5. Political Institutions

The nature of Roman Law

In the cities of the Roman Empire, urban administration and finances were regulated within the legal framework that we conventionally refer to as *Roman Law*. In the traditional and still prevalent view, Roman law is a legal *system* that is studied on the basis of the legal texts handed down to us from antiquity.

This view, which jurists would call a "positivistic" conception of Roman Law, stresses the similarities between Roman Law and modern legal systems based on the principles of equality before the law, predictability, equity and clarity. It has the advantage that we can confidently use legal reasoning and analogy to fill the lacunae of our legal sources. If we know which precepts applied in one case or place, we assume that they also apply to other similar situations elsewhere or in other periods of Roman history. That was the approach of Theodor Mommsen – himself a trained jurist – when in his *Römisches Staatsrecht* (1887), he reconstructed the governmental structure of the *Imperium Romanum*. The picture of an empire with a more or less uniform pattern of local and provincial administration that Mommsen and his pupils drew has often been challenged, but some basic assumptions of the Mommsenian model still underlie many studies of provincial administration.

Another approach stresses the nature of Roman law as *practice*, encompassing not only the legal texts themselves but the social context in which they are applied. This context includes unwritten rules, established practice, social discrimination, prejudice and even injustice pure and simple. As Elisabeth Meyer has expressed it, in this view, the world of Roman law was "enjoyably corrupt … old Sicily rather than modern Zurich".[1]

This is closer to the legal philosophy known as "realism". Carried to its extreme, realism claims that the law of any society is essentially the shared ideology of its judges. Such ideas were not entirely foreign to Roman legal minds. In a decree of AD 426, it was laid down that in the event of a dispute over an obscure point of law, the writings of five important jurists should be consulted, and where they disagreed, the majority view should prevail.[2] The application of Roman law was thus reduced, if not to the shared ideology of its judges, at least to the shared ideology of its leading interpreters. A second important aspect of Roman law is that the outcome of a decision depends not only on the *what* of the matter, but on the *who* and *where*. The law explicitly allowed for discrimination between social groups (before

212, citizens and *peregrini*; after 212, *honestiores* and *humiliores*) and local, pre-Roman codes and practices continued to apply in civil suits between provincials. Administrative structures varied from one province to the next and while there are many common points and obvious analogies between local administration in different parts of the Empire, one cannot assume that because a rule is known to have applied in a specific case, it also applied at the other end of Rome's vast *imperium*, or at the other end of the social scale. In this respect, Rome was no different from other empires of antiquity. Even in the Ptolemaic kingdom, arguably the most highly centralised and bureaucratised state of the ancient world, there were significant organisational differences in the administration of the different overseas dependencies, reflecting the persistence of pre-existing power structures and the need to cooperate with local elites.[3]

Roman annexation and the Lex Pompeia

The task of restoring civilian administration and creating a *lex provinciae* for the combined territories of Bithynia and Pontus fell to the victorious Roman commander, Pompey the Great. The title of his provincial code, the *lex Pompeia*, is known to us from two references in the letters of Pliny,[4] but no part of its text has been preserved. For an idea of its scope and provisions, we must look to other provincial codes of the Republican period. The outlines of the *lex Rupilia* for Sicily, enacted c. 130 BC, are fairly well known to us thanks to Cicero's prosecution of the Sicilian governor C. Verres on a charge *de repetundis* in 70 BC. From the references in the *Verrine orations*, almost contemporary with the *lex Pompeia*, we can infer that the Rupilian code encompassed judicial and administrative matters as well as local government. The same subjects were covered by the *Lex de Gallia Cisalpina* of 49 BC, of which a fragment has been preserved.[5]

The references to the *lex provinciae* in Pliny's *Letters* give us an impression of its scope and content. The provincial code established a framework for inter-*polis* relations and the administration and political life of the individual *poleis*, but large areas of daily life continued to be regulated by the laws and codes of the individual cities.

The *lex Pompeia* could not and did not redefine every aspect of provincial life.[6] Property rights, and no doubt many other areas of civil law, continued to be governed by the laws of the individual cities or of the erstwhile Bithynian kingdom. Local codes remained in force well into the second century: Trajan advises Pliny that outstanding debts to the cities are to be claimed "by reference to the laws of each city"[7] and half a century later, the jurist Gaius comments on the *Lex Bithynorum*, "the law of the Bithynians" regulating the conditions under which women may enter into contractual obligations.[8]

Inscriptions constitute another important source for municipal administration, but most of the extant inscriptions deal with honorific decrees, statues in

Fig. 17. The east (Lefke) gate of Nikaia, seen from the outside. In its original condition, the gate was adorned with statues of the Roman governor and the imperial family. (author's photo).

honour of the ruler or leading citizens, dedications to the gods or memorials to the deceased. That local administration also involved many day-to-day, hard-core political and judicial decisions is indicated by the analogy of the Rupilian code and confirmed by the municipal orations of Dion.

In the republican period and under the early empire, an incoming magistrate had authority to issue an edict laying out the guidelines by which he intended to apply the laws within his sphere of authority. The best known example of a "magistrate's edict" – known in Latin as *ius honorarium*, i.e. rules laid down by virtue of the authority vested in an office (*honos*) – is that of the urban praetor at Rome.[9] While the praetor could not promulgate laws in the strict sense, by means of the edict he could "fill in" the broad framework provided by laws (*leges*), *senatus consulta* etc. Due to practical considerations and traditional Roman respect for *mos maiorum*, the edict of each new praetor tended to resemble that of his predecessor, and under Hadrian the practice of issuing new praetor's edicts annually was abolished.

A provincial governor's authority within his province was similar to that of a magistrate at Rome, and he was likewise expected to issue an edict laying out the general principles of his administration. From Cicero's correspondence as governor of Cilicia, we know that among other matters, the governor's edict set the maximum interest on a loan; also, that just as the urban praetor looked to his predecessors for inspiration, so Cicero based his proconsular edict on

that issued by the eminent jurist Q. Mucius Scaevola Pontifex as governor of Asia in the 90's BC.[10]

It would be interesting to know if the limitations on the urban praetor's discretionary powers set by Hadrian were matched by a similar erosion of the provincial governor's authority to legislate by edict. Whereas Cicero had been free to fix maximum interest rates within his province – and to bend them when necessary to accommodate Roman speculators[11] – Pliny felt compelled to obtain the emperor's consent in a similar matter.[12] Perhaps in the intervening 150 years, the competence of the provincial governors to rule by edict had gradually been circumscribed in the same manner as that of the urban praetor.

The relationship of a city to its provincial governor was highly asymmetrical. In his oration 46, Dion likens the relation of the governor to the cities to that of a schoolmaster to his pupils.[13] In later orations, he emphasizes how disunity within or among the cities plays into the hands of the governor[14] – but given Dion's eclectic style of argumentation and ambivalent attitude to Roman rule in general, we cannot conclude the converse, that a united front by the cities would pose any serious opposition to the authority of the governor.

It was possible to short-circuit the authority of the governor in a variety of different ways. One was through an imperial *procurator*, whose *de facto* power might in some respects be on a par with that of the legate, even if formally and socially, he ranked far lower. Maximus, an ex-slave who had advanced to the post of imperial *procurator*, passed through Bithynia et Pontus on his way to purchase corn supplies in Paphlagonia. Pliny assigned him an escort of ten *beneficiarii*, the same as, acting on Trajan's instructions, he had earlier provided for another procurator. Maximus, however, insisted on a further six soldiers; Pliny reluctantly supplied him with five (three foot soldiers and two horsemen) and subsequently wrote to Trajan requesting instructions "for similar cases in the future". In his reply, Trajan confirmed that Maximus had been entitled to the extra escort.[15]

Another avenue was through a direct personal lien between the emperor and a provincial citizen, an influential equestrian, a senator or an intellectual.[16] Dion, as we shall see, claimed to enjoy the "attention", *spoudê*, of the reigning emperor, and to have used this influence for the benefit of his native city.[17] In oration 45, speaking about irregularities at a municipal election, Dion claims that if the proconsul should refuse to intervene, Dion could write directly to the emperor and make him take action.[18]

Emperor and senate

In 27 BC, the Roman provinces were divided between the Emperor and the Senate.[19] Broadly speaking, the division followed the disposition of the army. In those provinces where few or no troops were stationed, the Senate retained the right to appoint the provincial governor, while those provinces that were

threatened by internal unrest or external aggression, and consequently housed large contingents of troops, were administered by the emperor himself; so was Egypt. Augustus thus gained direct control of the army command and the corn supply, two factors crucial to the survival of his regime.

In the "senatorial" provinces, the senate continued to appoint governors from the ranks of ex-magistrates, selected in the traditional manner by drawing lots, and holding office for a single year. Nominally, the emperor was governor of all "imperial" provinces, exerting his authority through *legati* – literally, "deputies" – appointed by himself. Unlike senatorial governors, their term of office was not fixed but could be extended or terminated at the emperor's discretion.

Although as the local representative of the ruling power, a governor had great authority, his formal powers were not unlimited; for instance, he could not pass a capital sentence on a Roman citizen. Within his province, he had to work within the framework laid down in the *lex provinciae* and (in the imperial provinces) the *mandatum principis* granted him as the emperor's deputy. Thus, his primary tasks were to apply existing laws and regulations and to make discretionary decisions in minor matters that were not covered by any existing rules. If there was doubt about how to deal with a matter, the governor was expected to consult the emperor, who would make his decision known in the form of a rescript.

The essential distinction between one category of provinces and the other was the right to appoint the governor. In most other respects, the difference between senatorial and imperial governors was not great. For instance, despite their formal status as imperial deputies, the imperial legates could be prosecuted *de repetundis* (see p. 86) on the same basis as senatorial governors.[20] The emperor's rulings applied in the senatorial provinces, and decrees passed by the senate applied to imperial provinces as well. If the emperor felt that a province required particular attention, he might ask the senate to select a specific candidate *citra sortem*, "outside the lot", or take it on himself to select the governor, with or without the consent of the senate.[21] Provinces were frequently transferred from one category to another; for instance, the Hellenophile emperor Nero took control of Achaia, but the province reverted to the senate under Vespasian.[22]

Under the terms established in 27 BC, Bithynia et Pontus became a senatorial province, but at intervals, the emperor assumed control. The first occasion was in AD 18-19 when Germanicus visited the province. Tiberius had granted his adopted son the *imperium proconsulare maius* in the eastern provinces, and on his way to take up command of the Syrian legions, Germanicus visited Bithynia et Pontus. In the words of Tacitus, the imperial prince "restored order to those provinces which suffered from internal discord or the injustice of magistrates".[23] Bithynia et Pontus was an imperial province for a short period of Trajan's reign and again under Hadrian, as evidenced by the occurrence of imperial *legati* interspersed among the proconsular *fasti* of the

province.[24] Finally, at some point in the reign of Antoninus Pius, the province was permanently transferred to the group of imperial provinces.

