

de ventes d'esclaves attestées par les papyrus d'époque romaine',²² Annexe 3: 'Le sexe des esclaves mis en vente'. Annexe 4: 'Propositions de corrections et interprétations nouvelles'.

Le livre de J.-A. Straus se distingue par plusieurs qualités. L'auteur fournit une analyse exhaustive non seulement des contrats de vente mais aussi de toute la documentation adjacente ne se limitant pas aux données égyptiennes mais tenant compte de la documentation des pays voisins. C'est pourquoi le sous-titre indique qu'il s'agit de l'étude de l'esclavage *dans une province orientale de l'Empire romain*. Le choix des documents démontre une prudence digne d'éloges, chaque document est analysé scrupuleusement ce que lui a permis de nuancer l'interprétation de beaucoup de papyrus, d'améliorer leur texte (voir 'Appendix 4') et d'éliminer certains documents.

Chaque problème est traité minutieusement en tenant compte de tous ses aspects. Seulement deux exemples. L'onomastique des esclaves a depuis longtemps attiré l'attention des chercheurs,²³ car les noms des esclaves fournissent des données significatives sur la religion, la mentalité, le comportement à l'égard de l'esclave de son maître. I. Biezuńska-Maowist a dressé dans la seconde partie de son ouvrage sur l'esclavage dans l'Égypte gréco-romaine (voir n. 13) une liste des noms d'esclaves mentionnés dans les papyrus (171-77). J.-A. Straus consacre à l'onomastique des esclaves un paragraphe (249-62) et divise les noms en catégories (noms d'esclaves étrangers, noms tirés de la religion et de la mythologie, noms d'après personnalités historiques, sobriquets comme noms d'esclaves, noms et adjectifs favorables ou défavorables comme noms d'esclaves et divers).

L'étude des documents de vente des esclaves implique l'obligation d'analyser et de se prononcer sur un grand nombre de problèmes juridiques. J.-A. Straus a consacré à cette analyse les pages 91-177 en accordant une attention spéciale à l'analyse des théories de deux grands maîtres de la papyrologie juridique: la théorie de F. Pringsheim sur la vente en droit grec et la théorie de H.-J. Wolff sur la *καταγραφή*.

Aux qualités du livre on peut ajouter l'inclusion de 46 tableaux et d'un grand nombre de citations des papyrus, souvent larges, dans le texte du livre et dans les notes. En même temps on peut regretter l'absence d'un Index rerum, d'un Index des noms (des savants) et d'un Index des termes grecs et latins. En conclusion le livre de J.-A. Straus est un magnum opus qui rendra services à tous les historiens de l'esclavage qui sans doute seront d'accord avec l'auteur que 'la vente de l'esclave nous conduit au cœur même de l'esclavage'.

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Uri Yiftach-Firanko, *Marriage and Marital Arrangements, A History of the Greek Marriage Document in Egypt, 4th century BCE-4th century CE*. Münchener Beiträge zur Papyrusforschung und antiken Rechtsgeschichte 93. München: Verlag C. H. Beck, 2003. xiii + 388 pp. ISBN 3 406 51167 8.

During the past century, dozens of studies have been devoted to Greek marriage documents and marital arrangements in Egypt. Indeed, those who are familiar with the basic studies of Monte-

²² Cf. 'Liste commentée des contrats de vente d'esclaves' (voir n. 16).

²³ Sur les noms d'esclaves voir la bibliographie détaillée de I.F. Fikhman, 'On Onomastics of Greek and Roman Egypt', dans R. Katzoff, Y. Petroff, D. Schaps (Edd.), *Classical Studies in Honor of David Sohlberg*, Ramat Gan (Israel), 1996, 410-11. Ajouter: O. Masson, 'Le nom des esclaves dans la Grèce antique', *Actes du Colloque 1971 sur l'esclavage (CRHA, 6 = ALUB, 140)*, Paris, 1972, 9-23; R. Fragidakis, *Die attischen Sklavennamen von der spätarchaischen Epoche bis in die römische Kaiserzeit. Eine historische und soziologische Untersuchung*, Diss. Mannheim, 1986; H. Solin, *Die Stadtrömischen Sklavennamen. Ein Namenbuch*, Teil I; *Lateinische Namen*, Teil II; *Griechische Namen*, Teil III, *Barbarische Namen (FAS Bh. 2)*, Stuttgart, 1996.

vecchi, Wolff, Häge, Méléze-Modrzejewski, and others may find it difficult to believe that anything new and significant could be written on these topics. They will be surprised to find that Uri Yiftach-Firanko has produced precisely such an extremely important and fresh study on this topic. Y's special merit is to make clear the regional and chronological variation in the surviving evidence, something which was totally neglected in G. Häge's *Ehegüterrechtliche Verhältnisse in den griechischen Papyri Ägyptens bis Diokletian*, 1968. In this way he is able to reconstruct developments and suggest explanations which are far more convincing than those which have been offered before. In the following, I attempt to summarize his main conclusions, with some occasional critical remarks.

