo) M(aximo) Hel(iopolitano) / IIO[---] Ca]e/s[a]ris [---] Ves]pas[ia]ni / Aug(usti) [---]R AIST / AP R[---]S / BERY[t---]TAS*

¹⁸¹ IGLS XIII.1, 9016 = AE 1947, 138: *Mercu(rio) Aug(usto) / sacrum / Thusdr(i)tani / Gen(io) col(oniae) / s(uae) f(ecerunt)*; MOUTERDE 1942-1943.

At Corbridge, where several legions have had their main camps, through time, we hear of a High-Priestess of Herakles of Tyre, who dedicated an altar to the home-god. This suggests the existence of an organized cult of the city-god¹⁸² and a settled community of Tyrians, either serving as legionaries or civilians in business with the army.

It is unlikely that there was any highly institutionalized form of citizenship-based organization of *diasporai*, but it is clear that the topography of alien communities at port-cities, like Puteoli or Rome, was to a large extent city-based, and that offices and temples or shrines were part of this organization. In other words, it seems that there may have been at least three patterns of civic organization abroad:

- Temples of home-gods and *corpora* of worshippers as a mark of civic identity. In the case of near-eastern cities, these may have included porticoes, banquet rooms and shrines, as in the so-called "Sanctuaire des dieux Syriens" at the foot of the Gianicolo hill in Rome. This was probably a frequent occurrence when resident communities were numerous enough.
- A more institutionalized – if not fully institutional – system like the Tyrian one and other *stationes* similar ones at Puteoli and Rome.
- Offices of city-based *corpora*, like at Portus

It is uncertain whether similar forms of organization existed in most port-cities, or whether they were restricted to the largest ones, or whether those at Puteoli and Portus were unique.

3.2. Fellow-citizenship and networking

Whatever may have been the forms of organization of alien communities, it does not seem likely that any exact equivalent of modern consular legations did exist. The nature of the kind of services resident aliens could provide to their “brothers” was not basically institutional. The matter has been well discussed by K. Verboven in a recent article¹⁸³. But it was absolutely essential for those travelling for trade purposes to have connections in another city in order to obtain reliable information about it, and make connections with trustworthy people. We have seen above that the normal course of justice made it possible for one’s property to be seized. A rescript sent to the people (i.e. the city) of Antioch by Antoninus Pius shows that in the situation that someone could afford a *fidei iussor* as sure-

¹⁸² Aliquot 9 = *RIB*, I, 1129 (altar found at Corstopitum-Corbridge): Ἡρακλεῖ | Τυρίῳ | Διοδώρα | ἀρχιέρεια: “To the Tyrian Herakles, Diodora, High priestess.”

¹⁸³ VERBOVEN 2011.

ty, he would not be detained in jail¹⁸⁴. At any place where Roman law did apply in the formal sense, peregrines would require a *fide promissio* and a Roman warrant when procedure needed it¹⁸⁵. In both cases, it would have been necessary to find trustworthy individuals. This is true of any kind of service: finding someone to repair a ship, leaving it being watched over at the harbour, finding warrants or securities, bankers or moneychangers, selling and buying at the best price, finding whole cargoes – and not only samples – of goods of the expected quality, getting any useful economic information, settling oneself and worshipping the gods whose help only made trade fruitful and safe. For any of these operations pre-existing networks or middlemen were the best solution. Together with the protection of institutions, trust relied upon mutual knowledge and duties that culminated in brotherhood or paternalism. These relied upon one or more of the following three grounds: family (in its more extensive meaning), city and faith.

The traveller needed protection against abuses of power in a society that was patronage-based and was framed by a **highly corrupt administration**. Power was a key for money and a tool for patronage. And money and patronage were in turn keys to power. The key argument by MacMullen about fear and favour as grounds for the efficiency of private power led him to emphasize the importance of the command of **obedience enjoyed by a few people over many** without the need of any formally bestowed authority" and "ritualized dependence"¹⁸⁶. He continued: "More decisions were made everyday throughout the Empire in obedience to them than to the Law, to the emperor, or to his deputies" These words should be inscribed at the forefront of any study of the Roman empire. The *Digest* shows the extent of power abuse in cities: forged minutes of audition, abusive incarceration – or release¹⁸⁷. And what to say about customs-officers¹⁸⁸ and soldiers, who could make a merchant's life easier or more difficult depending on bribes, unless this had the right contacts and protections?

¹⁸⁴ *Dig.* 48.3.3 (after Ulpian.): *Divus Pius ad epistulam Antiochensium Graece rescripsit non esse in vincula coiciendum eum, qui fideiussores dare paratus est, nisi si tam grave scelus admisisse eum constet, ut neque fideiussoribus neque militibus committi debeat, verum hanc ipsam carceris poenam ante supplicium sustinere.*

¹⁸⁵ *TPSulp* 4 = *TPN* 3 = *AE* 1982, 184 = *AE* 1984, 230 where a Tyrian freedman requires the services of C. Sulpicius Cinnamus for that procedure.