It used to be thought that Pliny was especially selected by the emperor and sent to Bithynia with a mission to clean up conditions in Pontus et Bithynia after the chaos created by his predecessors. According to another theory, he was sent to his province with authority as *corrector* to set the chaotic finances of the cities in order.[25] There is little real evidence in the extant sources for either interpretation, based on uncritical acceptance of the image of himself that Pliny attempts to project in his *Letters*.[26] If the new governor had to face real unrest in the province, Trajan would hardly have chosen a candidate without previous experience in provincial administration.[27] The notion that Pliny had special powers is belied by the numerous cases in which he consults the emperor on comparatively minor matters;[28] and while the finances of the Bithynian and Pontic cities were in far from perfect order, there is no reason to believe that they were significantly worse than elsewhere.[29] In fact, the reason for Trajan's choice of Pliny as governor may have been precisely his lack of distinctive qualities or opinions, making him acceptable to everyone or at least offensive to no one.[30] Transfer of provinces from senate to emperor or vice versa was a common enough occurrence in the first and second centuries AD and in itself unexceptional.[31] When a senatorial province was taken over by the emperor, however, the transfer was sometimes accompanied by a face-saving measure, as when Nero granted Sardinia to the senate in return for Achaia.[32] We might imagine that out of a similar respect for senatorial sensibilities, Trajan, when selecting a governor for Bithynia et Pontus, would look for a middle-of-the-road candidate whose background was senatorial and civilian, rather than imperial and military. From that point of view, Pliny was an obvious choice, with the further attraction that from his recent involvement in several trials *de repetundis,* he would be familiar with the legal and administrative structure of Bithynia et Pontus.

Civic self-government

In any Bithynian city, local government involved a significant proportion of the free male population, who at a given time would be serving either as city councillors for life, or in one of the numerous magistracies and minor offices at municipal or local level.

In the Hellenistic period, the cities had governed themselves within the limits set by the laws of the kingdom and the authority of the royal *epistates*. The structure of local government had three nodes: the archontate, the city council (*boulê*) and the popular assembly (*ekklêsia*). Though we have no direct evidence to this effect, it is likely that as in other Greek cities, the *boulê* of Hellenistic Nikaia, Nikomedia or Prusa was composed of councillors elected annually by the assembly or in electoral districts corresponding to the *phylai*. The functions of the early Bithynian *boulai* are equally poorly documented,

but, in accordance with Greek tradition, their primary purpose is likely to have been probouleutic, i.e. to draft, examine and approve the proposals that were to be placed before the assembly.

The Pompeian code transformed the composition of the city councils. From now on, ex-magistrates were entitled to a seat on the council, retaining it until they died, resigned or were struck off the register by the censor (*timêtês*). The code also established a minimum age of thirty years for holding a magistracy or a seat in the council.[33] At the time when the Pompeian code was promulgated, 30 years was the minimum age for holding a quaestorship in Rome. Augustus later lowered the age threshold for a Roman magistracy and likewise reduced the minimum age for an urban magistracy in Bithynia.[34]

In formal terms, Pompey's redefinition of the city council was a sharp break with the Greek traditions of civic democracy.[35] In practice, by the late Hellenistic period nearly every city found itself under a de facto *Honoratiorenregime* where the municipal offices and magistracies were monopolized by a small minority of wealthy citizens, the "notables" or "honoratiores". The restricted membership introduced by the Pompeian code was a *de jure* affirmation of the existing situation.

Elsewhere in the Empire, there was a *census* requirement for city councillors; in Pliny's native Comum, the threshold stood at 100,000 HS.[36] In Pliny's *Ep.* 10.79, the qualifications for Bithynian council membership are discussed in some detail and since a property qualification is not mentioned here, it was clearly not part of the Pompeian code. Property requirements may, however, have been laid down in the codes of individual cities, just as cities are known to have imposed entrance fees for new councillors.[37] The two Prusan town councillors whose financial situation is known to us, Flavius Archippos and Dion, both possessed fortunes in excess of 100,000 HS.

The formalisation of the timocratic principle apparently aroused little opposition, and in the early second century an elitist discourse is shared by the self-proclaimed champion of Greek values, Dion, and his counterpart, the Roman governor Pliny. One describes the council as "the soundest and most intelligent" part of the city's inhabitants[38] and the other notes that "it is preferable to admit sons from good families to the council, rather than from the common people".[39] Being royal foundations, the Bithynian cities were probably less self-conscious about their democratic heritage than the formerly independent city and island states of the Aegean.

Concurrently and as a consequence of the changed composition of the city council, its political role and relation to the *ekklêsia* was also transformed. The social standing of its members and the fact that the council united almost all the powerful and wealthy men of the city meant that in addition to its probouleutic function, it was often the real locus of decision-making. For instance, when Dion refuses the offer of an archontate,[40] he is apparently speaking in the *boulê*, not in the *ekklêsia*. Though the actual election presumably took place in the assembly, the candidates were apparently selected and

approved by the council: perhaps only one candidate for each vacant position, for the *ekklêsia* to approve or reject.[41]

How many seats were there in the *boulê*? In the west, Roman city councils were generally set at 100 members, sometimes even less.[42] Greek city councils of the Hellenistic period were much larger – the Athenian *boulê* counted 500 members – and when they passed under Roman rule, Greek cities apparently retained the tradition of large city councils. Figures ranging from 200 to 600 members are known,[43] but unfortunately none of these refer to a Bithynian city.[44] In the larger urban communities such as Nikaia and Nikomedia, a council of 300 or 400 members is quite possible. Prusa originally had a smaller council, later increased by the addition of an extra 100 members, bringing it up to the same size as the others.[45] The number of councillors in the individual cities was not laid down in the Pompeian code,[46] but in the city's charter. If a city wanted to increase the size of its council, however, the approval of the Roman authorities had to be obtained. Where the number of ex-magistrates exceeded the number of seats in the *boulê*, the most junior candidates presumably had to wait for a vacancy to occur.[47]

Among the *bouleutai*, individual status was determined by previous magistracies and seniority. Writing in the third century AD, Ulpian explains how, if the city's own laws do not specify otherwise, the list (*album*) of council members should be drawn up according to the rank of the magistracies held and secondly, within each category, on the basis of seniority.[48] When the council was in session, members would speak in the same order.[49]

In some cities of the Empire, new councillors were required to pay a fee, the *honorarium decurionatus*, on election to the council. From a letter of Pliny, we learn that there was no such requirement in the Pompeian code nor in the charters of the Bithynian cities. By Pliny's time, however, it had apparently become customary for certain categories of councillors to pay an entrance fee of 4000 to 8000 HS. This applied to supernumerary councillors and to councillors appointed *a censoribus*, i.e. to those who had not held any magistracy. Pliny proposed to formalize and systematize this practice by means of an imperial decree that all city councillors must pay a fixed sum on first taking their seat in the council. The emperor, however, refused to issue a general edict, preferring to leave the matter to the individual cities.[50]

It has been claimed that only citizens who already held a seat in the council could be candidates for the higher magistracies,[51] a situation analogous to that in Rome, where only senators could stand for election to the praetorship or consulate. In Bithynia, there is no evidence for a formal requirement to this effect,[52] and it would hardly be in a city's interest to restrict the field of candidates for the higher liturgies, such as the agonothesia.[53] In practice, the majority of those known to have held an archontate had previously filled one or more of the minor magistracies.

Liturgies

The concept of *leitourgia* was as familiar to any ancient observer of local politics as it is strange to modern eyes. Its essence was that a man elected to public office was required to cover a part, or all, of the expenses involved out of his own pockets, and it forms part of the larger complex of social and political relations known as euergetism, where the munificence and benefactions of the elite serve to legitimize an elite monopoly of political leadership. Paul Veyne's classic study *Le pain et le cirque* traces the development of euergetism from its origins in the classical Greece to the Roman period. For Veyne, liturgies and *honorarium decurionatus* form a sub-category of euergetism, "évergétisme *ob honorem*".[54]

Not all public offices were liturgies, and in theory there was a distinction in terminology between a *leitourgia* proper, where the holder was expected to contribute out of his own pockets, and an *archê*, where he was not.[55] In the real world, the divide between the two was not clear-cut, and the relation between *leitourgia* and *archê* was rather in the nature of a sliding scale or continuum. At one extreme we find the liturgies *strictu sensu*, e.g. the choregiate of classical Athens. In later times, the prevalent form may have been the "mixed" liturgy where basic costs were defrayed by the public chest but the liturgist was expected to pay the remainder (for instance, the city might cover the cost of arranging a series of athletic games, but the agonothete would pay for the prizes). Lower on the scale was the honorary *archê*, not requiring any financial contribution by the holder, and finally the paid *archê* where the office-holder received a salary from the city. Within this basic framework, we encounter numerous variations and combinations. For instance, a city clerk (*grammateus*) of Priene who was entitled to a salary served for 14 years without claiming it, thus saving the city a substantial sum and transforming an *archê* into a quasi-liturgy.[56]

As Quass reminds us,[57] "mixed" liturgies often had their background in the prosaic fact that the public funds allocated for a given purpose were insufficient to cover the costs; hence the liturgist had to make up the difference. Obviously, the relation between city revenues and expenditure would vary from place to place, and an office that in one city required no outlay on the part of the office-holder might be a burdensome liturgy in the neighbouring community.[58] To ease the burden and facilitate the entry of young men into the political class, junior liturgies, such as gymnasiarch or agoranomos, could sometimes be held for less than a full year, or jointly by several persons.[59] From the survey of Quass, it is also clear that the sums involved varied greatly from city to city. Some of the liturgies and benefactions recorded in Ephesos were on a very grand scale, but then Ephesos was among the leading cities in one of the Empire's richest provinces, while its large population meant that there would be numerous contenders for vacant liturgies. In most Asian cities, the liturgies may have been on a much more modest scale, but the inscriptional

evidence is skewed in favour of the larger and exceptional liturgies, which were more likely to be recorded.[60]

Urban revenues and finances

In the Roman provinces of the early empire, taxation operated on two levels. The collection of the taxes due to the imperial treasury[61] was supervised by the provincial governor[62] and carried out by private tax-farmers (*publicani*) or, increasingly, through the magistrates of the cities.[63] Thanks to the dubious political activities of some tax-farmers in the last century of the Republic and the New Testament's references to "publicans and sinners",[64] Roman tax-farming has come to be associated with greed and corruption. However, the tax-farming system, which built on Hellenistic precedents, was perhaps no less efficient than taxation through the cities,[65] nor were the tax-farmers always detested by the local taxpayers.[66]

We are less well informed about tax collection at the level of the individual cities, though enough evidence survives to show that city tax regimes were often quite complex.[67] Taxes formed only a part of the city's revenue, and of these, again, only a part were "general" taxes that could be spent at the discretion of the magistrates. Much city income was earmarked, either because it derived from a tax levied for a specific purpose, or from an endowment or trust, i.e. a sum set aside for a specific purpose by the donor or testator. The institution of the endowment or trust was widespread in the Roman world;[68] it reappears in Islamic law as the *wakf* or *vakif*.

Apart from taxes, bequests and endowments, a city would draw some revenue from its landholdings, from the lease of public property (e.g., market stalls, grazing rights on public land) and from interest on capital. Cities could also levy a toll (*portorium*) on trade passing through its port or territory, but there is no certain evidence for this tax in any Bithynian city.[69] Furthermore, many cities struck coins for local circulation. Since bronze issues were fiduciary, i.e. the nominal value of the coin was greater than its metal value, the production of bronze coinage was a source of profit for the city.

Under the early Empire, the relationship between these revenues and the current expenses of the city will have been stable and predictable. The main weakness of the trust system was that it was largely cash-based and thus vulnerable to inflation. When the coinage was debased in the course of the third century, trust funds were eroded to a fraction of their former value or ceased to function altogether. Income from landholdings and leases were less vulnerable in this respect.