The book begins with a very clear exposition of the sources, i.e. 141 Greek marriage documents, in several tables and lists. It includes seven documents from outside Egypt, but not Latin or Demotic marital instruments, which are listed separately and receive much less attention. Most documents derive from either the Arsinoites or Oxyrhynchites, so that conclusions on regional variation must largely be limited to these two administrative districts. The timeframe extends from the beginning of the Ptolemaic period to the end of the fourth century CE. Later marriage documents are omitted by Y, who thinks they should be studied in connection with Byzantine marriage practices. It is true that the structure of the marriage contracts changed totally in this period. Thus, as Y's interest is more in legal history and documentary practice than in social history, his decision may be accepted.

The first main chapter is devoted to the act of marriage itself (41-54). Many Greek marriage contracts have a clause recording the so-called *ekdosis*, the 'giving away' of the bride to the groom. The *ekdosis* is known from classical Athenian sources, so it was clearly taken to Egypt by the Greek immigrants. But unlike in Athens, where it was always performed between two men, in Egypt even women, notably mothers, could 'give' brides away, not to speak of those cases where the bride herself performed the *ekdosis*. In the Roman period, a special clause of *ekdosis* is well attested in Oxyrhynchos, and also outside Egypt, while it does not occur in the Arsinoites. For this reason, Wolff argued in 1939 that *ekdosis* was performed only in Oxyrhynchos, the Arsinoite people favouring what he called 'free marriage'. This latter type of marriage was, according to Wolff, established without any formal act. In the written evidence, it was represented by those marriage contracts which are formulated simply as dowry receipts and which are the dominant type in the Arsinoites. Y argues against this that the *ekdosis* did not need to be recorded, because it could be presumed in every case where a dowry had been given. Thus, the *ekdosis* was the only formal act of marriage in Roman Egypt up to the fourth century CE, the only variation being that it was mentioned in the Oxyrhynchite scribal tradition while it was omitted in most other regions. Y's reasoning is generally sound. I am left wondering whether he still attaches too much importance to the mere word *ekdosis*. Our sources never describe it as a formal procedure, such as 'the physical act of the wife entering the house of her prospective husband' (53). I think Y should at least have considered the possibility that the *ekdosis* had lost all its concrete sense, turning its mention into a redundant clause, meaning simply that someone had concluded the marriage on the bride's side, be it her father, some other relative, or herself. This would explain the evidence just as elegantly, with the same variation in regional scribal practices, while still preserving Y's basic argument that there was only one type of marriage in Roman Egypt.

In the second main chapter (55-79, the first part already published in *JJP* 29, 1999), Y addresses the problem of the so-called double documentation of marriage. Some documents of the Ptolemaic period imply that after one marriage contract (*syngraphe homologias* or *homologia gamou*) had been drawn up, another (*syngraphe synoikesiou*) might or should be concluded later. A similar system appears in Alexandrian marital arrangements in the Augustan age. This has caused much confusion among papyrologists, who have tried to explain the two different documents as referring either to two different legal types of marriage, or to successive stages in the formation of one marriage. With the help of a group of documents published in *CPR* XVIII in

1991, Y seeks to bring this discussion finally to a conclusion. He maintains that the second document, which was entirely optional, was only used to secure public recognition for the privately composed first contract, as the second one was deposited in an official archive. Already in the Ptolemaic period, however, the changes in documentary practice made the private contract sufficiently secure as well, so that double documentation became dispensable and could be omitted altogether. There was never a legal distinction between the two contracts. This is a wholly satisfactory explanation, reviving old views which had been superseded by Wolff's theory in 1939 (cf. also A.-M. Vérilhac and C. Vial, *Le mariage grec du VI^e siècle av. J.-C. à l'époque d'Auguste*, 1998, 25-26, who already argue against Wolff).

The next chapter (81-104) is devoted to those cases where a marriage was concluded without any written documentation (*agraphos gamos*). This is known to have been extremely common in Roman Egypt, though the phenomenon is, by its very nature, impossible to quantify. Y adduces some slender statistics to suggest that more than half of the marriage documents were composed some time after the marriage had been concluded (94-98). Such statistics of course omit those cases where no contract was ever written. Y also contends that in sibling marriage (a common feature of Egyptian society) the spouses were more likely to leave their union undocumented, which is quite possible (98-102). The general impression of our sources is that the written document had no legal significance for the marriage itself. However, a few papyri, notably the key document *P. Oxy. II 237*, suggest that some difference existed after all. Here Y can do little more than present the problem in very clear terms.

In this connection, it is worth pointing out that about half of the existing marriage contracts come from the second century CE, and there is a rather abrupt decline in their numbers soon after 200 CE. Contrary to what Y says (21), this distribution does not follow the pattern of documentary papyri in general: between the years 200 and 350 we would expect many more marriage documents if their distribution followed that of all papyri. This phenomenon has, as far as I know, never been explained. Since Y is so thoroughly familiar with the contents of marital documents in this period, he would have been the ideal person to tell us why the written contract became so rare in the third century. We can only hope that he will return to the problem in the future.