¹⁸⁶ MC MULLEN 1988, 118. FEAR (JAHR!), 84-96; favour: 96-104; efficiency of private power: 118-121.

¹⁸⁷ *Dig.* 48.3.3 (Ulpian); 48.3.10 (Venonius); 48.3.6 (Marcianus); see also FERNOUX 2009.

¹⁸⁸ BANG 2008, 200-238.

In addition to the usual reconstructions networking (A knows B who knows C), the Roman system of *clientelae* and patronage introduced the quality and influence of individuals on other individuals or entire groups. Being a warrant for someone else is not necessarily the institutionalized act in justice that historiography has tended to focus upon. In a social pattern based upon personal patronage, one is above all recommended or introduced by So and So, who has an identified place not only in the social hierarchy, but also in active social networks; in a clientage system, when A is recommended by B to C, B being in a higher position with respect to A and C, then the treatment A receives from C is considered as a treatment given by C to B. If this treatment is good, then A will be obliged to B. In case of ill treatment of A by C, then B will have to punish C in some way... The relationship that one enjoyed with a customs-officer who could oblige one to unload a whole cargo from a ship at one's own expense unless a bribe was paid¹⁸⁹, may have been slightly different if one knew the customs-officer or his hierarchy, or if he himself had powerful friends. These are situations that will be familiar to anyone who has travelled through ports in the southern Mediterranean or elsewhere.

Communities living abroad still had a visible hierarchy with respect to the mother-city and to the place where they had settled themselves; they were supported by prominent families¹⁹⁰ and were part of active networks of patronage here and there.

3.3. Resident aliens: an interface?

The existence of communities of resident aliens certainly placed a certain number of their members at various stages in the situation of being middlemen, or at least an interface. It is almost impossible to appreciate the actual level of interpenetration of communities. Only a smart statistical analysis of the respective proportions of endogamy and exogamy would bring light to the extent to which communities could mix to each other. Although the organizational pattern of communities hints at the prevailing importance of multiculturalism and communitarianism with respect to multiculturalism, the existence of wider regional identities and the gathering of people from the same areas in the same areas of cities suggests that some kind of interpenetration could exist at least between people using the same tongue and having similar customs. This may be true to some extent. It is interesting that the Tyrian residents at Puteoli show a high

¹⁸⁹ *P.Princeton* 2.20 = *SB* 5,8072; *P.Oxy.* 36. 2.

¹⁹⁰ *NoY* 2002, 115.

level of cultural and linguistic integration into their city of residence. In its form, the letter they write to their mother-city is typically a Latin text translated into Greek, while the answer of Tyre is typically eastern in its form and conception. Similarly the inscription left at Caesarea Maritima by a *kourator ploiôn tês kôlonias* is Latin in its form even using the *hedera distinguens* as punctuation. The *curator navium Karthaginiensum* active at Portus almost certainly had his origin in Carthage, but, while he was still living, established his tomb at the mouth of the Tiber, and thus clearly had no intention of returning to his homeland, and had even chosen not to mention his origin. People who had crossed the Mediterranean to settle themselves in another world still were tied to the homeland but had effectively left with a “one-way ticket”, and with little or no hope of further return.

The level of integration probably varied with the importance of the community, its level of organization and legibility and upon the social relevance of individuals. Integration probably makes little sense here. Social interaction and identity-creation were probably more important. It may have led to interfaces between groups of aliens and to the making of new identities. Not only were resident aliens not rejected from the city, they were actually integrated into its political order as *incolae*¹⁹¹. They had the same duties and rights (if they were of the same juridical status) as the people from the city (*originarii* or *municipes*). They also used to gather in the same *curia*, and were thus considered as members of a same community or large family, since any single *curia* had its own common life and practices of worship, and were supposed to gather people from the same extensive family.

People of a higher degree may have had a higher level of interplay with people of different origin, but of the same social dignity. The grant of the Roman citizenship undoubtedly created (especially before AD 212) a strong common identity – still a civic identity among others – between Roman citizens outside Italy, not only through the *conventus civium Romanorum* but also between Roman citizens of higher status, either local or provincial *honorati* or Roman officials. In 2nd century Ephesus, the local elite looks a lot like a club of Roman citizens. This has its own hierarchy, which is also that of imperial society, and cannot be entirely reduced to the more visible hierarchy of the *ordines*. As described by the late G. Alföldy¹⁹², the top of any of the *ordines* (including slaves) could also meet the top of the other *ordines* to form another hierarchy where even an influential and wealthy freedman could informally stand higher than an

¹⁹¹ THOMAS 1996; ARNAUD 1998.