Thanks to the system of trusts and endowments, numerous items of urban income and expenditure were directly linked. When revenues exceeded expenditure, a surplus was accumulated in the fund (for example, at Prusa, less than expected was spent on the oil for the gymnasts, perhaps because the run-down gymnasium attracted fewer visitors than when it was new; the surplus

accumulated in the oil fund[70]) and when expenditure exceeded the resources available, a liturgist might be required to cover the shortfall.

Tasks covered by endowments or earmarked taxes did not affect the city's finances, but apart from these, there remained a large number of routine expenditures for the upkeep of public buildings and city walls, maintenance of aqueducts and public wells, fuel for the baths, food and clothing for the city's slaves, writing materials for the city administration, entertainment for visiting notables, travelling expenses for delegates and embassies, sacrificial animals and sundry other items. Much of the actual work involved, for instance in cleaning aqueducts and wells, would of course be performed by city-owned slaves rather than wage labourers, and thus required no cash outlay.[71]

The least predictable item of expenditure, and the one most often cited as a cause of financial distress, was public construction projects. It was exceptional for a city to find a single benefactor capable of financing an entire project from his own resources. (The building activity of the sophist Flavius Damianos in Ephesos is one such exception, that of Herodes Atticus in Athens another). A major construction project had to be financed either from public funds,[72] from a combination of public funds and private contributions[73] or from the joint contributions of a number of private benefactors.[74] In the last two cases, the contributors were expected to make a solemn declaration (*pollicitatio*) of their intent to contribute.

If the cost of construction exceeded the original estimate, or if the contributors failed to make good on their promises, the city faced a serious financial problem. In the *Digest,* a whole section *De pollicitationibus* is devoted to cases where a private benefactor, having made a formal promise, fails to meet his obligation.[75] The eminent jurists quoted include Pomponius (second century AD), Ulpian and Modestinus (third century AD) – an indication that this was a widespread and persistent problem. They agree that when the benefactor has been honoured by the city in return for a *pollicitatio*, or the work on his project has commenced, he is obliged to carry out his promise to its full extent. If he does not, the obligation can be enforced by the city authorities in the same way as a debt (*debitum*), not only against the original donor but against his heirs.[76] Other jurists add that when a *pollicitatio* is made on account of a misfortune to the city (e.g., a promise to rebuild a structure that has been destroyed by fire or earthquake) it is immediately binding.[77]

Clearly, there was a great deal of unfinished business in the cities of the Roman Empire; and Bithynia was no exception. In two of Dion's municipal speeches, we hear about a colonnade that is under construction in Prusa but has not yet been completed, because – or so he claims – Dion's fellow-contributors have not yet lived up to their promises. To keep the work going, the city has been forced to advance money from the public treasury.[78]

In Nikaia, Pliny found a half-rebuilt gymnasium and an incomplete theatre.[79] The theatre itself was under construction at the city's expense; embellishments such as colonnades and galleries were to be paid by private subscription

(*ex privatorum pollicitationibus*) but the donors were naturally reluctant to pay before the core structure had been completed, especially since – or so it was alleged[80] – the foundations were showing signs of stress. Nikaia's neighbours and rivals were not far behind: the Nikomedians had two unfinished aqueducts to show for a public investment of 3.5 million HS.[81]

In Nikomedia, the problem was not unreliable sponsors but a lack of technicians with the skills required to plan and execute a major construction project such as an aqueduct – and to estimate its cost. The first attempt had proved abortive due to poor surveying work, the second had overrun its budget well before it was completed. Conditions in Prusa were no better, and in his first letters from the province, basing himself on his inspection of the Prusan accounts, Pliny reported that "substantial sums of money could … be recovered from contractors of public works if we had dependable surveys."[82]

This problem was not a new one, nor limited to Bithynia.[83] In the prologue to the last book of his *De architectura* (last century BC), Vitruvius discusses the notorious unreliability of cost estimates for private as well as public building projects. He relates how the city of Ephesos had an "ancient law" (*lex vetusta)* setting out "hard, but fair" conditions: When assuming responsibility for a public building project, the architect must provide a cost estimate. If this estimate is accepted by the city authorities, the architect's property is taken as surety until the building is finished. If the cost corresponds to the original estimate, the architect is honoured by a decree of the city; should it exceed the estimate by less than 25 %, this excess will be paid by the city treasury; but if the overrun is more than one-fourth of the estimate, the architect is liable for the remainder. Vitruvius approvingly remarks that if such quasi-Draconian measures were employed everywhere, "householders would not be induced to endless additional payments leading to the loss of their fortunes.[84]

Prusa's track record of urban finance was not impressive. Early in the city's history, Prusa was unable to meet the debts incurred to cover current expenses.[85] The Prusans may also have been careless about spending money on construction projects; from one of Dion's orations, we learn that "earlier" (i.e. prior to AD 96) a governor sent the Prusans a rescript concerning city administration (*dioikêsis*), apparently authorizing some major building project that was never completed.[86] It was probably no coincidence that the first major task taken up by Pliny as governor was to inspect the municipial accounts of Prusa.[87] Apparently the finances of the Bithynian cities improved over time, for towards the end of the century, we find an Ephesian, M. Aurelius Mindius Matidianus Pollio, holding the post of permanent *logistês* (curator) of Nikaia, Nikomedia and Prusa concurrently with his main job as overseer of harbour dues in the province of Asia. This arrangement lasted for thirty years, an indication that during this period, the *logistês* of the three Bithynian cities had no great workload.[88]

City magistracies

Because office-holding had originally been a prerogative of the propertied élite and remained – through the instition of *leitourgeia* – associated with positive social behaviour such as generosity and euergetism, urban political offices were important success markers in the social *agôn* and as such, recorded on the funerary inscriptions that summarized an individual's life achievements and form our main source for individual careers. This is perhaps easily understood in the case of leading urban magistracies such as the archontate, but as the story of Pythias the agoranome (below, p. 76) illustrates, junior magistrates took pride in their office as well, as did the elected officers of the city wards or *phylai*. The sense of prestige attached to office-holding at the level of the *polis* percolated outwards and downwards through society and found expression in a general *Titelfreude*. The *phylê* organisation, the *gerousia* and the gymnasium each had their leading officers, recorded with their names and titles.[89] Religious communities, such as the followers of Mithras, had their hierarchy of ranks and offices. Even a small fishing collective in Parion on the Hellespont possessed a formal hierarchy of officers, recorded in a joint dedication to Priapos. The archon heads the list, followed by *diktyarchountes* and *lembarchountes* (net-masters and boat-masters), lookouts, fish-watchers, a cork-float-operator, the pilots and the *antigraphos* (secretary); finally and clearly set apart from the rest, the anonymous *synnautai* (boatmen).[90]

This adds up to an impressive total of some twenty officers in all, but the names reveal that several junior officers are sons of the *archôn* and the whole operation appears to have been dominated by one family of freedman origin. Given that so many members were bound by family ties, a formal organization seems superfluous. Yet the collective had a formal internal organization modelled on that of the *polis*, either because that was the only form of organization known to them or because titles and offices had an attraction in themselves.

The archons

At the head of the city administration, we find the archons, *hoi archôntes*, literally "the leaders". Their number varied from city to city; Nikaia had three, Prusias ad Hypium had five.[91] One of these was the first or senior archon, *prôtos archôn*.[92] According to Fernoux, the archons of Nikaia constituted a "bureau" which also included the city *grammateus* and an *endikos*.[93] This is based on a single inscription from Nikaia[94] naming the archons of the year along with the *grammateus* and the *endikos*, but there is no direct evidence in the text that these five formed a collective.

The archontate was an annual magistracy and could be held several times. The first archon was normally also the senior archon[95] and presumably presided over the meetings of the *boulê* and the *ekklêsia*. Being eponymous, he would be known to every citizen by name and to most of them

by sight; he was the leading and the most visible figure of the city, if only for one term.

We have little information about the liturgic aspects of the archontate. Though archons elsewhere could and did function as benefactors of their city,[96] there is no evidence that the archons of Bithynian cities were required to contribute on a large scale or a regular basis.

The agonothete

On the other hand, the *agônothetês* or magistrate in charge of the *agônes* was expected to contribute significantly towards the costs of his office. *Agônes*, athletic contests with associated festivals, were popular in the Greek world since the Archaic period. Besides the famous festivals in, e.g., Athens, Olympia, Corinth, Nemea or Delphi, there were numerous minor *agônes*, often instituted in honour of a local hero or deity or, from the second century onwards, in honour of the emperor(s).

For the individual, the *agônes* provided a welcome diversion from the tedium of daily life, the kind of diversion that in the West was more often supplied by gladiatorial games; on the collective level, the *agônes* provided a venue for the inter-city rivalry and competition typical of the Greek world. In the Classical and Hellenistic periods, many *poleis* granted a victorious athlete the privilege of free meals for the rest of his life; in the Roman period, the winner could still, at the very least, expect a hero's welcome in his home city.[97] The continued popularity of *agônes* is also attested by the will of Julius Largus, a wealthy Pontic citizen, who left a large bequest to be used "either for the erection of public buildings" or for "establishing quinquennial games".[98]

The games that Largus envisaged were to be held in honour of the emperor, and all *agônes* had a similar aspect, being ostensibly held in honour of the reigning emperor, a deity, a deified emperor or a hero.[99] In this respect, the duties of the *agonothetês* are comparable with those of other cultic officials, but in addition, the agonothesia required administrative and organisational skills,[100] since an athletic festival was a major event covering several days and requiring advance planning for the events themselves, for the logistics involved in supplying the spectators and the athletes, and not least for the reception of important guests during the festival. The total cost was considerable. Some of the expenses would be covered by the city or by special funds such as the one that Pliny was asked to set up; others would fall to the agonothete himself, who thus had at one and the same time to enjoy the trust of his fellow-citizens and be a man of considerable means. Since he would be chairing the proceedings throughout the festival and acting as host to the guests of honour, the agonothete must also be a skilled public speaker and possess social and diplomatic skills. In short, a successful agonothete required all the skills of a successful politician.

