

(cf. 15.5; 20.10–11). Land of Kleopatra III is known from the Herakleopolite land registers of *BGU XIV*, for which Scholl, *Corpus der ptolemäischen Sklaventexte*. (1990), 977, suggested a second-century B.C. date. Here the specification of queen's land as that 'previously of the mother of the king', 15.6, suggests that, like some *klêroi*, 'queen's land' also became a 'fossil' category. If so, when at a later date 'land' and 'farmers of the queen' are mentioned (3.6; 6.2; 15.5; 20.11), the reference would be to land which once belonged to Kleopatra III rather than land of the current queen (as implied in Index I). In 4.19 'royal revenues' (*ta basilika*) are probably mentioned rather than the 'royal farmers'. 5–7, where some of the figures are repeated, again treat crops. 5, 8, and 20 all record emmer (Egyptian *olyra*) still cultivated in the first century B.C. (The argument from silence made by Thompson in Bowman and Rogan, *Agriculture in Egypt* [1999], 128–30, now needs modification.) 8 records the payment in kind of the annual *syntaxis* to the priests of a local temple, and in 9 the orphaned son of a cleruch requests a seed loan for the land once held by his father and a vineyard now held by his mother; grain might be cultivated among the vines. The claim of 'weakness' (l. 7) made here recurs in a broader context in 20.8 as a reason for special treatment; the frequent occurrence of *asthenês* or *astheneia*, cf. 5.4, 15, and *BGU VIII* index, suggests that such claims should not always be taken at face value. 10–16 are payment orders made to the *antigraphais* in the granaries of different toparchies of the Herakleopolite nome, providing information on the organization of the granary and the transport of wheat to Alexandria. 17–20 record seed orders and (20) a tax reduction.

All in all, this is an interesting set of texts, well presented and accompanied by some excellent discussion. The close consideration of the rôle of the cartonnage adds an important dimension to this study.

Girton College, Cambridge

DOROTHY J. THOMPSON

LAW IN THE POPYRI

H. J. WOLFF: *Das Recht der griechischen Papyri Ägyptens in der Zeit der Ptolemaer und des Prinzipats. Erster Band. Bedingungen und Triebkräfte der Rechtsentwicklung. Herausgegeben von H.-A. Rupprecht.* (Handbuch der Altertumswissenschaft 10.5.1.) Pp. xix + 276. Munich: Verlag C. H. Beck, 2002. Cased, €76. ISBN: 3-406-48164-7.

In the book under discussion the great legal historian Hans Julius Wolff, in his usual *lucid* style—italicizing the key terms—discusses the background of the 'law of the Greek papyri'. Where is it coming from? What were the politics, if any, behind it? How does it relate to other legal systems that were valid in late period Egypt, in particular native Egyptian and Roman law? In discussing these matters, W. confines himself to Egypt, to the Greek and Roman period (roughly 300 B.C.E.—C.E. 300), and to judicial, private, and penal law (pp. 4–7). The present book is the first of W.'s projected three-volume set describing the 'law of the Greek papyri'. The second volume in the set, dealing with the organization of the private law in Ptolemaic and Roman Egypt, appeared in 1978, and the third will be published (see p. IX), but it is not stated when. The present book was left unfinished by W. upon his death in May 1983, and was brought to completion between 1997 and 2000 by adding a paragraph

The Classical Review vol. 54 no. 1 © The Classical Association 2004; all rights reserved

about the field of legal papyrology (para. 2), and a little supplementary bibliography (pp. 203–12) by another great legal historian, Hans-Albert Rupprecht.

W. defines the ‘law of the Greek papyri’ as the law that we find applied in the Greek papyrus documents from late period Egypt. This, he contends, is largely Greek law, and makes use of legal forms that form part of the Greek tradition without, however, being a mere *copy* of it. He sees the workings of the law of the Greek papyri in several categories: in the Egyptian countryside we find largely private law, what he calls the ‘*juristische Koine*’; in the laws of the Greek cities in Egypt (Naukratis, Alexandria, Ptolemais, and later Antinoopolis), and back in the Greek homeland (the so-called *politikoi nomoi*; see pp. 55–8); and in the royal decrees (largely judicial law). Most information can be gained about the first category, because most surviving papyri deal with such matters of private law.

W., in good legal historian tradition, holds that the law we find in the Greek papyri from Egypt is the same in the Ptolemaic and Roman period, enabling him to speak of ‘*hellenistisches Recht*’ for this whole period. In making this assertion, he is clearly setting his book in the tradition of the lawyer’s history (Robert Gordon, *Yale Law Journal* 90 [1981], 1017–57; I owe this reference to Bruce Frier). From the historian’s perspective, the present view holds that there is definitely a great divide between Ptolemaic and Roman Egypt (see, for example, Alan Bowman and Dominic Rathbone, ‘Cities and Administration in Roman Egypt’, *JRS* 82 [1992], 107–27; surprisingly, this important article is not incorporated in the supplementary bibliography). The interesting question how this historical picture relates to W.’s legal picture is not treated to the extent it should. (Admittedly, when W. was working on the manuscript there still was debate about the so-called ‘romanity’ of Roman Egypt; see the now completely outdated discussion on pp. 111–13. Here Rupprecht could have done some more editing of W.’s manuscript.)