The most important part of the book is the chapter on the dotal system (105-82). The *communis opinio*, elaborated above all by Häge, maintains that the Greek dowry in Egypt (*pherne*) never contained land or slaves, the most important assets of a family. They could be given to the wife as *prosphora*, while jewellery and other chattels were often given as *parapherna*. The latter categories of property, unlike the *pherne*, were not owned by the husband during marriage. Y quite convincingly argues that there is no reason to believe that this system prevailed already in the Ptolemaic period. Ptolemaic marriage contracts rarely list the contents of dowries. There is, however, some evidence to indicate that land and slaves indeed could be included in the dowry (107-13). It was only in the Roman period, with the introduction of the *prosphora*, that such items disappear from dowries. Y next proceeds to show that the development of the *parapherna* and *pherne* are closely linked (144-53). In the first century CE, the former was frequently far more valuable than the latter: the wife retained her most expensive jewellery and clothing as her *parapherna*, because in this way she preserved better control over them. The dowry retained only symbolic value and might perhaps soon have disappeared altogether. However, at the beginning of the second century, the regulations for the dowry changed so that the husband became liable both for the return of individual dotal items and for their depreciation. This led, according to Y, to a reversal in the relative values of the *pherne* and *parapherna*. In the second century, gold jewellery was included in the dowry, which thus gained new prominence, while the *parapherna* now contained only relatively cheap household implements and clothing. Its dwindling financial importance may explain why it was from the third century left unrecorded in Egyptian marital documents (145, 149).

In Y's narrative, the thread running through all these developments is the increasing control of the wife over her property (clearly summed up in 262-68). Although I am not wholly persuaded of all the claimed motivations (such as fear of the depreciation of jewellery), the general picture he has created appears extremely convincing and far better than the rather static description offered by Häge. Y explains all the phenomena in his material as internal developments in Egypt, and he may be right. Although Palestinian documents are occasionally mentioned, he does not really discuss possible links with social practices prevailing in the eastern Mediterranean at large. In this way Y achieves a very compelling and focused line of reasoning. Readers interested in social and family history might have appreciated some hints of how his findings fit into a larger picture. He also expressly omits the history of the *hedna*, gifts from the groom's side to the bride's side (6). They appear in papyri at the beginning of the fourth century and seem to have increased in value both in Egypt and elsewhere in the later Roman empire. Their emergence must be placed in the third century, but Y may be forgiven for not discussing a phenomenon for which there is no evidence, however closely it is connected with the main topic of his book.

The book's remaining chapters, dealing with other clauses in marital documents, seem to me competent though less innovative. They also argue for a general improvement in women's rights. Y can perhaps be criticized for always looking for logical rules and rational motives behind different practices, when the observed phenomena may sometimes have been due simply to inertia or misunderstandings, and may have been just as ambiguous for contemporaries as they are for us. One such irrelevant relic may be the *praxis* clause, which Y suggests had no bearing on the right of execution (236-37), and even *kyrieia* (240-57). Perhaps the same could be said of the rules which governed return of the dowry after divorce: it is difficult to see what it really mattered for the spouses that the *pherne* had to be returned in sixty days (208-14), if in the first century CE it had mainly symbolic value (150-52). Finally, I find it less probable that *hekousa* in *P. Gen.* I 21 could refer to the wife agreeing with her father, who wished to dissolve her marriage (201-3).

The text is followed by no fewer than a hundred pages of informative charts and tables, an edition of six previously unpublished marriage documents, and appropriate indexes. Y's virtues are clarity, reliability, systematic approach, attention to details, and ample documentation, not entertainment or broad visions. His book is not written for beginners but for those who have a previous interest in the topic, and for them it is easy to read. It has changed my views on marital arrangements in Roman Egypt. Some difficult gaps in our knowledge he leaves undiscussed, which is a pity but perhaps unavoidable. His book will be necessary reading for anyone publishing new marriage papyri and for all those who wish to study the dowry and other marital assets in the ancient Mediterranean.

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L.H. Schiffman (ed.), *Semitic Papyrology in Context: A Climate of Creativity. Papers from a New York University Conference Marking the Retirement of Baruch A. Levine*. Culture and History of the Ancient Near East 14. Leiden and Boston: Brill, 2003. xiv + 288 pp. ISBN 90 04 12885 9.

In 2003, four years after Professor Levine had already received a Festschrift (R. Chazan, W.W. Hallo and L.H. Schiffman [eds.], *Ki Baruch Hu: Ancient Near Eastern, Biblical and Judaic Studies in Honor of Baruch A. Levine*, Winona Lake, IN, 1999), the proceedings of a *siyyûm* held in his honour were published. This well-produced volume consists of twelve learned papers, followed by Levine's epilogue, in which he comments not only on his colleagues' contributions, but also (in a personal and thoughtful manner) on the 'power of language'. A detailed and helpful index of ancient sources cited closes the volume. The choice of the conference topic was related to