The agoranomos

For an aspiring local politician, the first step on the political ladder was often the position of *agoranomos*.[101] In classical Athens, the task of the *agoranomoi* was to maintain order and trading standards in the marketplace.[102] In the *Athenaiôn Politeia*, Aristotle lists the magistrates in charge of the city's markets: ten *agoranomoi* (five each for Athens and Piraeus), ten *metronomoi* or inspectors of weights and measures, 35 *sitophylakes* or overseers of the grain trade and ten port superintendents "to compel merchants to bring two-thirds of the grain that they import into the city's market". The large number of *agoranomoi* and the selection by lot indicate that the office was no liturgy.[103]

It is significant that of the sixty-five market officers enumerated by Aristotle, the majority are concerned with the supply of grain. In later times, the supply of grain and other staples remained a chief concern of the cities, and the existence of a separate office concerned with the grain supply is attested in the Bithynian cities as late as the third century AD. From Nikomedia we have the fragmentary sarcophagus of the city councillor Aurelius Eu… Katyl…, who, among other offices, had been *sitônês*, i.e. grain trade commissioner, and also served as treasurer of the city council;[104] in Nikaia, an inscription (fig. 31) honours Fl. Severianus Asklepiodotos, who served as *argyrotamias tôn sitônikôn chrêmatôn*, "treasurer of the grain fund".[105] So far no similar inscription has been recorded from Prusa, and there is some doubt if and when this city possessed a corresponding fund. In the seventies AD, it clearly did not; but one may have been established at a later date.[106]

In cases where the grain supply failed and prices rose sharply, an agoranome is known to have intervened, buying grain on his own account and reselling it at lower prices.[107] These are probably exceptional cases of euergetism, over and above an agoranome's liturgical obligations, and commemorated in our sources as such. Indeed, in these cases we may surmise that a rich and already well established citizen has taken the post of agoranome upon himself in an emergency.[108] An agoranome might also donate marble tables for the vendors,[109] undertake repairs to existing structures[110] or finance additional ones.[111]

Obviously, not every agoranome found himself with a major food shortage or a dilapidated market on his hands. In most towns, the post of *agoranomos* will have been among the less financially onerous magistracies, within reach of young men entering on a municipal career. In some cities, perhaps to facilitate the entry of aspiring politicians into the municipal *cursus*, the obligations of the agoranomos were made less burdensome by reducing the term of office to two or four months, or appointing more than one agoranome (Olbia on the northern Black Sea had five, Halikarnassos had nine). On the other hand, it was no sinecure: during his term of office the *agoranomos* had to be present in the *agora* on trading days.

In the *Metamorphoses,* Apuleius draws a character sketch of a small-town *agoranomos* (whom Apuleius, writing in Latin, identifies as an *aedilis*). Lucius,

the narrator, has just arrived in Hypata, the leading town of Thessaly. He goes
to buy food in the market, *macellum*, and finds many kinds of fish on sale. After
haggling for a while with an old fishmonger over a fish priced at one hun-
dred sesterces he gets it for eighty. Leaving the market, he runs into Pythias,
a schoolfellow from Athens, who has embarked on a municipal career:

> "Congratulations, Pythias! I see that you have attendants and the
> rods of office and the dress of a magistrate."
>   "I am administrator of food supplies and market inspector [*aedi-
> lis*], and if you wish to buy any food I am at your service". "No
> thanks", I replied, since I had already provided quite enough fish
> for supper. But Pythias saw my basket and shook the fish up so
> that he could see them more clearly. "How much did you pay for
> this rubbish?" he asked. "I just managed to twist a fishmonger's
> arm and he let them go at twenty denarii," I answered.
>   When he heard this, he instantly grabbed my hand and led me
> back to the food market. "And from which of these merchants,"
> he asked, "did you buy that junk?" I pointed to a little old man
> sitting in a corner, and Pythias immediately began to harangue
> him in an extremely harsh tone, befitting the authority of his office
> as market inspector. "Look at you!" he shouted. "You do not
> even spare my friends, or indeed any visitors to this place. You
> mark up worthless fish at high prices, and you are reducing this
> flower of Thessaly to the semblance of a rocky wasteland by the
> price of your wares. But you will not get away with it, for now
> I will show you how wrongdoers shall be restrained while I am
> magistrate." Then he turned the basket out onto the pavement
> and ordered his bailiff to trample on the fish and crush them to
> a pulp with his feet.
>   Content with his display of law and order, my friend Pythias
> advised me to be off, saying "I am pleased, Lucius, to have shown
> that old fool who is in charge here."[112]

The story of Lucius' encounter with his friend turns on the contrast between
form, symbol and self-perception on the one hand, reality on the other: the
friend offers to "help" but leaves Lucius in a worse position than before; as
a symbol of the magistrate's power, the presence of the lictor with the rods
highlights the impuissance of Pythias, who can do no more than heap abuse
on the fishmonger; Pythias solemnly declares that "wrongdoers" shall suffer
the full force of the law, but it is the fish that end up under the lictor's soles
and the innocent buyer who is punished by the loss of his dinner; the aedile
sees himself as a leading figure in the city, but his office ranks among the
junior magistracies and is perhaps only held for a few months.

   That the post of *agoranomos* nonetheless had a certain prestige value was

due to the fact that, like the archontate, it included a judicial aspect. The lictor accompanying Pythias was not entirely ornamental. An agoranomos was permitted to use force to maintain order in the marketplace, and was expected to adjudicate or arbitrate in minor disputes between buyer and seller. In other words, at an early stage in his career, he might demonstrate leadership qualities of an administrative and judicial character, while a later term as agonothete would give the chance to demonstrate organizational and diplomatic skills. It is no coincidence that successful municipal careers often include the three A's: agoranomos, agonothete and archon.

Advocates, delegates and ambassadors

High on the list of prestigious offices and potentially onerous liturgies we find the citizens who are elected to serve as spokesmen of their city in judicial or diplomatic contexts. These are variously identified in our sources as *endikos*, *syndikos*, *proegoros* etc. They were typically appointed on an *ad hoc* basis for the purpose of a specific embassy to another city or to Rome, to present a petition to the emperor, or to represent the city in court.

Sending an embassy was expensive – the annual delegation from Chalkedon, routinely sent to convey the city's greetings to the emperor, cost 12,000 HS[113] – and a wealthy citizen might earn the gratitude of his fellow citizens if he undertook such a task as a liturgy, paying part or all of the expenses out of his own pocket. On the other hand, since the success of a diplomatic mission or a court case would depend on the diplomatic skills, forensic qualifications and eloquence of the person chosen to represent the city, the office would not necessarily go to the most generous liturgist. Dion is an example of an ambassador presumably chosen for his rhetoric skills and diplomatic qualifications (i.e., his friendship with the emperor) since he makes no mention of a financial contribution on his own part.

Censors

Alone among the municipal offices of Bithynia, the censorate appears to be a Roman innovation. The primary task of a censor, *timêtês* – the word is derived from *timê*, "honour" or "value" – was to verify that new council members fulfilled the formal entrance requirements (free status, citizenship of the city, minimum age). The censors were also responsible for maintaining the *album* or list of councillors. They had authority to strike out persons who were no longer qualified to sit in the council (e.g., because of immorality, a criminal offence or infirmity), but not to appoint new members on their own.[114] Unlike their Roman counterparts, who were, inter alia, responsible for putting public works out for tender, the Bithynian city censors apparently had no authority in financial matters.

Censors were not elected every year[115] but at intervals, probably quinquennially. The formal competence of the censor was limited, but since in effect a censor was at liberty to pass judgment on any of his peers, and being struck

off the council register endangered a person's social standing and "face", the office will have carried considerable weight. The censors known from Bithynia are generally men with a distinguished political career including several of the senior magistracies.

Though the censorate was not a liturgy, as men of wealth and social standing the censors could, and on occasion did, undertake costly projects for the benefit or beautification of their cities.[116]

A related office was that of the *politographos*, presumably a magistrate responsible for maintaining the register of citizens. At present, we only have evidence for this office in Prusias ad Hypium[117] and outside Bithynia. The term *boulographos* is found in an inscription from Ankyra[118] where it appears to be a synonym for *timêtês*. A third-century inscription,[119] now lost, from the territory of Kios named an Aurelius Marcianus, *boulo[graphos]*.

Both *boulographos* and *politographos* were clearly high-status magistrates, on a level with the censors (if indeed *boulographos* is not a synonym for *timêtês*); this is quite clear from their careers, which typically include other high-level posts such as agonothete or Bithyniarch. One also notes that the *boulographoi* and *politographoi* known from Bithynia all hold the Roman franchise. In two cases,[120] the office was held for life, indicating that it was not onerous and that it was not a liturgy.

The *grammateus* and minor officials

The status of the *grammateus* and his relation to the other magistrates is not quite clear. His main function was apparently to record the proceedings and decrees of the council and also of the *ekklêsia*[121] and preserve the records for posterity.[122] In all but the smallest urban communities, we may assume that the *grammateus* functioned as *chef de bureau* and that the actual work was done by trained slaves.[123] As overseers of their work, the *grammateis* had to be fully literate and have some education; they are typically drawn from the same group as the *agoranomoi*.[124]

From the limited epigraphic evidence for Bithynian *grammateis*, it is difficult to judge their social status. At Ephesos in the neighbouring province of Asia, the *grammeteis* seem to have been held in high esteem; in the *Acts* of the Apostles, the Ephesian *grammateus* quiets the riotous multitude.[125] A century later, the wealthy sophist Flavius Damianos held the Ephesian *grammateia*; during his term of office, he undertook the construction of a new portico from the Magnesian gate towards the temple of Artemis, as well as other costly projects. We cannot take it for granted that a *grammateus* in Prusa (such as T. Flavius Silôn, see below) or Nikaia enjoyed the same prestige; after all, Ephesos was larger than any of the Bithynian cities, and the Ephesian *grammateus* no doubt had a much larger bureau of slaves under his supervision.

While inferior in rank to the archons and other senior magistrates, one should not underestimate the informal power of minor officials such as the *grammateus*, or even of their subordinate functionaries. That some were of

low status or slaves does not exclude them from the sphere of power.[126] On the contrary, being involved in the daily business of the city on a long-term basis, they would come to know its recent history, its records and its financial obligations better than the annual magistrates, who had other demands on their time than politics and would often be absent.

Minor officials also controlled access to the decision-makers. From Rome itself, we hear of imperial servants taking bribes in return for the chance to meet the emperor.[127] At the provincial level, things were no better; Aelius Aristides dreamt that a governor's clerk (*grammateus tou hêgemonos*) offered to have a verdict changed in Aristides' favour in return for a bribe of 500 drachmas (2000 HS).[128] We have no reason to believe that local city officials and provincial court clerks were less corrupt than their colleagues at higher levels, though the sums involved were presumably smaller.

Finally, minor officials may have acted as "patrons" to semi-literate citizens. Even if we assume that the urban lower classes of Asia Minor were literate after a fashion, they would nonetheless find the assistance of an urban clerk helpful when drawing up a formal letter, filing a petition or registering a complaint.[129]

The gerousia

In the archaic period the *gerousia*, or council of elders, was an important institution in many Greek *poleis* – most conspicuously in Sparta. By the late Hellenistic period, in most communities the *gerousia* had ceased to play any political role, but still enjoyed a certain social status.

Though Greek writers sometimes use *gerousia* as a gloss for *senatus*, the *gerousia* of a provincial city is in no way comparable to the senate of Rome. In fact, when the provincial cities were reorganized on the Roman model – in Bithynia, by the *lex Pompeia* – it was the *boulê*, not the *gerousia* that performed the function as a council of ex-magistrates that in Rome was filled by the *senatus.*

The *gerousia* crops up from time to time in the epigraphic record for Bithynia, but most often as the dedicant of an honorific inscription or the recipient of a benefaction. When the achievements of a Bithynian politician are recorded – by himself, his family (in an epitaph) or by others (in an honorific inscription) – membership of the *gerousia* is never mentioned, and offices within a *gerousia* only rarely.[130] Either *gerousia* membership was rarely combined with an urban politcial career or it was considered too insignificant to include in the overview of a person's *cursus*.[131] Whichever way, *gerousia* membership or office-holding clearly did not carry the same prestige or social status as an urban *archê* or liturgy. Likewise, entry into the *gerousia* was not restricted to the bouleutic class; a significant proportion of the Bithynian *gerousia* members known by name do not hold the Roman franchise, and elsewhere in Asia Minor, even ex-slaves found their way into the *gerousia*.[132] In short, the *gerousia* of a city[133] was a circle of elders with no specific political functions and a less

selective composition than the *boulê*, yet still enjoying a certain status within the community and with some economic assets at its disposal.[134]

The gymnasion

The *gymnasion* was originally a venue for physical exercise, but in the Hellenistic cities it developed into an important node in the cultural and social life of the city. It also functioned as a school for children and young adults.[135] In the Roman period, the gymnasium may have lost its pre-eminence as a cultural institution, but retained its role as a venue for physical exercise, now supplemented with hot baths in the Roman tradition.[136] In larger cities, the personnel of the gymnasium might include professional educators under the supervision of the gymnasiarch;[137] in smaller communities the work of training and teaching rested on the shoulders of the gymnasiarch. Some cities had several gymnasiarchs, one for each age-group.