One of the strongest points of the book is that W. time and again stresses the fluid and flexible nature of the way in which the ‘*juristische Koine*’, the private law of the Greek papyri, functioned in the Egyptian countryside in both the Ptolemaic and Roman periods. There was no *fixed* legal system imposed from above, and those involved in making a transaction were free to add or leave out stipulations to their liking. What W. mentions but could have mentioned more, it that much of the law of Greek papyri is not the work of legal experts, but of private people with a little experience in legal matters. In the ‘*juristische Koine*’, flexibility is the norm. In the field of legal papyrology, where many people have a background in a perceived more static Roman law, this is indeed something that cannot be stressed enough.

The sheer flexibility of the law we find in the Greek papyri from Egypt makes a systematical description of its forms and backgrounds from top down as W. tries very difficult; and this shows. Much of the discussion in the book consists of describing how specific legal aspects contrast and compare with the Greek legal traditions, and the co-existing (but never blending) native Egyptian and Roman law. On several occasions, however, W. makes clear that given the scarceness of sources, it is difficult, if not impossible to state what elements in the ‘law of the Greek papyri’ are borrowed, and from where, and what is original.

At the same time, W.’s self-imposed restriction to the ‘*hellenistische*’ elements (pp. 3–4) of the ‘law of the Greek papyri’, does not really work. These elements only seem to exist *vis-à-vis* the Greek sources for this law, and the native Egyptian and Roman law. The ‘law of the Greek papyri’ should therefore rather be studied in its context. In this, I think, Erwin Seidl was right in talking about the law of Ptolemaic Egypt (with Greek and Egyptian elements) in his *Ptolemäische Rechtsgeschichte*

(Glückstadt, 1962) and the law of Roman Egypt in his *Rechtsgeschichte Ägyptens als römischer Provinz* (Sankt Augustin, 1973). Compare pp. 79–80 for W.'s contrasting view and p. 13 for Rupprecht's more positive assessment of Seidl's work.

Possibly a more worthwhile approach in looking at the system of law in Ptolemaic and Roman Egypt, is to take into account the whole societal background and look at it from the bottom up. One of the more important 'Triebkräfte' of the 'law of the Greek papyri' are the individuals who make use of that law themselves. A number of interesting studies in (bilingual and other) archives have already made good progress in this respect—see, for example, P. W. Pestman, 'Appearance and Reality in Written Contracts: Evidence from Bilingual Family Archives', in Markham J. Geller and Herwig Maehler, in collaboration with A. D. E. Lewis (edd.), *Legal Documents of the Hellenistic World. Papers from a Seminar Arranged by the Institute of Classical Studies, the Institute of Jewish Studies and the Warburg Institute, University of London, February to May 1986* (London, 1995), pp. 79–87, and Katelijn Vandorpe, *The Bilingual Family Archive of Dryton, his Wife Apollonia and their Daughter Senmouthis (P. Dryton)* (Collectanea Hellenistica 4, 2003). Why does Mr X (or Mrs Y) in the present situation choose for this (these) specific legal form(s)? I do not think that the source of these forms mattered much to the people themselves; it was the effectiveness that mattered to them.

University of Michigan

ARTHUR VERHOOGT

BLEMMYES AND BEJA

L. KIRWAN: *Studies on the History of Late Antique and Christian Nubia*. Edited by T. Hägg, L. Török, and D. A. Welsby. (Variorum Collected Studies Series CS748.) Pp. xxii + 277, maps, ills. Aldershot and Burlington, VT: Ashgate, 2002. Cased, £57.50. ISBN: 0-86078-893-8.

Sir Lawrence Kirwan (1907–99) made numerous contributions to Nubiology (or Palaeonubiology, as I prefer to call it), and it is a pleasure to see the most significant of them assembled here in one volume. Except for a masterful introductory essay (I), entitled 'Post-Meroitic Nubia—A Reappraisal' (written the year before he died and appearing in print here for the first time), the volume contains articles previously published and already well known in the field. The earliest appeared in 1934 (XVII), the latest—except for the introductory essay—in 1994 (XXII). These contributions have become part of the scholarly apparatus of the discipline, and are cited with respect and admiration by all who deal with antique and Christian Nubia. Their acceptance by scholars renders a general survey unnecessary; indeed, it would be impossible to summarize their contents within the limited confines of a brief review, and in fact the editors of the volume have already provided an admirably succinct and informative precis (Preface, pp. ix–xxi). Instead, I shall here focus on one of Kirwan's most interesting theses and shall supplement it with evidence that he did not utilize.

Throughout these articles, Kirwan dealt repeatedly with the Blemmyes, Nubia's southern neighbors, and he showed their impact on Nubian development (see the references in the indices, pp. 6 and 12). He noted in 1982 (XV, p. 196): 'The Blemmyes, as I proposed years ago, are the Bega [or Beja] of the Eastern Desert, an identification recently confirmed by Plumley at Ibrīm . . .' Kirwan is here referring to his famous 1937 paper, 'Studies in the Later History of Nubia' (XXV in the present collection).

The Classical Review vol. 54 no. 1 © The Classical Association 2004; all rights reserved