¹⁹² ALFÖLDY 2011, *passim*.

impoverished senator... Altogether with wealth, the connectivity of individuals with the emperor and his entourage played an important role in shaping this pyramidal system. On the other hand, the list of the subscribers who had brought money or building material for the customs-office of the fishermen in the same city show three groups: the elite, all granted Roman citizenship, a higher middle-class of peregrines, and lower middle-class equally made of peregrines and Roman citizens. All were equally permanent residents and it is clear that the intercourse between these three groups was framed by social legibility as well as by formalized social statutes.

The accessibility to external elements and the social mobility of municipal elites has not been studied as much as it should be hitherto. The case of Lugdunum (Gaul) is rather explicit. Some *seviri* from Lyon were settled elsewhere. Some of them were being honoured elsewhere, and foreign *seviri* were settled at Lyon. The *seviri Lugduno consistentes*, "seviri settled at Lyon" of any origin had eventually corporated¹⁹³. A *navicularius maritimus* could have his origin at Rome and be a *sevir* at Lugdunum and Puteoli¹⁹⁴. With the exception of the *seviri*, people having their primary activity in maritime trade are not often involved in municipal life, also because the main benefit they drove from this activity was the *immunitas munerum publicorum*. This they would have lost holding a magistracy or the decurionate. Those who accepted were therefore of relevant status. At Narbo¹⁹⁵, the same man, *augur* and *quaestor* at Narbo, his mother city, could receive there the *ornamenta aedilicia*, and had received various sacerdotal or magistracies' *ornamenta* at Syracuse, Thermae, Himera and Panhormos in Sicily, all port-cities. A *negotiator vinarius* established at Lyon, who was patron of the *nautae Ararici*, of the Roman knights established at Lyon (therefore likely a knight himself), of the *seviri* and of the *fabri* established there was granted the *consessus* by the *ordo* of the *decuriones* from Alba, downriver, south Vienna, on the right bank of the Rhone¹⁹⁶. That kind of recognition provid-

¹⁹³ *ILGN* 423 = *AE* 1900, 203, Nemausus-Nîmes.

¹⁹⁴ Of particular relevance is *CIL* XIII, 1942 = *D* 7029 = SCHMIDTS 2011, nr 6 = *ZPE* 56, 261, where a man who has his *origo* at Rome (*domo Roma*) was *IIIIIVir(i) Aug(ustalis) Lugudun(i) / et Puteolis / navic(u)lario(!) marino*,

¹⁹⁵ *ILGN* 573 = *D* 6969 = *AE* 1892, 92 (Narbo): [--- *A]ponio L(uci) fil(io) Pap(iria) / [Ch]ereae auguri quaes/[tor]i c(olonia) I(ulia) P(aterna) C(laudia) N(arbone) / Mart(io) aedilici(i)s or/[nam]entis honorato ob / [qua]m rem rei p(ublicae) Narbonens(is) / [(sestertia) M]D intulit item provinc(ia) / [Sicil]ia Syracusis Thermis / [Him]eris Panhormo aedili/[ci]s e]t du(um)viralibus [et] / [ff]lamoni(i)s et au[gura]/[l]ibus ornament[is] / honorato / [--- *Apo]nius Blas[tus] / [pa]trono op[timo] / d(ecreto) [d(ecurionum)]*.*

¹⁹⁶ *CIL* XIII, 1954 = *D* 7030 = SCHMIDTS 2011, nr 23.

ed no political power, but granted a social recognition that made its beneficiaries the peers of the members of the local elite. As a symbol, they had the right to sit with the other local dignitaries as the same level of dignity. A certain P. Aufidius Fortis has been granted any of the municipal *honores* at Ostia (he had been *quaestor aerarii* up to five times), and probably was patron of the colony; he was also a *decurio* at Hippo Regius, an important port in Africa, where he had his origin, for he was ascribed to the *tribus Quirina*, which was that of Hippo Regius¹⁹⁷. He was also patron and *quinquennalis perpetuus* of the *corpus* of the *mercatores frumentarii*. There is no reason why we should agree with D. Noy that this was an African *corpus*¹⁹⁸. As with Aufidius Fortis, the members of this guild probably were just people dealing with Africa and with Portus (and probably with Alexandria as well), without special consideration of their origin.