The funds set aside by the city were not always sufficient to cover the operating costs: teachers' salaries, oil for the gymnasts and, in the Roman period, fuel for the baths. The gymnasion buildings themselves also required maintenance and restoration to compensate for the wear and tear of daily use.[138] Thus the gymnasiarchate easily developed into a mixed liturgy; in some cities, it may have been the most costly and burdensome of all municipal liturgies. Against this background, it is surprising how few gymnasiarchs are recorded from our three cities, and that none of these go on to senior magistracies such as agonothete or archon.[139] Clearly the gymnasiarchate was not as prestigious, and did not present the same opportunities for personal publicity, as the post of agonothete or agoranomos.

The local level

It was at the lowest level of *polis* organization, the *phylê*, that the impact of the Pompeian code was greatest. In the elective councils of the Hellenistic period, elections had taken place by *phylai,* each *phylê* being entitled to an equal share of the seats.[140] Under this system, the leading citizen of each *phylê*, the phylarch, had presumably played a key role. Now that the council was dominated by ex-magistrates and access controlled by the censors, the importance of the *phylai* and their phylarchs was much reduced.

The local organisation of the city by *phylai* is best documented in the case of Prusias ad Hypium[141] and Klaudioupolis;[142] a division into *phylai* is also attested in the other Bithynian cities with the exception of Apameia.[143] The origins of the institution go back to the Hellenistic period and presumably formed part of the administrative system of the Bithynian kings. *Phylê* names like *Germanikê, Traianê, Antoninianê* and *Aurelianê* bear witness to the continued existence of the system during the Imperial period, and the numerous phylarchs mentioned in dedicatory inscriptions from Prusias ad Hypium

indicate that in this city at least, there was lively activity at *phylê* level in the third century.

A Christian funerary inscription found some distance west of Nikaia and now lost[144] preserved the memory of the gardener (*kêpouros*) Aurelius Spoudasis Nikeeus "living in the *phylê Aurelianê*" and his wife. From the expression "living in" (*oikôn en*), which is also found in an earlier inscription from Nikomedia,[145] it appears that a *phylê* was a geographical entity – like the demes of Athens, but unlike the voting-tribes of Rome – and that this included not only a section of the city itself but a part of its *chora* as well. This implies that the number of *phylai*, once established, remained constant: thus "imperial" *phylê* names like *Faustinianê* must be due to renaming of existing *phylai*, not the addition of new ones.[146] It is not known what occasioned renaming of a *phylê*.[147] In the two cases where the complete *phylê* list has been preserved, their number is twelve; if this was a "canonical" number, it may also have applied in the other Bithynian cities.

An inscription from Nikomedia[148] records a *grammateus tôn phylarchôn,* "secretary of the phylarchs", an *argyrotamias* (treasurer) and at least three other officers "of the phylarchs". The use of the plural *tôn phylarchôn* is intriguing. Either the Nikomedian *phylai* had more than one phylarch each, or the *grammateus* "of the phylarchs" was the joint secretary of all the phylarchs of the city. The latter explanation appears more likely. It was not uncommon for the *phylai* of a city to undertake projects in common, e.g. when setting up honorific inscriptions, which would require some sort of joint organisation. In that case, the Nikomedian inscription lists the officers in the joint bureau of the city *phylai*.

If indeed the phylarchs and their deputies formed a group, this would also go some way towards explaining the continued importance of the *phylai* and their leaders. Another possibility is that the individual phylarchs functioned as overseers of public order in their districts.[149] In addition, even though votes in the Greek assemblies were presumably cast individually (and not, as in Rome, by tribe), it is quite possible that as a prominent citizen and elected leader of the *phylê*, the phylarch could influence the voting of *phyle* members in the *ekklêsia*.

The inclusion of a treasurer reveals that the *phylai*, singly or jointly, had financial resources of their own; this is also indicated by the use of the stock phrase *ek tôn idiôn* ("from its own resources") in an inscription set up by the *phylê Antoneina* of Prusa.[150]

While the phylarch may thus have been an important person in his own neighbourhood and even exerted some indirect political influence in the city assembly, a phylarchate was no urban magistracy and did not qualify its holder for a seat in the *boulê*. And while agoranomes, agonothetes, archons and censors were nearly always drawn from the body of Roman citizens, before the *Constitutio Antoniniana* the phylarchs known to us are almost invariably peregrine.

Regional organisation: the koinon

In 29 BC, so the historian Cassius Dion tells, us, Octavian

> gave permission for the dedication of sacred precincts in Ephesos and in Nikaia to Rome and to Caesar, his father, whom he named the hero Julius. These cities had at that time attained chief place in Asia and in Bithynia respectively. He commanded that the Romans resident in these cities should pay honour to these two divinities; but he permitted the aliens, whom he styled Hellenes, to consecrate precincts to himself, the Asians to have theirs in Pergamon and the Bithynians theirs in Nikomedia. This practice, beginning under him, has been continued under other emperors, not only in the case of the Hellenic nations but also in that of all the others, in so far as they are subject to the Romans. For in the capital itself and in Italy generally no emperor, however worthy of renown he has been, has dared to do this; still, even there various divine honours are bestowed after their death upon such emperors as have ruled uprightly, and, in fact, shrines are built to them. All this took place in the winter; and the Pergamenians also received authority to hold the "sacred" games, as they called them, in honour of Caesar's [i.e. Octavian's] temple.[151]

The *Annals* of Tacitus also record the permission to build a temple to Octavian in Pergamon.[152] Dion was writing two and a half centuries after the event, and one cannot be certain that the contraposition of "commanded … permitted" (*prosetax … efêken*) reflects the actual events of 29 BC or whether the distinction is Dion's, used to open the discussion of cults for living vs. deceased emperors, an important subject for Dion and one which is elaborated in the speech attributed to Maecenas in the following book.[153] There are, however, no grounds for rejecting the essential elements of Dion's story: that an official cult of Rome and Caesar was established in the provincial capital Nikaia, and that – perhaps in response to the elevation of Nikaia, perhaps with a little prompting from above – a temple to Octavian was established in Nikomedia, though the parallel between the Nikomedian temple and that which the Hellenes of Asia were offering to establish in Pergamon may be a Dionian *ex post* rationalization.

    The expression "Hellenes" could be Dion's synonym for a regional council or *koinon*. The existence of an Asian *koinon* is known from two earlier sources, an edict of the 50's BC and a rescript of Marcus Antonius from the 30's BC, in which the *koinon* is identified as *to koinon tôn Ellênôn* or *to koinon tôn apo tês Asias Ellênôn*.[154] Though we have no comparable evidence for Bithynia[155] (apart from the Greek letters ascribed to Brutus, whose authenticity is highly dubious[156]) it would not surprise us to find a parallel Bithynian *koinon tôn*

Ellênôn. Similarly, the group designation "Romans" may be a metonym for the provincial organization. This would account for the choice of location: the "Romans" were to have their sanctuary not in Apameia – the only Roman colony in Bithynia – but in the Bithynian *mêtropolis*, Nikaia.

Although the temple of "the Romans" may have ranked higher,[157] the "temple of the Bithynians" in Nikomedia was the concern of the *koinon* and as such, more often in the eye of the Bithynian elite. After c. AD 20, when Nikomedia had become the provincial capital, its cult completely overshadowed that of Nikaia, which may have lapsed altogether.[158]

The cult of the ruler evolved into a major concern of the *koina* in Asia Minor, both of the Bithynian *koinon* with its temple in Nikomedia and even more so of the Asian *koinon*, with its multiple centres of emperor worship. It was, however, not the only concern. The existence of a *koinon* in Asia and presumably also in Bithynia before the principate is evidence that *koina* served other purposes, and continued to serve them after 29 BC. Before proceeding to a discussion of the activities of the *koinon*, however, an examination of its leading officers is required.

Archiereus and Bithyniarch

As a central function of the *koinon* after 29 BC was the cult of the emperor, one of its most conspicuous figures was the high priest, attested in our sources as the *archiereus*. The *sacerdos* or *archiereus* is a familiar figure of the imperial cult throughout the empire. In the inscriptions of Bithynia, however, we also find another title, that of Bithyniarch – and in neighbouring regions, we correspondingly encounter Asiarchs, Pontarchs and Lesbarchs. Within this group, which we may conveniently call "koinarchs", the Asiarchs are the best known, not only because they play a supporting rôle in the *Acts of the Apostles* but also because of the unusually ample documentation for individual Asiarchs.[159] That the Asiarchs, no less than the *archiereis*, were directly linked with the cult of the emperor is indicated by their titulature. As mentioned, Asia had more than one imperial cult, and the titles of *archiereis* are sometimes modified by naming the city to which they belong, e.g. *archiereus Asias naôn tôn en Smyrnêi, archiereus Asias naôn tôn en Sardeis* etc.[160] A closely similar wording is used for the Asiarchs: *Asiarchês naôn tôn en Efesôi, Asiarchês naôn tôn en Smyrnêi*.[161] But if both offices are related to the same sanctuaries, what is their relationship?

One solution, proposed in the late nineteenth century, taken up by Jürgen Deininger in his monograph on *Die Provinziallandtage der römischen Kaiserzeit* (1965), followed by Walter Ameling in his introduction to the inscriptions of Prusias ad Hypium (1985) and most recemtly restated by Peter Weiss (2002) is that the two terms are synonymous, i.e. that *Asiarchês, Pontarchês, Bithyniarchês* etc. are alternative titles for *archiereus*. The crux of Deininger's argument for the identity of the two offices is a passage of the third-century jurist Herennius Modestinus (*fl.* c. 240), preserved in the *Digest*[162] and laying down that one who

holds "a priesthood of an *ethnos*, that is, the Asiarchate, Bithyniarchate …" is exempt from the liturgy of guardianship during his term of office. *Ethnos* is in this context taken to be synonymous with *koinon*.[163]

Since the text of Modestinus is not preserved in its original context, but only as a quotation in the *Digest*, we cannot exclude the possibility that the gloss ("that is, …") has been interpolated later. In any case, Modestinus merely informs us that the Asiarchate or the Bithyniarchate is a priesthood (as already implied by the inscriptions linking the *Asiarchês* with a specific temple); for all his legal precision, he does not specifically identify the office as that of an *archiereus*.

There are, on the other hand, several arguments against the identity of the two offices, most recently summarized by Stephen J. Friesen (1999a, 1999b). It is striking that while the *archiereus* appears in the singular, we also encounter Asiarchs in the plural, for instance in Strabon and in the *Acts of the Apostles* where Paul is advised by "his friends the Asiarchs" not to enter the theatre at Ephesos.[164] The explanation offered by Deininger is that *Asiarchês* was a title that the holder could continue to use after his term of office had ended: once an Asiarch, always an Asiarch.[165] Thus some of Paul's friends will have been former *archiereis*. There are few parallels for titles being retained by *emeriti*, and the iteration of koinarchates also speaks against this hypothesis. For instance, in the late second century M. Aurelius Mindius Mattidianus Pollio of Ephesos (see also below, p. 109) was Bithyniarch "three times" according to the inscription recording his achievements.[166]

Even more difficult to explain is the occurrence of two supposedly synonymous words in the same *cursus*. Around AD 215, M. Aurelius Alexander from Amastris details his impressive list of offices and liturgies, stating unequivocally that he has served as "*archiereus tou Pontou … Beithyniarchês kai Pontarchês*";[167] in another, unfinished inscription from Prusa (fig. 20), the unnamed dedicand has served as [Bithyni?]arch, as Pontarch and twice as *hiereus tou sebastou*.[168] Clearly the *archiereus tou Pontou* and the *Pontarchês* are two distinct titles and offices. Similarly, an earlier inscription records a T. Flavius of Nikaia as both *archiereus* and Asiarch[169] (though in his case, one cannot exclude the possibility that he he was *archiereus* of Bithynia, not Asia, just as the Bithyniarch M. Aurelius Mindius Matidianus Pollio served as *archiereus* of Asia).

The above should be sufficient evidence that *archiereus* and *B(e)ithyniarchês* cannot be synonymous. As far as Bithynia is concerned, the interpretation of Friesen appears more convincing and is followed by Fernoux (2004) who sees the Bithyniarch as the supreme officer of the *koinon*, to whom the *archiereus* is subordinate: "Le *koinon* Bithynien avait à sa tête un seul et même personage, le bithyniarque. Ce dernier était assisté, pour les questions religeuses, de plusieurs personnages (…) et, surtout, l'*archiereus*, avec lequel le bithyniarque ne se confondait pas".[170]

But did the Bithyniarch officiate "seul et même"? We have seen that his col-

leagues, the Asiarchs, are mentioned in the plural by Strabon and in the *Acts*. Also, as both Deininger and Friesen have noted, the number of Asiarchs known by name is surprisingly high.[171] It is perhaps significant that for Bithynia, too, we have far more names of Bithyniarchs than names of *archiereis*.[172]

From the evidence of Strabon and *Acts*, it is clear that at a given time, there was more than one Asiarch; thus there may also have been several Bithyniarchs, Pontarchs etc. Deininger hypothesized that an Asiarch retained his title after leaving office; while this would explain the co-existence of several Asiarchs at one point in time, it does not increase the *total* number of Asiarchs. A more likely explanation is that in a given year, there was more than one Asiarch, and likewise more than one Bithyniarch.[173]

This will explain several other problems not addressed by Fernoux. Many notables held a koinarchate outside their home *koinon*. At least four Bithyniarchs also held the Pontarchate;[174] one Pontarch also served as Lesbarch;[175] a citizen of Nikaia served as Asiarch and a citizen of Pergamon as Bithyniarch.[176] The combination in one career of several koinarchates, even of regions as far distant as Pontos and Lesbos, is easier to understand if the koinarchate was shared with one or more colleagues, thus requiring less attention.

A further problem is that besides the familiar titles of *Bithyniarchês* and *archiereus*, we also find *[arxanta] tên megistên archên tou koinobouliou,*[177] *arxanta tou koinou tôn en Beithynia hellênôn,*[178] *archôn … tês eparchei[as]*[179] and *ethnei Beithynidos archês protôn en'Ellêsin.*[180] Fernoux interprets these titles as synonyms for Bithyniarch. However, in the *cursus* of Ti. Claudius Piso of Prusias ad Hypium, the formula *archôn tês eparcheias* is later followed by the title *Bithyniarchês.*[181] They must be two different functions, as proposed by M.D. Campanile,[182] or different ranks: if there was more than one Bithyniarch in a given year, the expression *arxas tou koinou* and its variants could be intended to distinguish a senior Bithyniarch from his junior or titulary colleagues.[183] On this interpretation, Ti. Claudius Piso held the office twice, the second time as senior Bithyniarch.

In the passage cited earlier, Strabon describes the city of Tralleis in Asia and notes that some of its citizens are among the "leading persons of the province, who are called Asiarchs".[184] That the Bithyniarchs, too, were "leading persons" of their province is confirmed by their names and careers (see below, p. 105-106). A significant part of the native Bithyniarchs and *arxantes tou koinou* known to us belong to the equestrian order, while the *archiereis* are not always Roman citizens.[185] In other words, the distinction between Bithyniarch and *archiereus* is social as well as functional.

Parallels to the Bithyniarchs and the other koinarchs are found in the early Ptolemaic empire. When the Nesiotic league of Aegean islands came under Ptolemaic control c. 286 BC, the office of Nesiarch was created.[186] A decree of 278 BC mentions a *Pamphyli[archês]*.[187] These officials were royal appointees and thus of high social status; they were not elected by the *koinon*. Otherwise,

the functions of the Nesiotic *koinon* resemble those of later *koina* in the Roman provinces: it issues honorific decrees, sends *theoroi* to important festivals and gifts as well as congratulatory delegations to the monarchs. It may also have taken a hand in settling inter-island disputes and dispensing justice.[188]

Some *koina* had their own mints. Coins were struck in the name of the *koinon Beithynias* from the early first to the mid-second century (fig. 7a). The actual work was done by the mint of Nikomedia. Since some Bithynian issues are virtually indistinguishable from the city's own coins, and the same reverse images are found on both, estimating the extent of regional coin production is difficult.

Koinon and governor

Deininger (1965) assumed *a priori* that in the Roman period, provincial councils played a leading role in pressing charges of maladministration (*de repetundis*) against former provincial governors, though this is not borne out by the sources quoted.[189] Ameling (1985) follows Deininger but goes one step further to claim that next to the cult of the emperor, *repetundae* suits were the most important function of the *koinon*.[190] If that were the case, most provincial *koina* had a very light workload. In the century from AD 10 to 110, Bithynia et Pontus is the province for which the highest number of cases *de repetundis* is known – seven[191] – but even so, forty years elapsed between the conviction of Tarquitius Priscus in AD 61 and the next trial known to us, that of Julius Bassus in AD 102. Furthermore, it is not at all clear that the Bithynian *koinon* was involved in every one of these cases. In fact, our sources mention the *concilium* only once, in connection with the trial of Varenus, where the council sent a delegate to Rome with instructions to *stop* the prosecution.[192]

In the earliest known case, the prosecution of the governor was instigated by his own *quaestor*;[193] in the other cases, several of which are described in some detail by the younger Pliny or by Tacitus, the plaintiffs are simply referred to as "the Bithynians".[194] While this phraseology does not exclude an active role for the *koinon*, perhaps even as instigator, such a role is nowhere attested in our sources; nor was it a prerequisite for a charge of *repetundae*. As Augustus reminded the Cyreneans in an edict,[195] anyone was entitled to file a charge *de repetundis* (and we note that within the century from 10 to 110, the province of Crete and Cyrenaica, though possessing no *koinon*, prosecuted at least five governors on *repetundae* charges and obtained convictions in three cases[196]).

A city or a group of cities, for example, could undertake a *repetundae* suit. In his speech of advice to the Nikaians "On concord", Dion says that disunity between Nikomedia and Nikaia plays into the hands of unscrupulous governors;[197] this remark is more easily understood if *repetundae* proceedings were normally undertaken by the leading cities of Bithynia. On the other hand, if the decision to prosecute were normally taken in the *koinon,* the abstention of either Nikomedia or Nikaia out of the twelve Bithynian cities would not prevent the motion being passed.[198]

Notes

1 Meyer 2004, 3.
2 *CTh.* 1.4.3.
3 Bagnall 1976, 244-245.
4 Pliny, *Ep.* 10.79: *Cautum est …Pompeia lege quae Bithynis data est*, "it is laid down in the Pompeian code for the Bithynians"; *Ep.* 114, *Lege … Pompeia permissum[est],* "It is allowed by the Pompeian code".
5 *FIRA* 1, 170-175.
6 For a discussion of the content and structure of the *lex Pompeia*, see Fernoux 2004, 130-131; Ameling 1984.
7 Pliny, *Ep.* 109: *Quo iure uti debeant Bithynae vel Ponticae civitates in iis pecuniis, quae … debebuntur, ex lege cuiusque animadvertendum est.*
8 *Inst.* 1.193. With good reason, Marshall (1968, 105) rejects Sherwin-White's (1966, 670) identification of the *Lex Bithynorum* quoted by Gaius with the Pompeian code. Gaius specifically gives this as an example of legal practice *apud peregrinos* that is parallel, but not identical, to Roman practice. If Pompey had modified the rules governing the guardianship of women, it is difficult to see why he should have made them similar to, but not congruent with, Roman practice. Furthermore, one might expect a legal commentator to refer to the Pompeian code by its official title. For a more general discussion of surviving indigenous law under the early empire, see Lintott 1993, 156-159.
9 Robinson 1997, 40-41.
10 *Letters to Atticus,* 6.1.15; Badian 1972, 89.
11 *Letters to Atticus,* 5.21.11-13; 6.1.6-7.
12 *Ep.* 10.54.
13 Dion, *Or.* 46.14.
14 Dion, *Or.* 34.9; 38.38; 39.4;
15 *Ep.* 10.27-28.
16 Cf. Basil's attempt to enlist his friend Martinianus, an intimate of the emperor, in his struggle against the demotion of Kaisareia, p. 46.
17 Dion, *Or.* 45.3.
18 Dion, *Or.* 45.8.
19 Talbert 1984, 393-398.
20 In practice, imperial legates had one advantage over their senatorial colleagues. A governor could not be prosecuted while he was still in office and only within a year after leaving it. It was difficult to plan the prosecution of an imperial legate, since the provincials could not predict when his term would end. The longer term of office also left a legate more time to establish counter-alliances against his local critics.
21 Talbert 1984, 396-397.
22 Talbert 1984, 395 (with further examples).
23 *Annales* 2.54. Tacitus, who was very sensitive of the senate's prerogatives, but also an uncritical admirer of Germanicus, has clearly chosen his words with care. As imperial deputy, Germanicus clearly had the authority to overrule the senatorial governor and his subordinates. It may even have been Germanicus who took the decision to relocate the provincial capital from Nikaia to Nikomedia, see Bosch 1935, 224.
24 Rémy 1988, 24-25; 82-83.
25 Talbert 1984, 400.

26 *Pace* the evaluation of Helmut Krasser (*DnP* 9.1141) who finds Pliny's political career "brilliant", Pliny's attainments were noteworthy but hardly exceptional for a young man of ability and good family. He served the mandatory stint as *tribunus militum* required of all upper-class aspirants to political careers, but saw no further active service. He attained a suffect consulate *suo anno* but neither praetorship nor consulate was followed by appointment to a province. Under Trajan he obtained an augurate (for his request for this office, see *Ep.* 10.13) and served as one of the *curatores alvei Tiberis*.