In major ports, where non-city- or province-based *corpora* existed, they probably played a major role as integrating structures that connected people of various origin whose main identity was where they were now active. At Ostia, this was the case of the *curatores navium*, whose organization may have been mainly framed by cities, but whose *corpus* gathered *curatores* from any city who had in common to have their activity at Ostia. The *collegia* of *negotiatores vinarii, utricularii, centonarii, dendrophori, fabri tignuarii, fabri, seviri, equites Romani, condeates, arcarii*, all were said to put together people having their activity at Lyon and settled there: *Lug(u)duni (-o) consistentes*. They did provide the same kind of cosmopolitan structure gathering people sharing the same activity in a certain city, without any prejudice or consideration of their origin. A *negotiator ab Roma ex horreis Cornific(ianis)* – likely a freedman, as his *cognomen* suggests – was settled with his family at Amphipolis, where he built a funerary monument for himself and his family, when his daughter died. We learn from this inscription that his colleagues named him using a nickname of barbarian (likely German) formation¹⁹⁹. People who had settled themselves in distant countries found a pattern of sociability in their activity.

There were clearly two challenging and coexisting patterns of *diasporai*: *exaltation of the lost homeland and of civic solidarity, on the one hand, and build-*

¹⁹⁷ *CIL* XIV, 303 (Add. p. 614) = *CIL* XIV, 4620 = *D* 6169 = *AE* 1913, 191; the same is honoured by two other inscriptions from Ostia: *CIL* XIV, 4621 = *AE* 1910, 195 and *CIL* XIV, 04622 = *AE* 1916, 117.

¹⁹⁸ NOY 2002, 255. *Tribus*: KUBITSCHKE 1889, 136.

¹⁹⁹ *ILGR* 231 = *AE* 1946, 230 (Amphipolis, Macedonia) : *L(ucius) Pompilius Eros negotiator / ab Roma ex horreis Cornific(ianis) / qui vocitatus est ab suis conne/gotiatoribus Adigillus s(ibi) e(t) s(uis) p(osuit) e(t) / Pompilia L(uci) f(ilia) Tertulla an(norum) IV m(ensium) II*.

ing a new connecting identity through port societies and port activities, on the other. The statutory situation of a freedman who, by his own will, would move to another city and have there his *domicilium*, is rather illustrative of this integrative stream: he would become a *municeps* of this new city, although he still would fulfill his civic duties towards the city of his patron, where he would have his legal *origo*²⁰⁰. This dual identity may have been the situation of most resident "aliens", coming from outside but not being entirely outsiders after some time.

The cities of the Roman Empire were no longer those of Classical Greece indeed, but they were still cities, and the numerous scholars who have studied the Hadrianic inscription from Caunus quoted above for the purpose of understanding the relationship between city and trade in classical Greece had not basically misunderstood the meaning of the document. Cities created between the city and its citizen much stronger links than any modern link between state and citizen. These mark the specificity of both the Classical Greek and Roman worlds. Even in the Roman Empire, the city is more than a mere structure, and more than a culture; it is a way of life, a way of being, a way of thinking about the world and the place of the individual within it, a morality, a confraternity. Being a citizen and living and thinking like a citizen was the condition for accessing a civilized way of life. The Gymnasium in the East, the Baths and the *iuvenes* in the West were warrants of the sustainability of this pattern.

The civilized man did not exist unless at the full service of his mother-city (or cities in the case of multiple citizenships) and of the full hierarchy of its protectors, up to the emperor-god. Cities were the bones of the Roman Empire. Imperial cities still worked as microstates, under control, indeed, but still states? Friend or foes to one another, they were only united by their common allegiance to the emperor-god, and treated with great consideration by the emperor and his deputies. Not only their submission, but also their voluntary allegiance to the Roman emperor, made the administration of the empire acceptable and compatible with the reality of the imperial public treasury. Cities made the Roman Empire a soft power as well as a tributary empire. These microstates provided all the basic necessary tools for common life and commerce: police, local justice, infrastructure, protection of property and transactions... just anything that port-based activity needed.

²⁰⁰ Dig. 50.1.22.2 (after Paulus): *Municipes sunt liberti et in eo loco, ubi ipsi domicilium sua voluntate tulerunt, nec aliquod ex hoc origini patroni faciunt praeiudicium et ut rubique muneribus adstringuntur.*

Any city-port (or rather port-city?) was the centre of its own network. For this reason, cities and their citizens paid much attention to their ports, to their building, maintenance and attractiveness, granting at least acceptable, if not the fairest, conditions for trade. To a variable extent, each and any city was also connected to larger scale networks, either directly or indirectly. The level of integration to these larger-scale networks defined port-hierarchies and networks.

As institutions, markets and urban centres of consumption, cities framed maritime trade. As the expression of an ideology, they were the ground of brotherhood, *amicitia* and collective patronage, and the origin of a cloud of mutual duties, identities, solidarity and trust essential for those who travelled for business and trade. For all these reasons, cities appear to have been an essential component of the mechanism and dynamics of Roman imperial maritime trade and of the networks that this relied upon. They must be considered as the basis of an original pattern of trade that may resist any comparison with other chronological areas.

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