27 Compare, e.g., the careers of P. Paquius Scaeva, sent to Cyprus *ad componendum statum in reliquum provinciae* (*ILS* 915) and of Galba, appointed governor of Africa *extra sortem … ad ordinandam provinciam et intestina dissensione et barbarorum tumultu inquietam* (Suetonius, *Galba* 7). Unlike Pliny, Paquius had already served as governor once before, and in the same province. Galba had proved himself as governor in the senatorial province of Aquitania and as legate in the frontier province of Upper Germany.

28 Note also the implication of Trajan's reply to Pliny concerning the accounts of Apameia (*Ep.* 10.48) that "in this case" (*hoc*) Pliny should make a special inspection "at my desire" (*ex mea voluntate)*.

29 Although a number of irregularities are discovered by Pliny, there is no direct mention of Bithynian grandees being charged with maladministration or appropriation of public funds. Only one serious case is mentioned in the correspondence (*Ep.* 10.110), and that is from Pontus: an illegal grant of 160,000 HS made many years previously by the city of Amisos to one Julius Piso. Trajan advised Pliny to drop the charges (*Ep.* 10.111).

30 Though Pliny's adulation of Trajan in the *Panegyric* contains much implied criticism of Domitian, there is nothing in his earlier career to indicate that Pliny had taken a markedly anti-Domitianic stance; in his province, he was apparently on good terms with the remnants of the pro-Flavian faction including the philosopher and Domitianic *protegé* Flavius Hipparchos, who hoped to enlist Pliny's support in his conflict with Dion (*Ep.* 10.81). Cf. the case of Pliny's friend Tacitus, who enjoyed a successful career under the Flavians, emerging as a sharp critic of Domitian only after the latter's death.

31 Talbert 1984, 395-399.

32 Pausanias, 7.17.3. Although Pausanias – who had probably never been there – calls Sardinia a "very prosperous" (*eudaimôn*) island, it can hardly have been more than a symbolic compensation.

33 Pliny, *Ep.* 10.79.

34 Mommsen 1887, 1.570-572

35 Ameling, *IK* 27 p. 19.

36 *Ep.* 1.19.

37 *Ep.* 10.112.

38 Dion, *Or.* 50.1

39 Pliny, *Ep.* 10.79, *sit aliquanto melius honestorum hominum liberos quam e plebe in curiam admitti*.

40 Dion, *Or.* 49.

41 Salmeri (2000, 73-74) who views *boulê* and *ekklêsia* as representative of popular and elitist interests, respectively, "two political bodies" locked in a "class conflict" which from time to time erupted into large-scale civil strife. Salmeri cites Dion's *Or. 39* (the "Nikaian") and *homonoia* coins of Nikaia and Nikomedia, but

neither Dion's thirty-ninth oration nor the coins specify the parties in the conflict: they could equally well be two different factions *within* the *boulê* or within the *ekklêsia*.

42 Cf., for instance, the city charter of Parthicopolis in modern Bulgaria, dated to AD 158, where the council was limited to 80 members (Oliver 1958, 52-53)..

43 Liebenam 1900, 229-230 (with references). Libanios, *Or.* 2.33 implies that "in the good old days" 600 members was the normal size of a city council.

44 As Ameling (*IK* 27 p. 20) points out in his discussion of Prusias ad Hypium, there is a proportional relationship, probably around 1:30, between the number of junior magistracies and the total number of ex-magistrates on the council – but since we do not know the annual number of junior magistrates either, this is not very helpful. Cf. also Guinea Diaz 1997, 214-215.

45 Dion, *Or.* 45.7. C.P. Jones (1978, 96) estimates the council of Prusa at "several hundred" before the addition of the extra hundred.

46 Ameling, *IK* 27 p. 20. Ulpian's assumption (*Digest* 50.3.1, cf. note 48 below) that the rank of the councillors is laid down by the *city's* laws (*ut lege municipali prae-cipitur*) is significant: such matters apparently did not normally come within the scope of a provincial code. Cf. also Trajan's refusal to establish a provincial rule about *summa honoraria*.

47 *Digest*, 50.2.1; 50.2.2.pr.

48 *Digest*, 50.3.1.pr.: *Decuriones in albo ita scriptos esse oportet, ut lege municipali prae-cipitur: sed si lex cessat, tunc dignitates erunt spectandae, ut scribantur eo ordine, quo quisque eorum maximo honore in municipio functus est: puta qui duumviratum gesse-runt, si hic honor praecellat, et inter duumvirales antiquissimus quisque prior: deinde hi, qui secundo post duumviratum honore in re publica functi sunt: post eos qui tertio et deinceps: mox hi qui nullo honore functi sunt, prout quisque eorum in ordinem venit.*

49 Digest 50.3.1: *In sententiis quoque dicendis idem ordo spectandus est, quem in albo scribendo diximus*.

50 *Ep.* 10.113.

51 E.g., by Paul Veyne (1976, 277).

52 Fernoux 2004, 321.

53 See Quass 1993, 388-390 for a discussion (with references).

54 Veyne 1976, 251-253.

55 Cf., for third-century Athens, Gauthier 1985, 118-119.

56 Quass 1993, 297.

57 Quass 1993, 277-278.

58 Cf also Magie 1950, 61; 651-652.

59 Quass 1993, 321-322; for a Bithynian example, *IK* 27.4.

60 From the epigraphic evidence, which only records those who performed their liturgies and were subsequently honoured, it is not clear how frequently the urban rich tried to evade their obligations. In his twentieth oration, Dion briefly refers to situations where "someone who has amassed great wealth leaves the city in order to avoid the liturgies" (*Or.* 20.1).

61 In addition to taxes in cash, the imperial authorities might also impose other duties on the provincials, e.g., corvées, requisitions in kind or the obligation to maintain a road-station for the *cursus publicus.* Since these do not relate directly to the finances of the cities, they will not be discussed here.

62 Cf. Tacitus, *Agricola*, 19.

63 Lintott 1993, 78-79,

64 *Matthew* 11.19; *Mark* 2.16; *Luke* 5.30; 15.1.

65 Lintott 1993, 96-97.

66 According to Suetonius (*Vespasian*, 1) several Asian cities set up statues in honour of T. Flavius Sabinus, collector of customs duties and father of the later emperor Vespasian. It should also be remembered that the alternative to tax-farming was to leave the task in the hands of the city councils, i.e. the local landowners.

67 Lintott 1993, 78.

68 Cf. Pliny, *Letters* 7.18. The standard work on ancient trust funds remains Laum (1914) which, however, lists only one example from Bithynia. Gabriele Weiler, *DnP* s.v. Stiftungen (11.994) discusses various possible motives for establishing a fund, though not the practical consideration that, under the law of the early Empire, a city or other corporation could not inherit. One way to circumvent this prohibition was for the testator to stipulate in his will that the heir(s) should create an endowment, of which the city would act as trustee. For examples, see Pliny *Ep.* 5.7; 10.75. (endowment for the benefit of two Pontic cities). For a (fragmentary) list of Pliny's own endowments in favour of his home cities, *CIL* 5.5262 = *ILS* 2927. Cf. also *Digest,* 50.8.6 on cases where a bequest is insufficient to cover the cost of the project(s) envisaged by the testator.

69 *Contra* the assumption of DeLaet (1949, 356), based on Dion, *Or.* 38.32, that Nikomedia levied local harbour dues on goods passing through the port, see France 1999, 101 n. 27. For a possible alternative interpretation of the passage in question, Jones 1978, 87.

70 Pliny, *Ep.* 10.23.

71 For the widespread use of municipal slaves in the early Imperial period, see, most recently, Weiss 2004; in Bithynia, Pliny, *Ep.* 10.19-20; 31-32. The use of public slaves later declined: Lenski 2006, 347-348.

72 E.g., the aqueduct of Nikomedia, Pliny, *Ep.* 10.37.

73 E.g., the theatre at Nikaia, Pliny, *Ep.* 10.38.

74 E.g., the colonnade at Prusa, Dion, *Or.* 48.11.

75 *Digest*, 50.12.

76 *Digest*, 50.12.1; 12.3; 12.6; 12.9; 12.14; see also Quass 1993, 211-212.

77 *Digest*, 50.12.4 (Marcianus); 50.12.7 (Paulus).

78 Dion, *Or.* 48.11. In *Or.* 47.19, Dion moots the possibility of "asking the proconsul to collect", presumably a euphemism for taking legal action against the recalcitrant donors.

79 Pliny, *Ep.* 10.39.

80 Pliny states emphatically that the building shows "enormous cracks" (*rimae ingentes*); he visited Nikaia on several occasions, and his description gives an impression of autopsy. A visual inspection of the theatre as it stands today, however, reveals no traces of cracks or large-scale subsidence.

81 Pliny, *Ep.* 10.37.

82 Pliny, *Ep.* 10.17b.

83 For instance, according to Philostratos (*VS* 548), an aqueduct project at Alexandria Troas overran its budget by more than 130 %.

84 Vitruvius, 10.1-2.

85 *IK* 39. 1a.

86 Dion, *Or.* 45.6. Since Dion explicitly says that he "has heard many tell of this", the event must have taken place before his return to Prusa.

87 Pliny, *Ep.* 17a.

88 *IK* 13.627.
89 Officers of the *gerousia*: *IK* 39.5; 19 (Prusa); the *phylai*, *TAM* 4.1.42 (Nikomedia); the gymnasium, *IK* 10.1209 (Nikaia).
90 *IK* 25.6; Robert 1950, 80-93.
91 Compare IK 9.57 and 9.61 (Nikaia), *IK* 27.38 (Prusias ad Hypium).
92 *IK* 27, p. 24-25.
93 Fernoux 2004, 323.
94 *IK* 9.61. This is not an official inscription of the city, but was set up by a *gerousia*.
95 In Prusias ad Hypium, a candidate was apparently only elected to the first archontate after serving as ordinary archon; see *IK* 27, p. 22.
96 For examples, see Quass 1993, 324-326.
97 Cf. Pliny, *Ep.* 10.118-119. In AD 66, Nero, returning from his tour of Greece, invoked the same tradition by entering Rome through a breach in the walls, Suetonius, *Nero* 25; cf. Plutarch *Mor.* 639E.
98 Pliny, *Ep.* 10.75. For the tasks of the agonothete, see also Quass 1993, 303-317.
99 For the numerous *agônes* of Nikaia, see Şahin, *IK* 10.3, pp. 66-78.
100 Cf. the career of an anonymous Prusan (the subject of *IK* 39.13) who was *logistês*, *pontarchês* and agonothete.
101 E.g., *IK* 29.16 (Prusias ad Mare).
102 Cf., e.g., Aristophanes, *Acharnians* 723, 824, 968; *Wasps* 1407.
103 *Ath.Pol.* 51.1-4.
104 *TAM* 4.1.262 = Şahin 1974, 34.
105 *IK* 9.60. For further examples, see Quass 1993, 267-269.
106 Dion's *Or.* 46 was given in Prusa during a period of grain shortage; no mention is made of a public fund for purchasing grain, and in fact it is implied (46.8) that if money is to be applied towards that purpose, it will have to be borrowed. It has been argued that Pliny, *Ep.* 10.24-25 refers to an "oil fund" in Prusa; see Sherwin-White 1966, 594 (with references). In the context, however, it seems unlikely that either Pliny or Trajan would consider transferring money to a building project from a fund intended to safeguard the provision of basic foodstuffs for the population. In the smaller city of Prusias ad Hypium a grain fund (*IK* 27.8; 11) as well as an oil fund (*IK* 27.9) are attested in the third century AD.
107 Quass 1993, 260-263.
108 Cf. Dion's proposal, *Or.* 46.14, to elect "men who are financially able and have not previously performed liturgies" (*tous dynamenous cheirotonein kai mê leleitourgêkontas*) as overseers of the Prusan market.
109 Laum 1914, no. 70 (Tralleis).
110 De Ruyt 1983, 193 (restoration of a porticus in the market of Tegea).
111 *IK* 36.146 (Tralleis), see also Bekker-Nielsen 2007.
112 *Metamorphoses* 1.25-26, translation adapted from Hanson 1989.
113 Pliny, *Ep.* 10.43-44.
114 When Pliny (*Ep.* 10.79) writes of councillors "admitted by the censors" he is presumably referring to candidates elected by the *ekklêsia* (no doubt endorsed by the *boulê*), who required the censors' approval before being officially admitted to the council.
115 This is clear from *Ep.* 10.79 where it is the censors-designate who wish to consult Pliny.

116 For an example from Bithynia, see *IK* 27.9 (Prusias ad Hypium), recording how M. Aurelius Philippianus Iason financed the construction of a colonnaded street (*plateia*) during his term as censor. Quass (1993, 214 n. 786) and Ameling (*IK* 27, p. 61) take the inscription to indicate that Aurelius made the donation *as* censor ("in dieser Eigenschaft") but *en tôi kairôi tês timêteias*, "at the time of his censorate" implies no such connection. On the meaning of *plateia*, see Robert 1937, 532.

117 *IK* 27.3; 4; 10; 17; 47.

118 *OGIS* 549. For a discussion, see Fernoux 2004, 336.

119 *IK* 29.7 = *IK* 10.726.

120 *IK* 27.10; 17.

121 Cf. *IK* 39.3: *grammateus boulês kai dêmou*; *dêmos* presumably as a metonym for *ekklêsia*.

122 Quass 1993, 297-298.

123 For a detailed discussion of the role of slaves in Greek city archives of the early Roman period, see Weiss 2004, 78-84.

124 There was no fixed *cursus honorum* in the Asian cities (Fernoux 2004, 140 *contra* Sherwin-White 1966, 671) but the office of *grammateus* usually comes at the beginning of a man's career, shortly after or (more often) before the post of *agoranomos*.

125 *Acts* 19; for a discussion, Bekker-Nielsen 2006, 113-114.

126 See Weiss 2004, 53 for the career of Gaius, a former city slave who after emancipation attained the position of *oikonomos* (= *vilicus*); as Weiss notes, this suggests that Gaius had held "eine gehobenere Verwaltungsposition" in the city administration.

127 Suetonius, *Vespasian*, 23.

128 Aristides, *Sacred tales*, 4.81; for the informal power wielded by the governors' entourage and the corruption to which it exposed them, see Braund 1998.

129 In the late 370's, Gregory of Nyssa complains that his province, Cappadocia, suffers from "a dearth of persons who are able to write" (*Ep.* 15). Bithynia was more urbanised than Cappadocia, but even if its population were able to compose short texts, many would no doubt need assistance when addressing the authorities.

130 A third-century inscription set up by the phylarchs of Prusias ad Hypium (*IK* 27.10) records the achievements of the dedicand in great detail, including his service as "*logistês* of the sacred *gerousia*".

131 Of course, some inscriptions may have been set up before the person reached the minimum age for entry into the *gerousia.*

132 Quass 1993, 390; Fernoux 2004, 302-303.

133 Since the *gerousia* invariably appears in the singular and, unlike *phylai*, without an identifying epithet, we may assume that as a rule, there was only one *gerousia* in each city.

134 Cf. *IK* 39.5 and 39.19, where the treasurer of the Prusan *gerousia* is mentioned along with the archon.

135 Quass 1993, 286-287.

136 Quass 1993, 317-319.

137 Quass 1993, 287.

138 For examples, see Quass 1993, 206-207.

139 Nikaia: *IK* 9.61; 9.65; 10.1209. Nikomedia: none. Prusa: *IK* 39.24; 40.1042.

140 In some cities outside Pontus-Bithynia – not affected by the timocratic provisions of the Pompeian code – the practice of election by *phylai* persisted well into the Roman period, e.g. in Athens and Kyzikos (Quass 1993, 385).

141 *IK* 27.1-16.

142 Marek 2002.

143 Ameling, *IK* 27, p. 26-27; Fernoux 2004, 65-55. Given the paucity of Apameian inscriptions, the absence of evidence for *phylai* may be coincidental.

144 *IK* 9.554.

145 *TAM* 4.1.60 (AD 98/99).

146 For a detailed discussion of *phylê* naming practice in Bithynia, see Marek 2002, 43-46, *contra* Ameling *IK* 27, p. 25-26.

147 One might imagine that imperial visits provided the occasion for renaming *phylai* in honour of members of the imperial house – but although Prusias ad Hypium and Klaudioupolis are located on the same land route across northern Anatolia, their *phylai* are named after different emperors; see Marek 2002, 43.

148 *TAM* 4.1.42

149 In fourth-century Antioch, the *epimelêtai tôn phylôn* were charged with maintaining public order and holding inquests and on occasion functioned as public prosecutors; Liebeschuetz 1972, 122-123.

150 *IK* 39.21.

151 Cassius Dion 51.20.5-9, trans. Earnest Cary (Loeb).

152 Tacitus, *Annals* 4.37.

153 Cassius Dion 52.35.

154 *IPriene* 106; Ehrenberg & Jones 1976, 300.

155 For a detailed but highly hypothetical reconstruction of the origin and stages of development of the Bithynian *koinon*, see Marek 1993, 77-79.

156 Cf. the edition of Torraca 1959, no. 59; on the question of authenticity, see most recently Moles 1997.

157 One notes that Dion Cassius mentions the "temples of the Romans" first, with the "temples of the Hellenes" in the nature of an afterthought.

158 The imperial cult in Nikaia is not mentioned by later sources, nor have any remains of the temple itself been located.

159 Friesen 1999a, 304-305.

160 Deininger 1965, 39.

161 Deininger 1965, 42.

162 *Dig.* 27.1.6.14. In Scott's translation, the opening words are rendered "The *governorship of a province*…". There are no parallels, however, to support the equation of *hierarchia* with a governorship; on the contrary, if a provincial governor were meant, we would expect *eparcheia* in the place of *ethnos*.

163 Deininger 1964, 44-45.

164 Strabon, 14.1.42; *Acts* 19.31.

165 Deininger 1965, 46.

166 *IK* 13.627.

167 *OGIS* 531 = Marek 1993, 95. Deininger mentions this inscription in passing (1965, 64 nn. 9-10) but makes no attempt to explain the co-occurrence of two synonymous words.

168 *IK* 39.13.

169 *IK* 10.73; this inscription was not known to Deininger in 1965.

170 Fernoux 2004, 353.

171 Deininger 1965, 42; Friesen 1999b, 283-284.

172 Fernoux 2004, 350-352, table 18. Of course, if a person had attained the Bithyniarchate, the less prestigious post of *archiereus* may sometimes have been omitted from the list of his offices.

173 That Asiarchs were eponymous is no objection. In the late Hellenistic period, the Ainian league had five Ainiarchs, one of whom was eponymous; see Martin 1975, 361; 545.

174 *OGIS* 531 = Marek 1993, no. 95, *IK* 27.17; 29; 53.

175 Marek 1993, no. 19.

176 *Inschr.Askl.* 151.

177 *TAM* 4.1.33

178 *IK* 27.3; 9; 10; 51.

179 *IK* 27.9.

180 *IK* 31.16.

181 *IK* 27.9; for a parallel case from Pontos, see Marek 1993, no. 19: *pontarchên kai lesbarchên … prôteuonta tôn eparcheiôn*: "Pontarch and Lesbarch … the leading man of the provinces" (i.e. Pontos and Lesbos).

182 Campanile 1993, 348.

183 Apart from one inscription in Nikomedia (*TAM* 4.1.33) the use of these phrases is localized to Prusias ad Hypium and the neigbouring city of Klaudioupolis. The titulature used in Prusias ad Hypium has other peculiarities, such as the title *hellenarchês* (*IK* 27.5; 46) in place of the more usual *helladarchês*.

184 Strabon, 14.1.42, *hoi prôteuontes kata tên eparchian, hous Asiarchas kalousin*. This definition is dismissed by Deininger (1965, 43) as "freilich ungenau genug" but invoked by Ameling (*IK* 27, p. 31) in support of the theory that *archiereus* and *Asiarchês* are synonymous.

185 On the other hand, Friesen (1999a, 305) found that in Asia, the proportion of Roman citizens among the *archiereis* was slightly higher than among the Asiarchs (92.6 % and 88.9 % respectively). This difference is unlikely to be statistically significant. The earlier assumption of Ramsay (1941, 6-7) that imperial priests must be citizens and if they were not, then received the franchise when they were appointed, is clearly untenable.

186 Bagnall 1976, 137; 156-157.

187 Bagnall 1976, 111, with references. In 204 BC the murderer of Arsinoë III, Philammon, was appointed "*Libyarchês* of the region of Kyrene" to get him away from Alexandria; it is not clear, however, whether this is a technical term or used in a more general sense by our source, Polybios (15.25.12).

188 Bagnall 1976, 139-141.

189 For instance, Deininger (1965, 166-167) analyses the speech of Paetus Thrasea, as paraphrased by Tacitus (*Annals* 15.21-22) in great detail as evidence for the actions and scope of authority of "*Landtage*" (provincial councils), but the word *concilium* or its equivalents occur nowhere in the text. In fact, Thrasea says that governors were praised or prosecuted *ad nutum alicuius*, "at anyone's prompting" (15.22).

190 Ameling, *IK* 27 p. 30.

191 Brunt 1961, 227, table III.

192 Pliny, *Ep.* 7.6.

193 Tacitus, *Ann.* 1.74.

194 Tacitus, *Ann.* 12.22 (Cadius Rufus); Cassius Dion, 60.33 (Junius Cilo); Tacitus, *Ann.* 14.46 (Tarquitius Priscus); Pliny, *Ep.* 4.9; 6.29 (Julius Bassus); *Ep.* 5.20; 6.5; 6.13; 7.10 (Varenus Rufus).
195 *FIRA* 1, 409-414.
196 Brunt 1961, 224-226, table I.
197 Dion, *Or.* 38.36.
198 For a parallel example from Cilicia, see Dion, *Or.* 34.9, referring to the successful prosecution of several "rulers" *(hêgemones)* by the city of Tarsos and the reactions this provoked in the province and at Rome; cf. also *Or.* 34.42. C.P. Jones (1978, 76-77), basing himself on Deininger (1965, 167-168), assumes that the *hêgemones* are provincial governors and that Tarsos acted on behalf of the *koinon*, "since only this could prosecute a governor". As, however, this section of the second Tarsian oration is concerned precisely with the city's claim to be the leading city of the province, one would expect Dion to emphasize how the city had acted on behalf of the *koinon* – if that were actually the case. For other examples of Dion's use of *hêgemôn* as a synonym for governor, see *Or.* 38.33; 38.36; 39.4; for his use of *hêgemôn* and *stratêgos*, Bost-Pouderon comm. ad *Or.* 34, vol. 2, p. 88-89.